

**AGENDA - COUNCIL MEETING - TUESDAY - DECEMBER 30, 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 Rodriguez

**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

**MAYOR'S REPORT**

**CONSENT AGENDA NUMBERS 1 through 50**

**MISCELLANEOUS** - NUMBERS 1 through 3

1. REQUEST from Mayor for confirmation of the appoint of the following to the **AIRPORT BOARD OF ADJUSTMENT**, for two year terms beginning on February 1, 2009:  
Position Five C - **MR. JOHN L. MARTINEC** (matters relating to Ellington Field)  
Alternate Position Five A - **PASTOR DAVID A. MONTGOMERY, SR.**  
(matters relating to Bush Intercontinental Airport)  
Alternate Position Five C - **MR. OMAR D. LOPEZ** (matters relating to Ellington Field)
2. RECOMMENDATION from Director Department of Public Works & Engineering for approval of FY2009 Operating Budget for the **HOUSTON AREA WATER CORPORATION (HAWC)** \$12,020,113.00 - Enterprise Fund
3. RECOMMENDATION from Director Department of Public Works & Engineering for payment of \$93,626.95 to **LONE STAR GROUNDWATER CONSERVATION DISTRICT** for water user fees for calendar year 2009 - Enterprise Fund

**AGENDA - DECEMBER 30, 2008 - PAGE 2**

**ACCEPT WORK** - NUMBERS 4 through 8

4. RECOMMENDATION from Director General Services Department for approval of final contract amount of \$183,187.00 and acceptance of work on contract with **SEA-BREEZE ROOFING, INC** for Emancipation Park Roof Replacement - **DISTRICT I - RODRIGUEZ**
5. RECOMMENDATION from Director General Services Department for approval of final contract amount of \$1,270,293.00 and acceptance of work on contract with **TIMES CONSTRUCTION, INC** for New Addition to Fire Station 35 - 4.98% over the original contract amount - **DISTRICT D - ADAMS**
6. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,545,621.65 and acceptance of work on contract with **C AND C SERVICES** for Water Line Replacement in Lake Houston-East Subdivision - 8.92% under the original contract amount - **DISTRICT E - SULLIVAN**
7. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$3,423,549.40 and acceptance of work on contract with **TROY CONSTRUCTION, LLP** for Water line Grid Extensions along Dairy Ashford, Veterans Memorial, Beechnut, Stancliff and Westpark - 3.28% over the original contract amount - **DISTRICTS B - JOHNSON; C - CLUTTERBUCK and F - KHAN**
8. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$2,572,349.85 and acceptance of work on contract with **GARVER CONSTRUCTION, LTD.** for Runnels Lift Station - 3.03% over the original contract amount **DISTRICT H - GARCIA**

**PROPERTY** - NUMBERS 9 through 26

9. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from James Harrison of Paxson & Associates, P.C., on behalf of Stacey Fine Homes of Texas, Inc, for abandonment and sale of a ± 72-square-foot portion of Kelving Drive adjacent to Lot 5, Block 19 of the Braeswood Subdivision, Section One, out of the P. W. Rose Survey, Abstract 645, in exchange for the conveyance to the City of the full portion as a street easement, Parcels SY8-068 and AY8-111 **DISTRICT C - CLUTTERBUCK**
10. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Frank Petrosky of Landtech Consultants, Inc, on behalf of Houston Community College System, for abandonment and sale of a 10-foot-wide utility easement and an 8-foot-wide utility easement from the east line of former Redwood Street to Garland Drive, Parcels SY9-018A and SY9-018B - **DISTRICT I - RODRIGUEZ**
11. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from John English, Rekha Engineering, Inc, on behalf of Ali Reza Rastegar, for abandonment and sale of a portion of a 10-foot-wide utility easement, in exchange for the conveyance to the City of a 20-foot-wide storm sewer easement, both located at 2148 Troon, within Lots 13 and 14, Block 53, located in the River Oaks Addition, Section 3, out of the J. Austin Survey, A-1, Parcels SY9-013 and LY9-025 - **DISTRICT G - HOLM**
12. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Ali Bayegan, Coldwell Banker United, on behalf of Lou Gilpin and Colleen Corneau, for abandonment and sale of a 10-foot-wide utility easement in exchange for the conveyance to the City of a 10-foot-wide utility easement located within Lot 19, Block 6, Woodside Section 3, James Hamilton Survey, Section 27, Parcels SY9-026 and VY9-024 - **DISTRICT C - CLUTTERBUCK**

**PROPERTY** - continued

13. RECOMMENDATION from Director Department of Public Works & Engineering for Purchase of Parcel AY7-051, located at 26 Parker Road, owned by Angel Roberto Avila and Maria Avila, for the **PARKER ROAD PAVING PROJECT from Fulton to Hardy Toll Road - DISTRICT H - GARCIA**
14. RECOMMENDATION from Director Department of Public Works & Engineering for Purchase of Parcel AY7-080, located at 112 Parker Road, owned by Francisco Rodriguez, for the **PARKER ROAD PAVING PROJECT from Fulton to Hardy Toll Road - DISTRICT H - GARCIA**
15. RECOMMENDATION from Director Department of Public Works & Engineering for Purchase of Parcel AY7-093, located at 164 Parker Road, owned by Jose Luis Balderas, for the **PARKER ROAD PAVING PROJECT from Fulton to Hardy Toll Road - DISTRICT H - GARCIA**
16. RECOMMENDATION from Director Department of Public Works & Engineering for Purchase of Parcel AY7-101, located at 143 Parker Road, owned by Mildred J. Archibald Brake, for the **PARKER ROAD PAVING PROJECT from Fulton to Hardy Toll Road - DISTRICT H - GARCIA**
17. RECOMMENDATION from Director Department of Public Works & Engineering for Purchase of Parcel AY7-113, located at 226 Parker Road, owned by Manuel Garza and Rosa Christina Garza, for the **PARKER ROAD PAVING PROJECT from Fulton to Hardy Toll Road - DISTRICT H - GARCIA**
18. RECOMMENDATION from Director Department of Public Works & Engineering for Purchase of Parcel AY7-114, located at 230 Parker Road, owned by Patricia Landa Martinez, for the **PARKER ROAD PAVING PROJECT from Fulton to Hardy Toll Road - DISTRICT H - GARCIA**
19. RECOMMENDATION from Director Department of Public Works & Engineering for Purchase of Parcel AY7-116, located at 238 Parker Road, owned by Anselmo Gil and wife Ramona Gil, for the **PARKER ROAD PAVING PROJECT from Fulton to Hardy Toll Road - DISTRICT H - GARCIA**
20. RECOMMENDATION from Director Department of Public Works & Engineering for Purchase of Parcel AY7-119, located at 205 Parker Road, owned by Gustavo Huerta and Homero Huerta, for the **PARKER ROAD PAVING PROJECT from Fulton to Hardy Toll Road - DISTRICT H - GARCIA**
21. RECOMMENDATION from Director Department of Public Works & Engineering for Purchase of Parcel AY7-121, located at 213 Parker Road, owned by Raymundo and Teodora Vega, for the **PARKER ROAD PAVING PROJECT from Fulton to Hardy Toll Road - DISTRICT H - GARCIA**
22. RECOMMENDATION from Director Department of Public Works & Engineering for Purchase of Parcel AY7-123, located at 221 Parker Road, owned by Hector G. and Rita Garza, for the **PARKER ROAD PAVING PROJECT from Fulton to Hardy Toll Road - DISTRICT H - GARCIA**
23. RECOMMENDATION from Director Department of Public Works & Engineering for Purchase of Parcel AY7-138, located at 254 Parker Road, owned by Juan M. and Maria G. Jaramillo, for the **PARKER ROAD PAVING PROJECT from Fulton to Hardy Toll Road - DISTRICT H - GARCIA**
24. RECOMMENDATION from Director Department of Public Works & Engineering for Purchase of Parcel AY7-162, located at 509 Parker Road, owned by Pedro Torres, for the **PARKER ROAD PAVING PROJECT from Fulton to Hardy Toll Road - DISTRICT H - GARCIA**
25. RECOMMENDATION from Director Department of Public Works & Engineering for Purchase of Parcel AY7-170, located at 705 Parker Road, owned by Dennis Paul Bergeaux, for the **PARKER ROAD PAVING PROJECT from Fulton to Hardy Toll Road - DISTRICT H - GARCIA**

**PROPERTY** - continued

26. RECOMMENDATION from Director Department of Public Works & Engineering for Purchase of Parcel AY7-189, located at 904 Parker Road, owned by Richard and Helen Villarreal, for the **PARKER ROAD PAVING PROJECT from Fulton to Hardy Toll Road - DISTRICT H - GARCIA**

**PURCHASING AND TABULATION OF BIDS** - NUMBERS 27 through 29

27. ORDINANCE appropriating \$239,806.00 out of Equipment Acquisition Consolidated Fund for the Purchase of Animal Control Trucks for the City's Health & Human Services Department
- a. **TOMMIE VAUGHN MOTORS, INC** for Animal Control Trucks for Health & Human Services Department
28. ORDINANCE appropriating \$7,500,000.00 out of Julia Ideson Library Contributions Fund; approving and authorizing first amendment to Construction Management-At-Risk Contract (approved by Ordinance No. 2007-1471) between the City of Houston and **SPAW MAXWELL COMPANY, L.P.** for the Julia Ideson Building Restoration and Addition; providing funding for Mobile High-Density Storage System, engineering and material testing, and contingencies related to construction of facilities financed by the Julia Ideson Library Contributions Fund
- a. **SOUTHWEST SOLUTIONS GROUP** for Mobile High-Density Shelving System through the State of Texas Building and Procurement Commissioner's Contract - \$475,000.00
29. **INFORMATION BUILDERS, INC** for Software Upgrade for Department of Public Works & Engineering - \$346,764.00 - Building Inspection Fund

**RESOLUTIONS AND ORDINANCES** - NUMBERS 30 through 50

30. RESOLUTION authorizing the City Attorney to take appropriate legal action against **CES ENVIRONMENTAL SERVICES, INC** to enforce the provisions of environmental laws and regulations - **DISTRICT D - ADAMS**
31. ORDINANCE **AMENDING THE HOUSTON SIGN CODE**, relating to directional and locational signs for institutions of higher education and medical institutions; containing findings and other provisions relating to the foregoing subject; providing for severability
32. ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of 11,094 square feet of excess, dedicated Dacoma Street right-of-way from Hurfus Street to Karbach Street (Parcel SY8-010), vacating and abandoning said right-of-way to Pedro Arreguin, the abutting owner, in consideration of his conveyance to the City of a 20-foot-wide water line easement (Parcel KY8-275), his agreement to accept restrictions on his use of the abandonment parcel, and his payment of \$40,215.00 and other consideration to the City; the abandonment parcel and the conveyance parcel both being adjacent to Lot 75, located in Eureka Acres Subdivision, out of the John Flowers Survey, A-269, Houston, Harris County, Texas **DISTRICT H - GARCIA**
33. ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of a portion of Calumet Drive (Parcel SY8-034), from Caroline Street to Austin Street, containing 0.4591 acres of land, more or less; vacating and abandoning said tract to the Holocaust Museum Houston, abutting owner, in consideration of owner's conveyance to the City of a utility easement (Parcel VY8-033), located in the Hermann Park Addition, Sec. 2, J. Christy Survey, A-212, Houston, Harris County, Texas, and owner's payment to the City of \$572,115.00; however, in lieu of immediate payment, owner will commit to seeking federal funding and such funds will be deposited, within five (5) years, into a special City account for the benefit of the Museum and Management District Area - **DISTRICT D - ADAMS**



**RESOLUTIONS AND ORDINANCES** - continued

34. ORDINANCE authorizing the Mayor to execute a Sub-recipient Agreement with the Governor's Division of Emergency Management (GDEM) to accept Regional Catastrophic Preparedness Grant Program FY07-08 Grant Award and authorizing the Director of the Mayor's Office of Public Safety & Homeland Security to request and/or accept any amendments or modifications to this agreement or any subsequent agreements necessary to secure the City's allocations through these grant programs - \$5,910,000.00 - Grant Fund
35. ORDINANCE authorizing the Mayor to execute a Sub-recipient Agreement with the Governor's Division of Emergency Management (GDEM) to accept FY2008 Homeland Security Program Grant Funding and authorizing the Director of the Mayor's Office of Public Safety & Homeland Security to request and/or accept any amendments or modifications to this agreement or any subsequent agreements necessary to secure the City's allocations through these grant programs \$15,488,525.30 - Grant Fund
36. Omitted
37. ORDINANCE approving third amendment of the Project Plan and Reinvestment Zone Financing Plan for **REINVESTMENT ZONE NUMBER SIXTEEN, CITY OF HOUSTON, TEXAS (UPTOWN ZONE)**; authorizing the City Secretary to distribute such plans - **DISTRICTS C - CLUTTERBUCK and G - HOLM**
- a. ORDINANCE relating to the Fiscal Affairs of the **UPTOWN DEVELOPMENT AUTHORITY ON BEHALF OF REINVESTMENT ZONE NUMBER SIXTEEN, CITY OF HOUSTON, TEXAS (UPTOWN ZONE)**; approving an amended Fiscal Year 2009 Operating Budget for the authority and an amended Fiscal Year 2009–2013 Capital Improvement Budget for the zone - **DISTRICTS C - CLUTTERBUCK and G - HOLM**
38. ORDINANCE approving the Project Plan and Reinvestment Zone Financing Plan for **REINVESTMENT ZONE NUMBER TWENTY-ONE, CITY OF HOUSTON, TEXAS (HARDY/NEAR NORTHSIDE ZONE)**; authorizing the City Secretary to distribute such plans **DISTRICT H - GARCIA**
39. ORDINANCE amending Ordinance No. 2006-0087 to increase the maximum contract amount and approve and authorize first amendment to Contract No. C53094 between the City of Houston and **NORTHROP GRUMMAN INFORMATION TECHNOLOGY, INC (formerly PRC PUBLIC SECTOR, INC)** for Maintenance and Operational Support of the Consolidated Dispatching System at the Houston Emergency Center - 3 Years - \$2,950,000.00 - Houston Emergency Center Fund
40. ORDINANCE appropriating \$400,000.00 out of Public Library Consolidated Construction Fund for Materials and IT Equipment at the Morris Frank Library - **DISTRICT C - CLUTTERBUCK**
41. ORDINANCE approving and authorizing contract between the City and **RON SMITH & ASSOCIATES, INC** for Specialized Technical Audit and Management Consulting for the Latent Print Unit within the Houston Police Department's Identification Division - \$570,000.00 - General Fund
42. ORDINANCE approving and authorizing contract between the City of Houston and **MARSHALL & LEWIS LLP** for Legal Services to include representation of the City of Houston in litigation relating to the City's claim for access line compensation; providing a maximum contract amount \$200,000.00 - General Fund

**RESOLUTIONS AND ORDINANCES** - continued

43. ORDINANCE appropriating \$150,000.00 out of General Improvement Consolidated Construction Fund for Purchase and Installation of CCTV and Access Control Equipment for the Municipal Courts Phase II Renovations under existing contract with **BL TECHNOLOGY, INC**
44. ORDINANCE appropriating \$30,000.00 out of Public Library Consolidated Construction Fund for issuance of purchase order to **BAILEY ARCHITECTS, INC** for Design Services for Renovation of Stella Link Library - **DISTRICT C - CLUTTERBUCK**
45. ORDINANCE amending Ordinance No. 2005-1184 (passed on October 26, 2005) to increase the maximum contract amount for contract between the City of Houston and **DC SERVICES, L.L.C.** for Communication Technician Services for the Information Technology Department \$910,906.25 - Central Services Revolving Fund
46. ORDINANCE appropriating \$4,677,423.00 out of Equipment Acquisition Consolidated Fund and approving and authorizing contract between the City of Houston and **DYONYX, L.P.** for Professional Services and related hardware and software to implement Windows Server 2003 Active Directory and Exchange Server 2007 for the City's Computer Network - 3 Years with two one-year options
47. ORDINANCE awarding contract to **LANDPRO, INC** for Tree Planting and Maintenance Services for the Parks & Recreation Department; providing a maximum contract amount - \$1,295,296.70 General and Parks Planting Trees Funds
48. ORDINANCE appropriating \$55,650.00 out of Street & Bridge Consolidated Construction Fund as an additional appropriation to the agreement between the City of Houston and **TEXAS DEPARTMENT OF TRANSPORTATION** for Reconstruction of Little York from East of Hardy Road to US 59 (approved by Ordinance 96-0592) - **DISTRICT B - JOHNSON**
49. ORDINANCE appropriating \$10,551,500.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **TEXAS STERLING CONSTRUCTION CO.** for 42-inch water line along Tidewater, S. Post Oak, W. Orem, Croquet, and existing easements from Candleshade to Sims Bayou Pump Station; 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 **DISTRICTS C - CLUTTERBUCK; D - ADAMS and G - HOLM**
50. ORDINANCE appropriating \$3,488,362.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **PM CONSTRUCTION & REHAB, L.P.** for Sanitary Sewer Rehabilitation by Sliplining and Pipe Bursting Methods; 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 and testing, project management, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund

**END OF CONSENT AGENDA**

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

**AGENDA - DECEMBER 30, 2008 - PAGE 7**

**MATTERS HELD** - NUMBERS 51 through 56

51. ORDINANCE appropriating \$2,198,870.00 out of C & E Construction Fund for Roof Restoration Services at the George R. Brown Convention Center for the Convention & Entertainment Facilities Department
  - a. RECOMMENDATION from Purchasing Agent to award to **DESIGN-BUILD SOLUTIONS, INC** for Roof Restoration Services for the George R. Brown Convention Center from the State of Texas Procurement and Support Services Contract through the State of Texas Cooperative Purchasing Program for Convention & Entertainment Facilities Department  
**TAGGED BY COUNCIL MEMBER JONES**  
These were Items 8 and 8A on Agenda of December 17, 2008
  
52. RECOMMENDATION from Purchasing Agent to award to **HOUSTON FREIGHTLINER, INC** - \$1,723,853.00, **DUNCAN FREIGHTLINER, L.P.** - \$528,200.00, **SANTEX TRUCK CENTER, LTD** \$378,300.00, **McNEILUS FINANCIAL d/b/a McNEILUS TRUCK AND MANUFACTURING, INC** - \$1,086,755.00, **CHASTANG'S BAYOU CITY FORD** - \$255,612.00 and **TEXAN WASTE EQUIPMENT, INC d/b/a HEIL OF TEXAS** - \$590,634.00 for Cabs & Chassis and Refuse Bodies through the Interlocal Agreements for Cooperative Purchasing with BuyBoard and Houston-Galveston Area Council for the Solid Waste Management Department - Equipment Acquisition Consolidated and Reimbursement of Equipment/Projects Funds  
**TAGGED BY COUNCIL MEMBER JONES**  
This was Item 15 on Agenda of December 17, 2008
  
53. ORDINANCE **AMENDING ARTICLE XI OF CHAPTER 47 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to transportation of certain liquid wastes; containing findings and other provisions relating to the foregoing subject; providing an effective date; providing for severability - **TAGGED BY COUNCIL MEMBER BROWN**  
This was Item 18 on Agenda of December 17, 2008
  
54. ORDINANCE awarding contract to **JOHN BEAN TECHNOLOGIES CORPORATION** for Baggage Handling and Aircraft Support Systems Maintenance and Hardstand Operations Services for the Houston Airport System; providing a maximum contract amount - 3 Years with two one-year options - \$14,716,068.89 - Enterprise Fund  
**TAGGED BY COUNCIL MEMBERS JONES and RODRIGUEZ**  
This was Item 40 on Agenda of December 17, 2008
  
55. ORDINANCE approving and authorizing contract between the City of Houston and **EBSCO INDUSTRIES, INC** for Periodicals, Serials and Newspaper Subscription Services for the Houston Public Library; providing a maximum contract amount - 3 Years with two one-year options \$2,500,000.00 - General Fund - **TAGGED BY COUNCIL MEMBERS JONES and RODRIGUEZ**  
This was Item 41 on Agenda of December 17, 2008
  
56. ORDINANCE appropriating \$2,537,518.00 out of Equipment Acquisition Consolidated Fund; awarding construction contract to **SPAWGLASS CIVIL CONSTRUCTION, INC** for Memorial Park Pedestrian Bridge; setting a deadline for the proposer's execution of the contract and delivery of all bonds, insurance and other required contract documents to the City; holding the proposer in default if it fails to meet the deadlines; providing funding for engineering and testing services, construction management, Civic Art Program, and contingencies relating to construction of facilities financed by the Equipment Acquisition Consolidated Fund - **DISTRICT G - HOLM**  
**TAGGED BY COUNCIL MEMBER CLUTTERBUCK**  
This was Item 51 on Agenda of December 17, 2008

**MATTERS TO BE PRESENTED BY COUNCIL MEMBERS** - Council Member Khan 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



TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

<b>SUBJECT:</b> Approval of the FY 2009 Annual Operating Budget for the Houston Area Water Corporation (HAWC).	<b>Category #</b>	<b>Page</b> 1 of 2	<b>Agenda Item #</b> <i>2</i>
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<b>FROM (Department or other point of origin):</b>  Department of Public Works and Engineering	<b>Origination Date</b>  12-21-08	<b>Agenda Date</b>  DEC 30 2008
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<b>DIRECTOR'S SIGNATURE</b> <i>Michael S. Marcotte</i> Michael S. Marcotte, P.E., D.WRE, BCEE, Director	<b>Council District affected:</b>
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<b>For additional information contact:</b> Dannelle H. Belhateche, P.E. Senior Assistant Director Phone: (713) 837-0847	<b>Date and identification of prior authorizing Council action:</b> Motion No. 2007-0785 Dated July 18, 2007
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**RECOMMENDATION: (Summary)**

Approve by Council Motion the FY 2009 HAWC Annual Operating Budget.

<b>Amount of Funding:</b> \$12,020,113	<b>Finance Department:</b>
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**SOURCE OF FUNDING:**       General Fund       Grant Fund       Enterprise Fund

**Other (Specify)** Fund 8300 - Water and Sewer System Operating Fund

**SPECIFIC EXPLANATION:**

The Houston Area Water Corporation ("HAWC") is a public non-profit local government corporation created by the City of Houston to coordinate and manage the construction and operation of the Northeast Water Purification Plant ("NEWPP"). The facility's first phase commenced operations at 40 million gallons per day on August 1, 2005. The second phase providing an additional capacity of 40 MDG, for a total production capacity of 80 MGD, was completed in March 2006. The NEWPP is now fully operational and is part of the regional water distribution system serving the City and other customers.

The City and the HAWC entered into an Amended and Restated Treated Water Supply Contract that states that the City shall pay all Operations and Maintenance Expenses incurred by the Corporation, including debt service on the contract revenue bonds issued in 2002 (the "HAWC Bonds") to fund construction and other costs associated with the development of the NEWPP. The HAWC submits an Annual Operating Budget for City approval that includes all operating expenses.

<b>REQUIRED AUTHORIZATION</b>		<b>20DHB68</b>
<b>Other Authorization:</b> <i>Jun Chang</i> Jun Chang, P.E. Interim Deputy Director	<b>Other Authorization:</b> <i>Dannelle H. Belhateche</i> Dannelle H. Belhateche, P.E. Senior Assistant Director	

Date	Approval of the FY 2009 Annual Operating Budget for the Houston Area Water Corporation (HAWC)	Originator's Initials	Page 2 of 2
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The FY2009 Annual HAWC Operating Budget approved by the Board Members on April 10, 2008 is \$12,020,113

Major budget categories are:

- Plant Maintenance and Operations Cost - \$953,000
- Electricity - \$1,878,000
- Chemicals - \$2,200,000
- Miscellaneous/Other - \$4,862,000
- Drinking Water Operations Personnel (included in the PUD Budget) - \$1,278,513

Payments made to the HAWC are based on actual monthly Operations and Maintenance costs.

The FY2008 Annual HAWC Operating Budget was \$23,351,450. The difference in the FY2008 and FY2009 budget amounts is due to the Public Works Department taking over the operations and maintenance of the Northeast Water Purification Plant from the HAWC contractor MWH Constructors. These operations and maintenance costs will now be paid through the PWE operating budgets. Additionally, the debt service on bonds related to the Northeast Water Purification Plant is now paid from the Combined Utility System rather than as part of the HAWC budget.

It is recommended that City Council approve the proposed FY 2009 Annual Operating Budget for the Houston Area Water Corporation in the amount of \$12,020,113

DHB:dt

- C: Marty Stein
- Waynette Chan
- Gary Norman
- Dannelle H. Belhateche, P.E.

ANNUAL OPERATIONS AND MAINTENANCE BUDGET  
 NORTHEAST WATER PURIFICATION PLANT  
 FY2008 and FY2009  
 30 MGD

CATEGORY	FY08 BUDGET Approved	FY09 BUDGET Preliminary	FY 09 Budget vs. FY 08 Budget	DESCRIPTION Explanation of variance
<b>Management and Oversight:</b>				
City of Houston Labor & Benefits Security	0	0	0	
Legal Fees -	274,000	247,000	27,000	Contract Security 40018/5521445
	200,000	200,000	0	Locke, Liddle & Sapp services 40018/521445
Supplies	57,500	5,000	52,500	office supplies, equip. rental, postage, computer supplies, cleaning supplies, bottling supplies - 40018/521445
Insurance - Paid by HAWC - Officers Liability	50,000	50,000	0	Board liability, general liability, building insurance
Audit Services	25,000	105,000	(80,000)	Annual audit + C&M Audit
Bank Charges	3,600	3,600	0	Monthly Fees
<b>Subtotal:</b>	<b>610,100</b>	<b>610,600</b>	<b>(500)</b>	
Variance justification: All City labor included in PUD Line Item 1000				
<b>Engineering and Professional Services:</b>				
PBS&J	75,000	0	75,000	Operational audits, M&O Engineering Services, Operations support
Weston	0	0	0	Construction services support for MUD lines
Public Education Program	200,000	100,000	100,000	Water Works Museum Construction
Contingency and Misc. Expenses	200,000	110,000	90,000	1% of O&M budget
<b>Subtotal:</b>	<b>475,000</b>	<b>210,000</b>	<b>265,000</b>	
<b>Plant Operations and Maintenance:</b>				
MWH Phase 1 O&M Service Fee	0	0	0	
Operations Period Insurance Pass thru	0	0	0	
MWH Phase 2 Service Fee Adjustment	0	0	0	
Plant Maint - 40016/520124	310,000	0	310,000	(FY 08) UV Maint., Misc. other repairs, other equipment services - 40016/520124
Plant Maint - 40018/521445	62,000	43,000	19,000	tools/equipment, Other Equip. Services 40018/521445
Building Maint. - 40018/521445	51,000	38,000	13,000	trash p/u, janitorial, elevators, doors, HVAC, pest control... 40018/521445
Land & Grounds Maint - 40016/521415	100,000	100,000	0	Land & Grounds Maint 40016/521415
Vehicles - 40018/521445	78,000	9,000	69,000	Vehicle maintenance, fuel 40018/521445
Misc. - 40018/521445	24,000	11,000	13,000	memberships, training, metro, printing, freight, drug testing, clothing - 40018/521445
Transmission Line Maintenance	0	0	0	
AORFA	0	0	0	
Sludge Disposal	220,000	752,000	(532,000)	McCarty Rd. Landfill, Merrell Brothers 40018/521445
<b>Subtotal:</b>	<b>845,000</b>	<b>953,000</b>	<b>(108,000)</b>	
Chemicals "Pass Thru from MWH"	4,123,126	2,200,000	1,923,126	
Electricity See line 48	0	0	0	Will be included in PUD Electrical Budget
Telephone	100,000	10,000	90,000	Communication/Telephone Service - 40018/521445
<b>Subtotal:</b>	<b>4,223,126</b>	<b>2,210,000</b>	<b>2,013,126</b>	
<b>Miscellaneous other:</b>				
Solar Bee Lake Circulators	520,000	264,000	256,000	Purchase units in FY 08 - 40018/521445
Raw Water Cost	5,147,706	4,598,000	549,706	365 days @ \$0.4238/1000 gal @ 33MGD
Less: Interest Income / Misc. Revenue				
<b>Subtotal:</b>	<b>5,667,706</b>	<b>4,862,000</b>	<b>805,706</b>	
<b>Subtotal HAWC Budget Line Item 521445</b>	<b>11,820,932</b>	<b>8,845,600</b>	<b>2,975,332</b>	
Personnel Cost budgeted in PUD	646,399	1,278,513	(632,114)	Drinking Water Operations - 40018
Non-Capital Equip. budgeted in PUD	7,000	18,000	(11,000)	Furniture, Computers, machinery - 40018/551010, 551015, 551030
Electricity budgeted in PUD	1,800,000	1,878,000	(78,000)	Electricity - 40018/521505
<b>Subtotal:</b>	<b>2,453,399</b>	<b>3,174,513</b>	<b>(721,114)</b>	
<b>TOTAL</b>	<b>14,274,331</b>	<b>12,020,113</b>	<b>2,254,218</b>	
DEBT SERVICES BUDGETED IN Cost Center 50002				
Bond Principal Retirement	2,585,000	0	2,585,000	
Bond Interest Expense	6,492,119	0	6,492,119	
<b>Subtotal</b>	<b>9,077,119</b>	<b>0</b>	<b>9,077,119</b>	
<b>TOTAL EXPENDITURES WITH DEBT SERVICE</b>	<b>23,351,450</b>	<b>12,020,113</b>	<b>11,331,337</b>	



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

<b>SUBJECT:</b> Payment approval for the sum of \$93,626.95 to Lone Star Groundwater Conservation District for water user fees for calendar year 2009.	<b>Category #</b> 1	<b>Page</b> 1 of 1	<b>Agenda Item #</b> 3
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<b>FROM (Department or other point of origin):</b> Department of Public Works and Engineering	<b>Origination Date</b> 11/17/08	<b>Agenda Date</b> DEC 30 2008
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<b>DIRECTOR'S SIGNATURE</b> <i>Michael S. Marcotte</i> Michael S. Marcotte, P.E., D.WRE, BCEE, Director	<b>Council District affected:</b> ALL
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<b>For additional information contact:</b> Dannelle H. Belhateche, P.E. Senior Assistant Director <b>Phone:</b> (713) 837-0847	<b>Date and identification of prior authorizing Council action</b> 12-19-07 – Motion No. 2007-1242
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**RECOMMENDATION: (Summary)**

That City Council approve payment of \$93,626.95 to the Lone Star Groundwater Conservation District for water fees for calendar year 2009.

<b>Amount of Funding:</b> \$93,626.95	<b>Finance Department:</b>
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**SOURCE OF FUNDING:**       General Fund       Grant Fund       Enterprise Fund  
 Other (Specify)  
 Water & Sewer System Operating Fund No. 8300

**SPECIFIC EXPLANATION:**

Groundwater is a major source of water for Texas. However, in many parts of the state, more is being used than is being replenished through natural means. The continuation of this practice can result in rising water costs, subsiding of land mass and a decline in the amount and quality of water.

The mission of the Lone Star Groundwater Conservation District is to manage and protect the groundwater resources of Montgomery County and parts of Harris County and to work with others to ensure a sustainable, adequate, high quality and cost effective water supply for current and future needs. The City has groundwater wells within the District that service parts of Harris County and Montgomery County. The City is responsible for paying the District a fee for the permitted withdrawal of groundwater from these wells.

The Department of Public Works and Engineering/Drinking Water Operations Branch request Council to approve payment of the permitted groundwater use fee to the Lone Star Groundwater Conservation District in the amount of \$93,626.95. These fees cover the period of January 1, 2009 to December 31, 2009. These fees are based on a historical use fee of \$0.07 per 1,000 gallons for the 222.12 million gallons to be used in Montgomery County plus \$0.105 per 1,000 gallons for the 743.6 million gallons, which will be produced in Montgomery County and used in Harris County.

cc: Michael S. Marcotte, P.E., DEE  
 Jun Chang, P.E.  
 Marty Stein  
 Dannelle H. Belhateche, P.E.  
 Waynette Chan  
 Gary Norman

**REQUIRED AUTHORIZATION      20DHB71**

<b>Finance Department</b>	<b>Other Authorization:</b> <i>Jun Chang</i> Jun Chang, P.E., Interim Deputy Director	<b>Other Authorization:</b> <i>Dannelle H. Belhateche</i> Dannelle H. Belhateche, P.E. Senior Assistant Director
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TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

<b>SUBJECT:</b> Accept Work Sea-Breeze Roofing, Inc. Emancipation Park Roof Replacement WBS No. F-000635-0001-4	<b>Page</b> 1 of 1	<b>Agenda Item</b> <i>4</i>
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<b>FROM (Department or other point of origin):</b> General Services Department	<b>Origination Date</b> <i>12/17/08</i>	<b>Agenda Date</b> DEC 30 2008
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<b>DIRECTOR'S SIGNATURE:</b> Issa Z. Dadoush, P.E. <i>[Signature]</i> <i>12/19/08</i>	<b>Council District(s) affected:</b> 1
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<b>For additional information contact:</b> Jacquelyn L. Nisby <i>[Signature]</i> <b>Phone:</b> 832.393.8023	<b>Date and identification of prior authorizing Council action:</b> Ordinance No. 2008-353; dated April 23, 2008
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**RECOMMENDATION:** Pass a motion approving the final contract amount of \$183,187.00, accept the work, and authorize final payment.

<b>AMOUNT AND SOURCE OF FUNDING:</b> No Additional Funding Required	<b>Finance Budget:</b>
<b>Previous Funding:</b> \$204,257.00 Federal Government – Grant Funded (5000) (CDBG)	

**SPECIFIC EXPLANATION:** The General Services Department recommends that City Council approve the final contract amount of \$183,187.00, accept the work and authorize final payment to Sea-Breeze Roofing, Inc. in connection with the Emancipation Park Roof Replacement for the Parks and Recreation Department.

**PROJECT LOCATION:** 3018 Dowling Street (493Y)

**PROJECT DESCRIPTION:** The project replaced the community center and pool house roofs, and installed security lights on the building.

**CONTRACT COMPLETION AND COST:** The contractor completed the work within the contract time. The final cost of the project is the low bid amount of \$183,187.00.

Archi\*Technics/3, Inc. was the project design consultant and construction manager.

*[Signature]*  
IZD:HB:JLN:LJ:oo

c: Marty Stein, Mark Ross, Daniel Pederson, Jacquelyn L. Nisby, Gabriel Mussio, Pirooz Farhoomand, Gayve Anklesaria, Laura Ortiz, Mary Villarreal, Lisa Johnson, Web Mitchell, Project File 1108

<b>REQUIRED AUTHORIZATION</b>			CUIC ID# 25PARK56 <i>NO</i>
<b>General Services Department:</b> <i>[Signature]</i> Humberto Bautista Chief of Design & Construction Division	<b>Housing and Community Development Department:</b> <i>[Signature]</i> Richard Celli Director	<b>Parks and Recreation Department:</b> <i>[Signature]</i> Joe Turner Director	

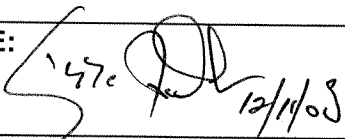


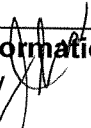
TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

<b>SUBJECT:</b> Accept Work Times Construction, Inc. New Addition to Fire Station 35 WBS No. C-000142-0002-4	<b>Page</b> 1 of 2	<b>Agenda Item</b> 5
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<b>FROM (Department or other point of origin):</b> General Services Department	<b>Origination Date</b> 12-15-08	<b>Agenda Date</b> DEC 30 2008
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<b>DIRECTOR'S SIGNATURE:</b> Issa Z. Dadoush, P. E.  12/11/08	<b>Council District affected:</b> D
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<b>For additional information contact:</b> Jacquelyn L. Nisby  Phone: 832-393-8023	<b>Date and identification of prior authorizing Council action:</b> Ordinance No. 2007-0950, Dated August 22, 2007
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**RECOMMENDATION:** Pass a motion approving the final contract amount of \$1,270,293.00, accept the work, and authorize final payment.

<b>Amount and Source of Funding:</b> No Additional Funding Required	<b>Finance Budget:</b>
<b>Previous Funding:</b> \$1,365,000.00—Fire Consolidated Construction Fund (4500)	

**SPECIFIC EXPLANATION:** The General Services Department recommends that City Council approve the final contract amount of \$1,270,293.00 or 4.98% over the original contract amount, accept the work and authorize final payment to Times Construction, Inc. for construction services in connection with the New Addition to Fire Station 35 for the Houston Fire Department.

**PROJECT LOCATION:** 5535 Van Fleet (534S)

**PROJECT DESCRIPTION:** This project constructed two new apparatus bays, added women's restroom, an additional parking lot, and enlarged the lounge area and locker room.



**CONTRACT COMPLETION AND COST:** The contractor completed the project within the contract time, plus an additional 71 days approved by Change Orders. The final cost of the project including Change Orders is \$1,270,293.00, an increase of \$60,293.00 over the original contract amount.

The project design consultant and construction manager was NATEX Corporation.

REQUIRED AUTHORIZATION

CUIC ID#25CONS73

**General Services Department:**  
  
Humberto Bautista  
Chief of Design & Construction Division

**Houston Fire Department:**   
  
Phil Boriskie  
Chief

MDT

<b>Date</b>	<b>Subject:</b> Accept Work Times Construction, Inc. New Addition to Fire Station 35 WBS No. C-000142-0002-4	<b>Originator's Initials</b> KTH	<b>Page</b> 2 of 2
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**PREVIOUS CHANGE ORDERS:** Change Orders 1-2 involved structural revisions necessary to address concealed conditions in the existing building, replacement of the existing flagpole, the addition of a portable basketball goal, added overhead water hose reels in the new apparatus bays, added a water fill valve in the new apparatus bays, rerouted an existing roof drain that was concealed in an existing wall that was demolished and made changes to some existing interior finishes to improve appearance and durability.

**M/WBE/SBE PARTICIPATION:** The contract contained a 15% M/WBE goal and 5% SBE goal. According to the Affirmative Action and Contract Compliance Division, the contractor achieved 18.52% M/WBE participation and 5.33% SBE participation and was assigned an outstanding rating.

  
IZD:HB:JLN:MCP:JW:kth


c: Marty Stein, Webb Mitchell, Jacquelyn L. Nisby, Jack Williams, Velma Laws, Siria Harbour, Kim Ngyuen, File

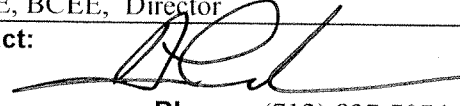


**O: Mayor via City Secretary REQUEST FOR COUNCIL ACTION**

<b>SUBJECT:</b> Accept Work for Water Line Replacement in Lake Houston-East Subdivision. WBS No. S-000035-00C6-4.	<b>Page</b> 1 of 1	<b>Agenda Item#</b>  <b>6</b>
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<b>FROM (Department or other point of origin):</b>  Department of Public Works and Engineering	<b>Origination Date</b> 12/17/08	<b>Agenda Date</b> DEC 30 2008
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<b>DIRECTOR'S SIGNATURE:</b>  Michael S. Marcotte, P.E., D. WRE, BCEE, Director	<b>Council Districts affected:</b> E M.A.S.
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<b>For additional information contact:</b>  J. Timothy Lincoln, P.E. Senior Assistant Director <b>Phone:</b> (713) 837-7074	<b>Date and Identification of prior authorizing Council Action:</b> Ord. #05-1296 dated 11/22/05 M.A.S.
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**RECOMMENDATION: (Summary)** Pass a motion to approve the final Contract Amount of \$1,545,621.65 or 8.92% under the original Contract Amount, accept the Work, and authorize final payment.

**Amount and Source of Funding:** No additional funding required.  
Original total appropriation of \$1,946,680.00 from Water and Sewer System Consolidated Construction Fund No. 755.

**PROJECT NOTICE/JUSTIFICATION:** This project was part of the City's water line replacement program. This program is required to replace and upgrade water lines within the City to increase circulation and availability of water.


**DESCRIPTION/SCOPE:** This project consisted of construction of 33,390 linear feet of 6-inch, 8-inch, and 12-inch of water lines with all related appurtenances in the Lake Houston-East Subdivision. SES Horizon Consulting Engineers, Inc. designed the project with 320 calendar days allowed for construction. The project was awarded to C and C Services with an original Contract Amount of \$1,697,038.40.

**LOCATION:** The project area is generally bound by Pas Trail on the north, F.M. 1960 on the south, Grey Fox on the east, and Glengyle on the west. The project is located in Key Map Grids 338-M, Q, & R and 339-J & N.

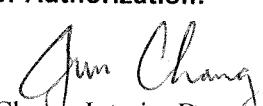

**CONTRACT COMPLETION AND COST:** The Contractor, C and C Services has completed the work under the subject Contract. The project was completed within the Contract time with additional 33 days approved by Change Order No. 1. The final cost of the project, including overrun and underrun of estimated bid quantities is \$1,545,621.65, a decrease of \$151,416.75 or 8.92% under the original Contract Amount.

The decreased cost is a result of the differences between planned and measured quantities. This decrease is primarily a result of an underrun in Base Unit Price Item No. 8 – Site Restoration, Base Unit Price Item No. 17 – 8-inch PVC Water Line, Augered, and Base Unit Item No. 25 – New Copper Service Line with Long Side (5/8-inch through 1-inch), and the Work not requiring use of most Extra Unit Price Items.

**M/WBE PARTICIPATION:** The M/WBE goal for this project was 17%. According to the Affirmative Action and Contract Compliance Division, the actual participation was 14.70%. The Contractor achieved an "Unsatisfactory" rating for MWDBE compliance.

  
MSM:JTL/LS:MAS:mq  
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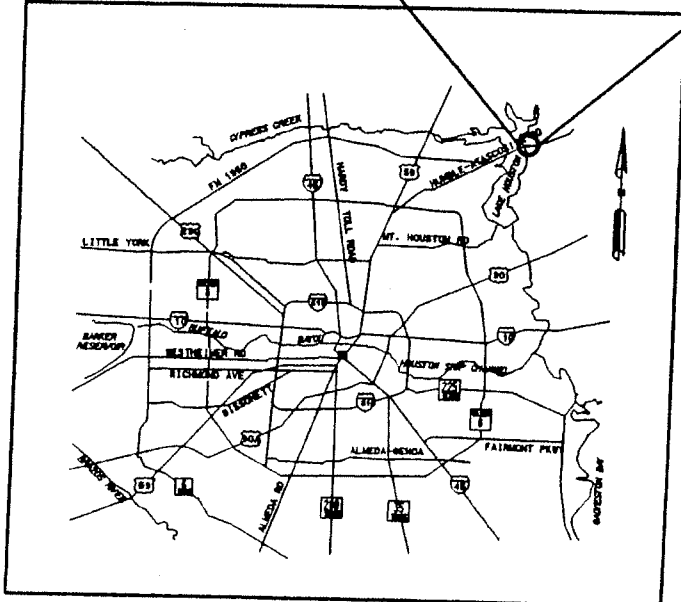
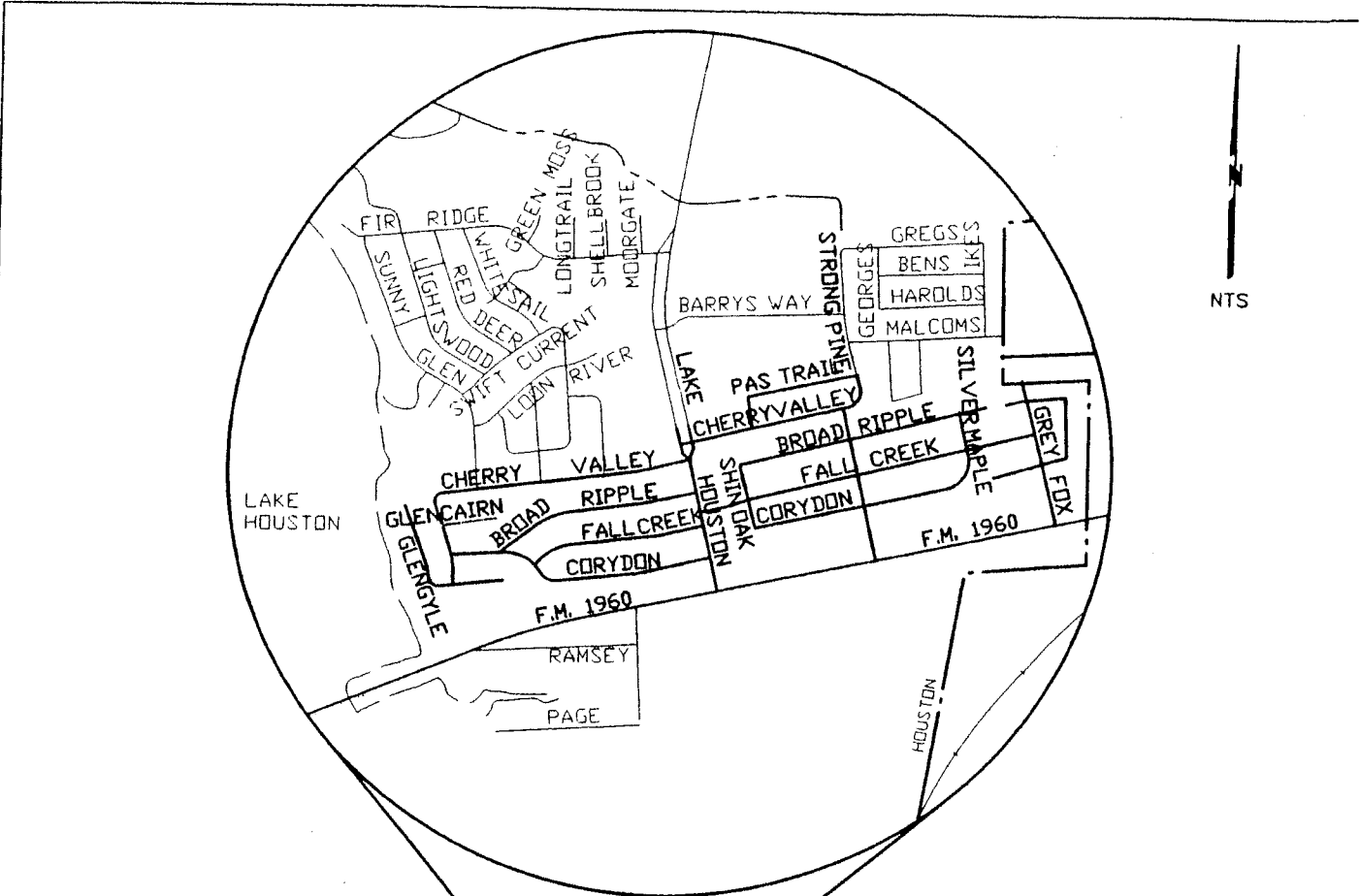
c: Velma Laws Craig Foster File No. S-000035-00C6-4 - Closeout

REQUIRED AUTHORIZATION		CUIC ID# 20MZQ041
<b>Finance Department:</b>	<b>Other Authorization:</b>  Jun Chang, Interim Deputy Director Public Utilities Division	<b>Other Authorization:</b>  Daniel R. Menendez, P.E. Deputy Director Engineering and Construction Division <b>NOT</b>









CITY OF HOUSTON  
 PUBLIC WORKS AND ENGINEERING DEPARTMENT  
 PROJECT: WATER LINE REPLACEMENT IN LAKE HOUSTON-EAST  
 GFS NO. S-0035-C6-2, FILE NO. WA10788  
 KEY MAP NOS. 338 L,M,Q,R; 339 J,N  
 COUNCIL DISTRICT E  
 DECEMBER, 2003

PROJECT LOCATION MAP

**SES HORIZON**  
 CONSULTING ENGINEERS, INC.  
 10101 Southwest Freeway, Suite 400 Houston, Texas 77074  
 (713) 988-5504, Fax (713) 988-1441 www.seshorizon.com

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


**SUBJECT:** Accept Work for Water Line Grid Extensions along Dairy Ashford, Veterans Memorial, Beechnut, Stancliff and Westpark. WBS No. S-000700-0060-4.

Page 1 of 1      Agenda Item # 7


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

**Origination Date:** 12-18-08  
**Agenda Date:** DEC 30 2008

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

**Council Districts affected:** B, C and F 

**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. #2006-41 dated 01/18/2006 

**RECOMMENDATION: (Summary)** Pass a motion to approve the final Contract Amount of \$3,423,549.40, which is 3.28% over the original Contract Amount, accept the Work and authorize the final payment.

**Amount and Source of Funding:** No additional appropriation required.  
Original appropriation of \$3,719,350.00 from Water and Sewer System Consolidated Construction Fund No. 755.

**PROJECT NOTICE/JUSTIFICATION:** This project was part of the City's Water Line Grid Extensions Program. This program is required to improve the City's water distribution system efficiency for recirculation and fire protection.


**DESCRIPTION/SCOPE:** The project consisted of construction of 14,400 linear feet of water lines with all related appurtenances along Veterans Memorial, Dairy Ashford, Beechnut, Stancliff, and Westpark. Malcolm Pirnie, Inc. designed the project with 300 calendar days allowed for construction. The project was awarded to Troy Construction, LLP with an original Contract Amount of \$3,314,723.00.

- LOCATION:** The project area is generally located along:
1. Veterans Memorial from 500 feet northwest of N. Shepherd to Diplomat Way – Key Map Grids 412-Q & U
  2. Dairy Ashford from Bissonnet to Shannon Hills – Key Map Grids 529-N, P, & Q
  3. Stancliff from 10923 Stancliff to S. Wilcrest – Key Map Grids 529-X & Y
  4. Westpark from Chimney Rock to Alder – Key Map Grids 491-X
  5. Beechnut from S. Kirkwood to S.Course. Key Map Grids 529 N,P & O.

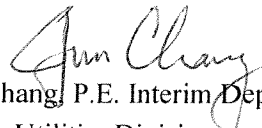

**CONTRACT COMPLETION AND COST:** The Contractor, Troy Construction, LLP has completed the Work under subject Contract. The project was completed within the Contract Time with 113 additional days provided by Change Order Nos. 1 and 2. The final cost of the project, including overrun and underrun of estimated bid quantities, and previously approved Change Order Nos. 1, 2, and 3 is \$3,423,549.40, an increase of \$108,826.40 or 3.28% over the original Contract Amount.

The cost overrun is primarily due to Change Order Nos. 1, 2, and 3

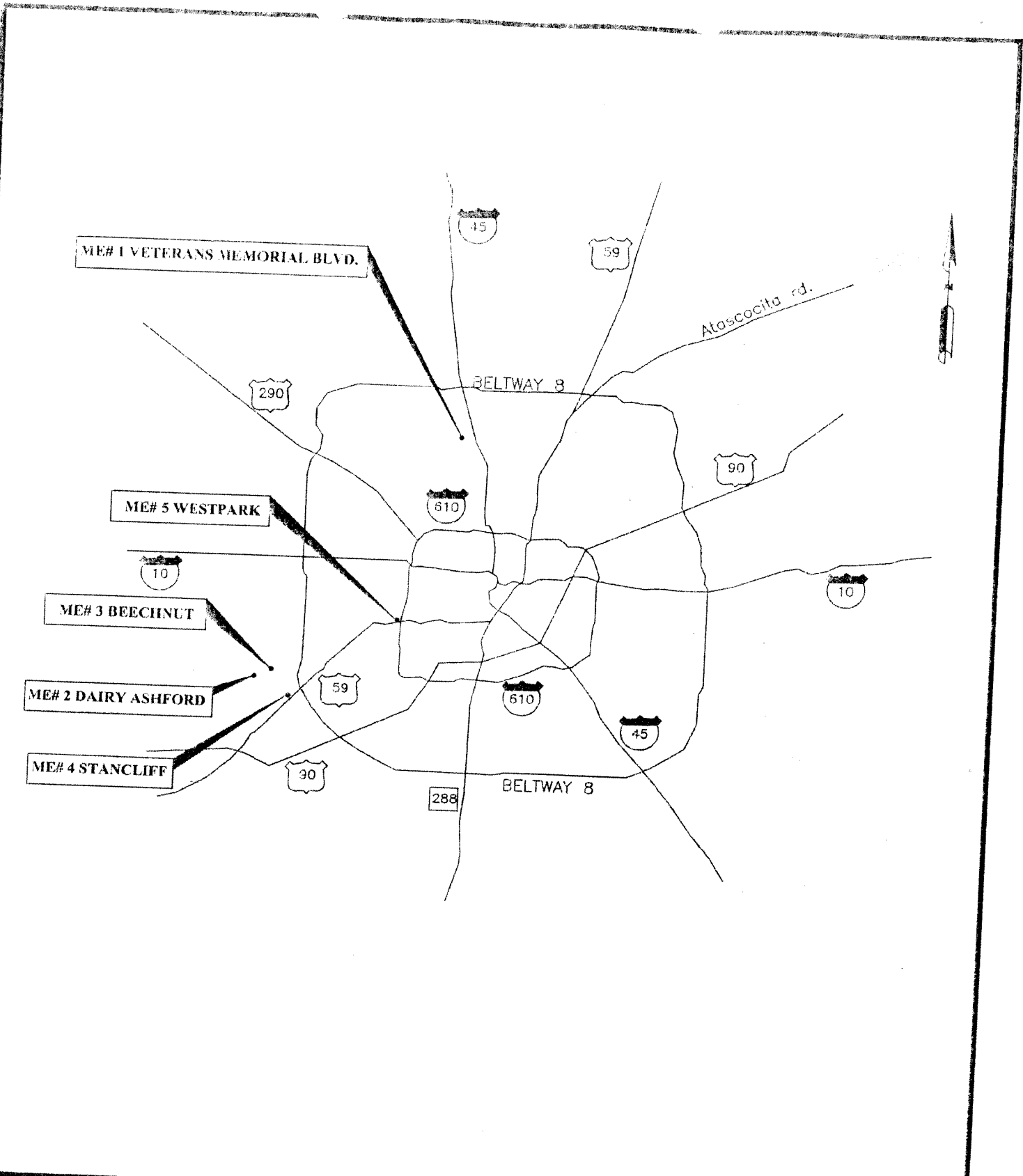
**M/WBE PARTICIPATION:** The M/WBE goal for this project was 17%. According to Affirmative Action and Contract Compliance Division, the actual participation was 19.61%. The Contractor was awarded an "Outstanding" rating for M/WBE compliance.

  
MSM:JTL;JAK:JLC:mq  
S:\E&C Construction\South Sector\PROJECT FOLDER\S-0700-60-3 (Grid Line Ext)\Closeout\RCA\RCA.DOC

c: Velma Laws      File No. S-000700-0060-4 – 21.0

REQUIRED AUTHORIZATION		CUIC ID# 20MZQ072
<b>Finance Department:</b>	<b>Other Authorization:</b>  Jun Chang, P.E. Interim Deputy Director Public Utilities Division	<b>Other Authorization:</b>  Daniel R. Menendez, P.E., Deputy Director Engineering and Construction Division

NOT



GRID EXTENSIONS FOR DAIRY ASHFORD, VETERANS MEMORIAL, BEECHNUT, STANCLIFF, AND WESTPARK

GFS NO. S-0700-60-3  
 FILE NO. WA10802


**MALCOLM  
 PIRNIE**

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

**SUBJECT:** Accept Work for Runnels Lift Station. WBS No. R-000267-0021-4. Page 1 of 1      Agenda Item # 8

**FROM (Department or other point of origin):**  
 Department of Public Works and Engineering Origination Date 12-18-08      Agenda Date DEC 30 2008

**DIRECTOR'S SIGNATURE:**  
 12.19.08  
 Michael S. Marcotte, P.E., D.WRE, BCEE, Director Council Districts affected: H

**For additional information contact:**  
 Date and Identification of prior authorizing Council Action: Ord. #2004-626 dated 06/16/2004  
 J. Timothy Lincoln, P.E.      Phone: (713) 837-7074  
 Senior Assistant Director

**RECOMMENDATION: (Summary)** Pass a motion to approve the final Contract Amount of \$2,572,349.85, which is 3.03% over the original Contract Amount, accept the Work and authorize the final payment.

**Amount and Source of Funding:** No additional appropriation required.  
 Original appropriation of \$2,881,500.00 from Water and Sewer System Consolidated Construction Fund No. 755.

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

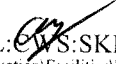
**DESCRIPTION/SCOPE:** The project consisted of demolition of existing lift station and construction of new lift station, including 2,607 linear feet of 8-inch, 12-inch, 15-inch, and 18-inch sanitary sewers and 100 linear feet of 10-inch force main. Dannenbaum Engineering Corporation designed the project with 365 calendar days allowed for construction. The project was awarded to Garver Construction, Ltd. with an original Contract Amount of \$2,496,736.00.

**LOCATION:** The project area is generally bound by Buffalo Bayou on the north, Runnels and Navigation on the south, Hirsch on the east, and US-59 on the west. The project is located in Key Map Grid 493-M and 494-J & N.

**CONTRACT COMPLETION AND COST:** The Garver Construction, Ltd. has completed the Work under subject Contract. The project was completed beyond the established completion date and Liquidated Damages in the amount of \$25,200.00 have been assessed and are reflected in the final payment to the Contractor. The final cost of the project, including Liquidated Damages, overrun and underrun of estimated bid quantities, and previously approved Change Order Nos. 1 through 8 is \$2,572,349.85, an increase of \$75,613.85 or 3.03% over the original Contract Amount.



The cost overrun is primarily due to Change Order No. 4 which included obstruction removal and change in construction method to complete the Work.

**M/WBE PARTICIPATION:** The M/WBE goal for this project was 17%. According to Affirmative Action and Contract Compliance Division, the actual participation was 16.01%. The Contractor achieved a "Satisfactory" rating for M/WBE compliance.

MSM:JTL:  WS:SKF:mq  
 S:\E&C Construction\Facilities\Projects\R-00267-0021-4 Runnels Lift Station\Closeout\RCA\RCA.DOC

c: Velma Laws      File No. R-000267-0021-4 - Closeout

**REQUIRED AUTHORIZATION      CUIC ID# 20MZQ075**

<b>Finance Department:</b>	<b>Other Authorization:</b>  Jun Chang, P.E. Interim Deputy Director Public Utilities Division	<b>Other Authorization:</b> <span style="float: right;">NOT</span>  Daniel R. Menendez, P.E., Deputy Director Engineering and Construction Division
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**TO: Mayor via City Secretary      REQUEST FOR COUNCIL ACTION**

<b>SUBJECT:</b> Request for the abandonment and sale of a ± 72-square-foot portion of Kelving Drive adjacent to Lot 5, Block 19 of the Braeswood Subdivision, Section One, out of the P.W. Rose Survey, Abstract 645, in exchange for the conveyance to the City of the full portion as a street easement. <b>Parcels SY8-068 and AY8-111</b>	<b>Page</b> <u>1</u> of <u>2</u>	<b>Agenda Item #</b>  <div style="font-size: 2em; text-align: center;">9</div>
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<b>FROM (Department or other point of origin):</b>  Department of Public Works and Engineering	<b>Origination Date</b>  12-18-08	<b>Agenda Date</b>  DEC 30 2008
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<b>DIRECTOR'S SIGNATURE:</b>  Michael S. Marcotte, P.E., D.WRE, BCEE, Director	<b>Council District affected:</b> C Key Map 532L 
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<b>For additional information contact:</b>  Nancy P. Collins <b>Phone:</b> (713) 837-0881  Senior Assistant Director-Real Estate	<b>Date and identification of prior authorizing Council Action:</b>
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**RECOMMENDATION: (Summary)** It is recommended City Council approve a Motion authorizing the abandonment and sale of a ± 72-square-foot portion of Kelving Drive adjacent to Lot 5, Block 19 of the Braeswood Subdivision, Section One, out of the P.W. Rose Survey, Abstract 645, in exchange for the conveyance to the City of the full portion as a street easement. **Parcels SY8-068 and AY8-111**

<b>Amount and Source of Funding:</b> Not Applicable	
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**SPECIFIC EXPLANATION:**

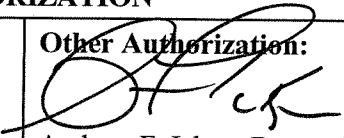
James Harrison of Paxson & Associates, P.C., 3555 Timmons Lane, Suite 1550, Houston, Texas 77027, on behalf of Stacey Fine Homes of Texas, Inc., requested the abandonment and sale of a ± 72-square-foot portion of Kelving Drive adjacent to Lot 5, Block 19 of the Braeswood Subdivision, Section One, out of the P.W. Rose Survey, Abstract 645, in exchange for the conveyance to the City of the full portion as a street easement. The abutting property owner plans to combine the property being abandoned and sold with its adjacent property to construct a home.

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

1. The City abandon and sell a ± 72-square-foot portion of Kelving Drive adjacent to Lot 5, Block 19 of the Braeswood Subdivision, Section One, out of the P.W. Rose Survey, Abstract 645, in exchange for the conveyance to the City of the full portion as a street easement;
2. The applicant be required to obtain a letter of no objection from each of the privately owned utility companies for the street right-of-way being abandoned and sold;
3. The applicant be required to furnish the Department of Public Works and Engineering with a durable, reproducible (Mylar) survey plat and field notes of the affected property;

bam\sy8-068.rca1.doc	CUIC#20BAM8943
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**REQUIRED AUTHORIZATION**

<b>Finance Department</b>	<b>Other Authorization:</b>	<b>Other Authorization:</b>  Andrew F. Icken, Deputy Director Planning and Development Services Division
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<b>Date:</b>	<b>Subject:</b> Request for the abandonment and sale of a ± 72-square-foot portion of Kelving Drive adjacent to Lot 5, Block 19 of the Braeswood Subdivision, Section One, out of the P.W. Rose Survey, Abstract 645, in exchange for the conveyance to the City of the full portion as a street easement. <b>Parcels SY8-068 and AY8-111</b>	<b>Originator's Initials</b>	<b>Page</b> <u>2 of 2</u>
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4. The Legal Department be authorized to prepare the necessary transaction documents; and
5. Inasmuch as the value of the property interests is not expected to exceed \$50,000.00, that the value be established by a City staff appraiser or an independent appraiser appointed by the Director of Public Works and Engineering.

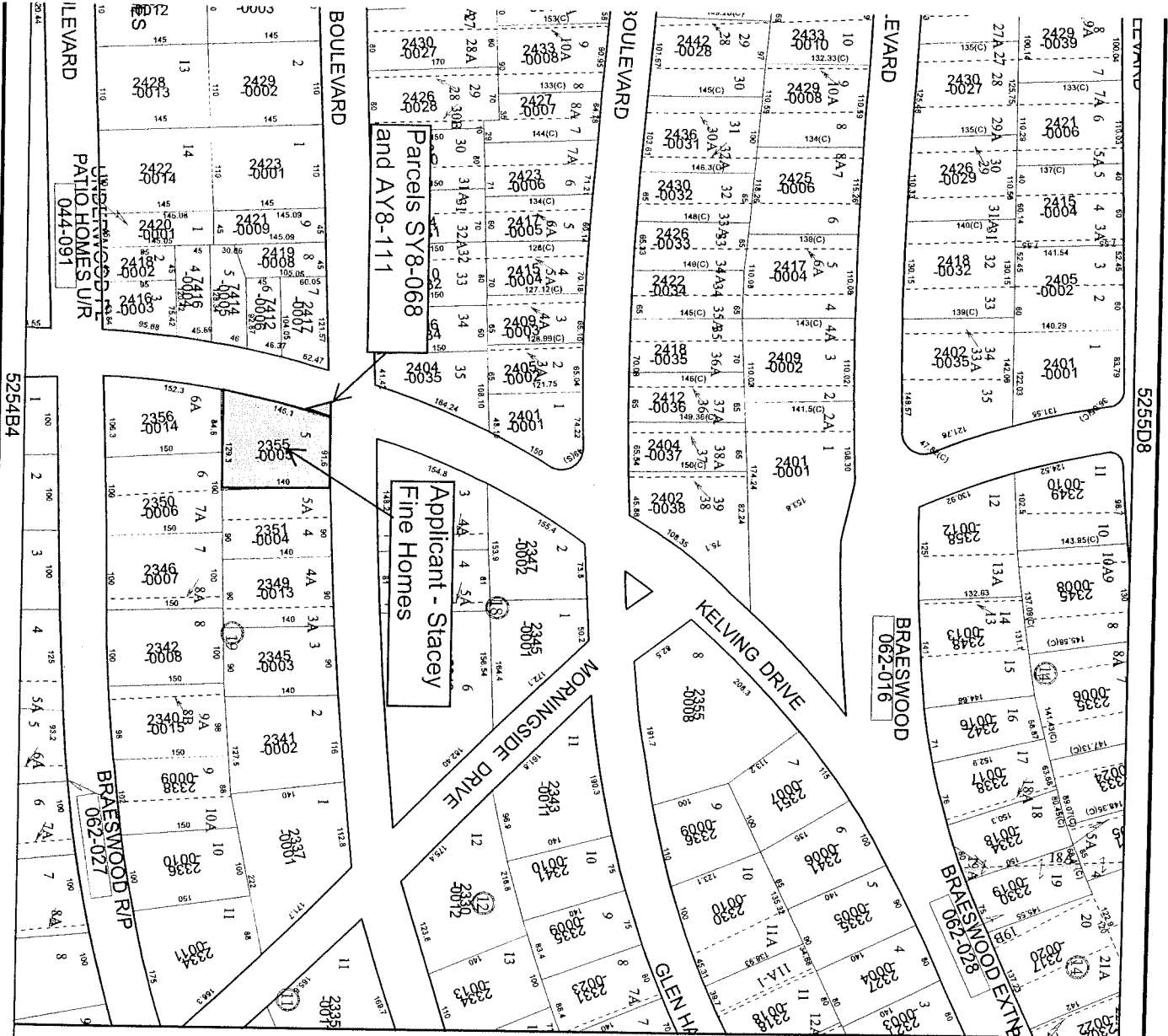
MSM:NPC:bam

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



PARCEL MAP

SUBJECT: Request for the abandonment and sale of a ± 72-square-foot portion of Kelving Drive adjacent to Lot 5, Block 19 of the Braeswood Subdivision, Section One, out of the P.W. Rose Survey, Abstract 645, in exchange for the conveyance back to the City of the full portion as an easement. Parcels SY8-068 and AY8-111



5355C9

MAP LOCATION

PUBLICATION DATE:  
10/16/2005

**Harris County Appraisal District**

**FACET 5255D**


1	2	3	4
5	6	7	8
9	10	11	12

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

<b>SUBJECT:</b> Request for the abandonment and sale of a 10-foot-wide utility easement and an 8-foot-wide utility easement from the east line of former Redwood Street to Garland Drive. <b>Parcels SY9-018A and SY9-018B</b>	<b>Page</b> <u>1 of 2</u>	<b>Agenda Item #</b>  <b>10</b>
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<b>FROM (Department or other point of origin):</b> Department of Public Works and Engineering	<b>Origination Date</b> 12-18-08	<b>Agenda Date</b> DEC 30 2008
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<b>DIRECTOR'S SIGNATURE:</b>  Michael S. Marcotte, P.E., D.WRE, BCEE, Director	<b>Council District affected:</b> I J8  <b>Key Map:</b> 535E
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<b>For additional information contact:</b>  Nancy P. Collins Senior Assistant Director-Real Estate	<b>Date and identification of prior authorizing Council Action:</b>
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**RECOMMENDATION: (Summary)** It is recommended City Council approve a Motion authorizing the abandonment and sale of a 10-foot-wide utility easement and an 8-foot-wide utility easement from the east line of former Redwood Street to Garland Drive. **Parcels SY9-018A and SY9-018B**

**Amount and Source of Funding:** Not Applicable

**SPECIFIC EXPLANATION:**

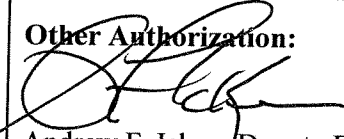
Frank Petrosky of Landtech Consultants, Inc., 2525 North Loop South, Suite 30, Houston, Texas 77008, on behalf of Houston Community College System requested the abandonment and sale of a 10-foot-wide utility easement and an 8-foot-wide utility easement from the east line of former Redwood Street to Garland Drive. The property owner plans to build a workforce building for the Houston Community College Southeast Campus on the site.

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

1. The City abandon and sell a 10-foot-wide utility easement and an 8-foot-wide utility easement from the east line of former Redwood Street to Garland Drive;
2. The applicant be required to: (a) cut, plug and abandon or convert to private metered service the existing 8-inch sanitary sewer line from the manhole in Garland Street ±600-feet west to its terminus and pay the depreciated value of the sanitary sewer line and manhole;
3. 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 2 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;

tj\sy9-018.rc1.doc CUIC #20TJ9021

REQUIRED AUTHORIZATION

<b>Finance Department:</b>	<b>Other Authorization:</b>	<b>Other Authorization:</b>  Andrew F. Icken, Deputy Director Planning and Development Services Division
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<b>Date:</b>	<b>Subject:</b> Request for the abandonment and sale of a 10-foot-wide utility easement and an 8-foot-wide utility easement from the east line of former Redwood Street to Garland Drive. <b>Parcels SY9-018A and SY9-018B</b>	<b>Originator's Initials</b>	<b>Page <u>2</u> of <u>2</u></b>
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4. The applicant be required to obtain a letter of no objection from each of the privately owned utility companies;
5. The Legal Department be authorized to prepare the necessary transaction documents; and
6. In as much as the value of the City's property interests are not expected to exceed \$50,000.00, that the values be established by a City staff appraiser or an independent appraiser appointed by the Director of Public Works and Engineering

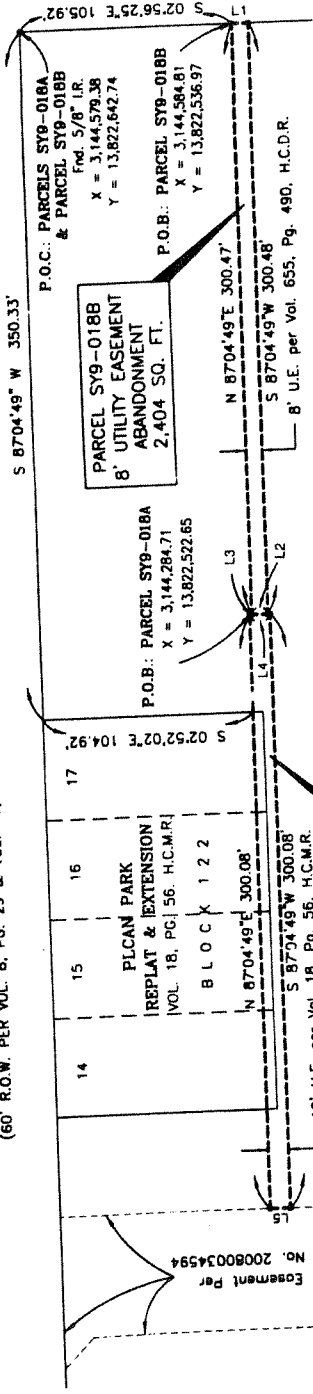
MSM: NPC:tj

- c: Phil Boriskie  
Marlene Gafrick  
Daniel Menendez, P.E.  
Arturo G. Michel  
Marty Stein  
Jeff Taylor

SURVEY FOR THE ABANDONMENT OF 3,001 SQUARE FEET OF LAND BEING A 10 FOOT UTILITY EASEMENT OUT OF BLOCK 122, PECAN PARK REPLAT AND EXTENSION RECORDED IN VOLUME 18, PAGE 56, HARRIS COUNTY MAP RECORDS (H.C.M.R.), AND OUT OF BLOCK 1, UNRESTRICTED RESERVE "A" OF HOUSTON COMMUNITY COLLEGE EASTSIDE CAMPUS EXTENSION NO. 2, RECORDED UNDER FILM CODE NO. 621282, H.C.M.R., AND THE ABANDONMENT OF 2,404 SQUARE FEET OF LAND BEING AN 8 FOOT UTILITY EASEMENT DEDICATED TO THE PUBLIC RECORDED IN VOLUME 655, PAGE 490, HARRIS COUNTY DEED RECORDS (H.C.D.R.), LOCATED IN JACOB THOMAS SURVEY, ABSTRACT NO. 74, HARRIS COUNTY, TEXAS.

REDWOOD STREET  
VOL. 8, PG. 29, H.C.M.R.)  
(60' R.O.W. PER

PALMETTO STREET  
(60' R.O.W. PER VOL. 8, PG. 29 & VOL. 18, PG. 56, H.C.M.R.)



PARCEL SY9-018A  
10' UTILITY EASEMENT  
ABANDONMENT  
3,001 SQ. FT.

PARCEL SY9-018B  
8' UTILITY EASEMENT  
ABANDONMENT  
2,404 SQ. FT.

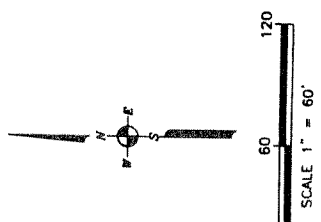
Course	Bearing	Distance
L1	S 02°56'25" E	6.00'
L2	N 02°52'02" W	6.00'
L3	N 02°52'02" W	1.00'
L4	S 02°52'02" E	10.00'
L5	N 02°52'02" W	10.00'

LEGEND:

- H.C.C.F. HARRIS COUNTY CLERK'S FILE
- H.C.D.R. HARRIS COUNTY DEED RECORDS
- F.C. FILM CODE
- VOL. VOLUME
- PG. PAGE
- H.C.M.R. HARRIS COUNTY MAP RECORDS
- P.O.C. POINT OF COMMENCING
- P.O.B. POINT OF BEGINNING
- FND. I.R. FOUND IRON ROD
- R.O.W. RIGHT-OF-WAY

- NOTES:
- Bearings and coordinates are referenced to the Texas Coordinate System, South Central Zone.
  - This survey is prepared without the benefit of a title commitment. Easement other than those shown hereon may exist.
  - This plat is accompanied by a separate metes and bounds description.

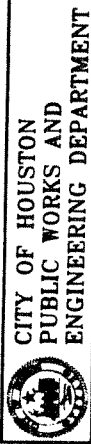
*Handwritten signature and date: 11/19/08*



GARLAND DRIVE  
(60' R.O.W. PER H.C.C.F. NO. E529073)

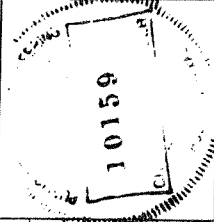
REVISED ON NOVEMBER 18, 2008

LANDTECH CONSULTANTS, INC.  
Civil Engineering & Land Surveying  
2525 North Loop West  
Suite 300  
Houston, Texas 77008  
Tel. (713) 861-7098 Fax (713) 861-4131



DATE: 11-24-08  
*Handwritten signature: Robert S. ...*  
ONE-F SURVEYOR  
RIGHT-OF-WAY SECTION

KEY MAP NO. 535E  
GIMS MAP NO. 5555D  
DATE: SEPTEMBER 30, 2008  
PARCEL NO. SY9-018A  
SY9-018B  
GFS NO.  
C.M. NO.




S:\2008\0810127\Survey\ABANDON\REVISED\_10'&8' UE.DWG L.C. DWG. NO.: 1702-C-1367

The abandonment and sale of a 10-foot-wide utility easement and an 8-foot-wide utility easement from the east line of former Redwood Street to Garland Drive. Parcels SY9-018A and SY9-018B

<b>SUBJECT:</b> Request for the abandonment and sale of a portion of a 10-foot-wide utility easement, in exchange for the conveyance to the City of a 20-foot-wide storm sewer easement, both located at 2148 Troon, within Lots 13 and 14, Block 53, located in the River Oaks Addition, Section 3, out of the J. Austin Survey, A-1. <b>Parcels SY9-013 and LY9-025</b>	<b>Page</b> <b>1 of 2</b>	<b>Agenda Item #</b>  //
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<b>FROM (Department or other point of origin):</b>  Department of Public Works and Engineering	<b>Origination Date</b> 12-17-08	<b>Agenda Date</b> DEC 30 2008
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<b>DIRECTOR'S SIGNATURE:</b>  Michael S. Marcotte, P.E., D.WRE, BCEE, Director	<b>Council District affected:</b> G <b>Key Map:</b> 492L
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<b>For additional information contact:</b>  Nancy P. Collins  Phone: (713) 837-0881 Senior Assistant Director-Real Estate	<b>Date and identification of prior authorizing Council Action:</b>
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**RECOMMENDATION: (Summary)** It is recommended City Council approve a Motion authorizing the abandonment and sale of a portion of a 10-foot-wide utility easement, in exchange for the conveyance to the City of a 20-foot-wide storm sewer easement, both located at 2148 Troon, within Lots 13 and 14, Block 53, located in the River Oaks Addition, Section 3, out of the J. Austin Survey, A-1. **Parcels SY9-013 and LY9-025**

**Amount and Source of Funding:** Not Applicable

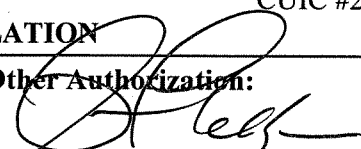
**SPECIFIC EXPLANATION:**

John English, Rekha Engineering, Inc., 5301 Hollister Suite 190, Houston, Texas, 77040, on behalf of Ali Reza Rastegar, requested the abandonment and sale of a portion of a 10-foot-wide utility easement, in exchange for the conveyance to the City of a 20-foot-wide storm sewer easement, both located at 2148 Troon, within Lots 13 and 14, Block 53, located in the River Oaks Addition, Section 3, out of the J. Austin Survey, A-1. Mr. Rastegar, plans to demolish the current single family home and construct a new residence.

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 a portion of a 10-foot-wide utility easement, in exchange for the conveyance to the City of a 20-foot-wide storm sewer easement, both located at 2148 Troon, within Lots 13 and 14, Block 53, located in the River Oaks Addition, Section 3, out of the J. Austin Survey, A-1;
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 cut, plug, and abandon the current 48-inch storm sewer from Troon Street right-of-way. A new line will be constructed within the new 20-foot wide easement to be conveyed along the northern and western subject property boundary. All of the foregoing items must be completed at no cost to the City and under the proper permits;
4. The applicant be required to prepare drawings that show all public utilities (storm sewer) 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.

gg\sy9-013.rcl.doc CUIC #20GG8983

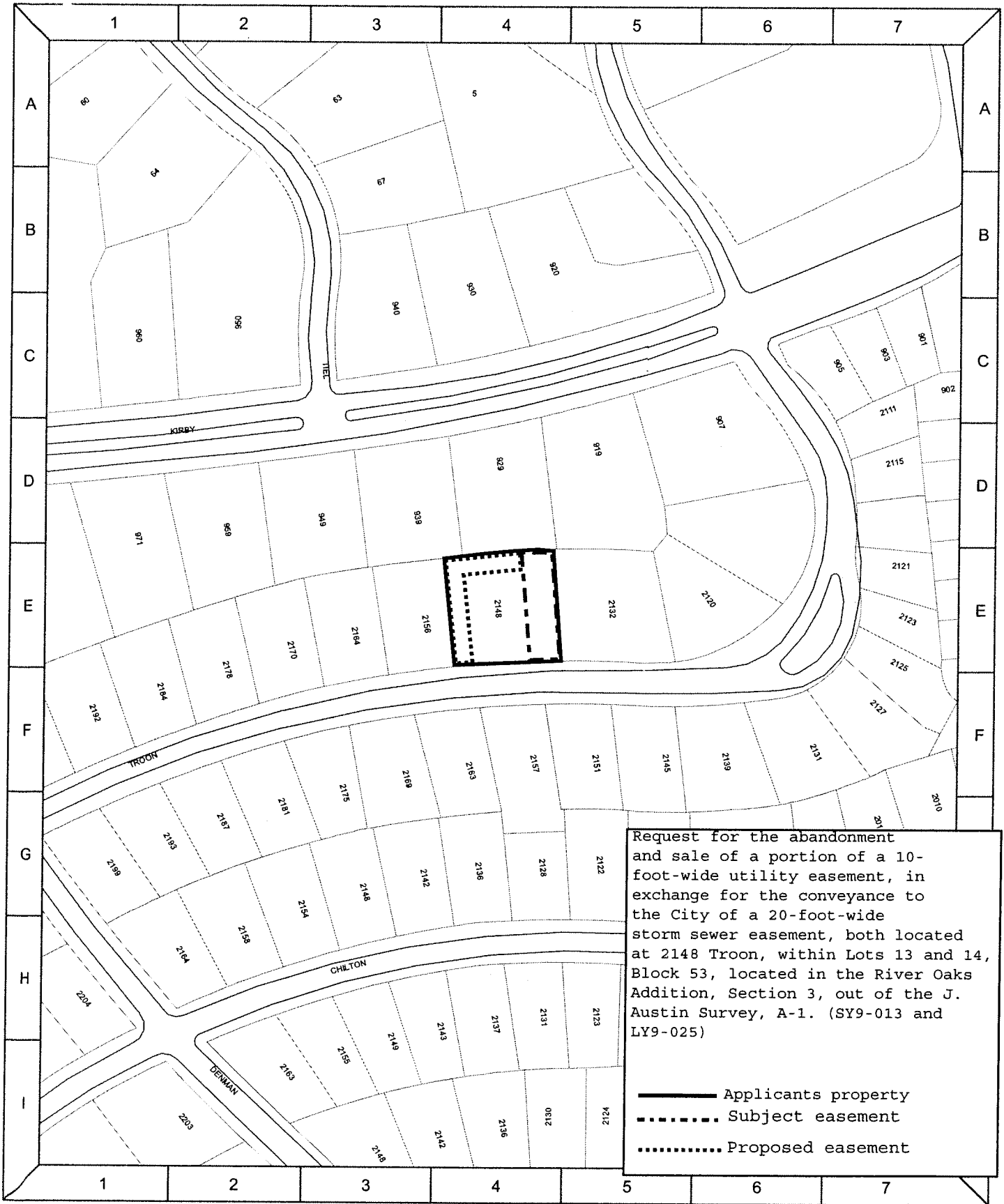
REQUIRED AUTHORIZATION		
<b>Finance Department:</b>	<b>Other Authorization:</b>	<b>Other Authorization:</b>  Andrew F. Icken, Deputy Director Planning and Development Services Division

<b>Date:</b>	<b>Subject:</b> Request for the abandonment and sale of a portion of a 10-foot-wide utility easement, in exchange for the conveyance to the City of a 20-foot-wide storm sewer easement, both located at 2148 Troon, within Lots 13 and 14, Block 53, located in the River Oaks Addition, Section 3, out of the J. Austin Survey, A-1. <b>Parcels SY9-013 and LY9-025</b>	<b>Originator's Initials</b>	<b>Page <u>2</u> of <u>2</u></b>
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5. The applicant be required to obtain a letter of no objection from each of the privately owned utility companies for the utility easement being abandoned and sold
6. In the interest of expediting the abandonment and sale process, the applicant may choose to provide the City with a Letter of Credit (LOC), subject to the City's concurrence, covering the estimated construction cost for work required in Item 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;
7. The Legal Department be authorized to prepare the necessary transaction documents; and,
8. Inasmuch as the value of the property interests is expected to fall between \$50,000 and \$1,000,000 that the value be established by an independent appraiser, appointed by the Director of Public Works and Engineering.

MSM:NPC:gg

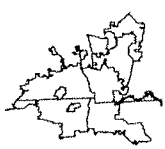
- c: Phil Boriskie  
 Marlene Gafrick  
 Daniel Menendez, P.E.  
 Arturo G. Michel  
 Marty Stein  
 Jun Chang, P.E.



Request for the abandonment and sale of a portion of a 10-foot-wide utility easement, in exchange for the conveyance to the City of a 20-foot-wide storm sewer easement, both located at 2148 Troon, within Lots 13 and 14, Block 53, located in the River Oaks Addition, Section 3, out of the J. Austin Survey, A-1. (SY9-013 and LY9-025)

- Applicants property
- - - - - Subject easement
- ..... Proposed easement

1 inch equals 180 feet  
 0 20 40 60 80  
 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.



TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

<b>SUBJECT:</b> Abandonment and sale of a 10-foot-wide utility easement in exchange for the conveyance to the city of a 10-foot-wide utility easement, located within Lot 19, Block 6, Woodside Section 3, James Hamilton Survey, Section 27. <b>Parcels SY9-026 and VY9-024</b>	<b>Page</b> 1 of 1	<b>Agenda Item #</b>  12
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<b>FROM (Department or other point of origin):</b> Department of Public Works and Engineering	<b>Origination Date</b> 12-17-08	<b>Agenda Date</b> DEC 30 2008
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<b>DIRECTOR'S SIGNATURE:</b> <i>Michael S. Marcotte</i> Michael S. Marcotte, P.E., D.WRE, BCEE, Director	<b>Council District affected:</b> C <i>JL</i>
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<b>For additional information contact:</b> Nancy P. Collins <i>MPD</i> Phone: (713) 837-0881 Senior Assistant Director-Real Estate	<b>Key Map:</b> 532N
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**RECOMMENDATION: (Summary)** It is recommended City Council approve a Motion authorizing the abandonment and sale of a 10-foot-wide utility easement in exchange for the conveyance to the city of a 10-foot-wide utility easement located within Lot 19, Block 6, Woodside Section 3, James Hamilton Survey, Section 27. **Parcels SY9-026 and VY9-024**

**Amount and Source of Funding:**  
Not Applicable

**SPECIFIC EXPLANATION:**

Ali Bayegan, Coldwell Banker United, 2 Greenway Plaza Suite 150, Houston, Texas, 77046, on behalf of Lou Gilpin and Colleen Corneau requested the abandonment and sale of a 10-foot-wide utility easement, located within Lot 19, Block 6, Woodside Section 3, James Hamilton Survey, Section 27. Lou Gilpin and Colleen Corneau want to relocate the easement encumbrance to facilitate the use of the property as a residential lot.

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 subject to the conveyance to the City of a 10-foot-wide utility easement. Therefore, it is recommended:

1. The City abandon and sell a 10-foot-wide utility easement in exchange for the conveyance to the city of a 10-foot-wide utility easement, located within Lot 19, Block 6, Woodside Section 3, James Hamilton Survey, Section 27.;
2. The applicant be required to furnish the Department of Public Works and Engineering with a durable, reproducible (Mylar) survey plat and field notes of the affected property;
3. The applicant be required to obtain a letter of no objection from each of the privately owned utility companies for the utility easement being abandoned and sold
4. The Legal Department be authorized to prepare the necessary transaction documents; and,
5. Inasmuch as the value of the City's property interest is not expected to exceed \$50,000.00 that the value be established by a City staff appraiser or an independent appraiser appointed by the Director of Public Works and Engineering.

MSM: NPC:gg

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

gg/sy9-026.rc1.doc CUIC #20GG9030

<b>REQUIRED AUTHORIZATION</b>		
<b>Finance Department:</b>	<b>Other Authorization:</b>	<b>Other Authorization:</b> <i>Andrew F. Icken</i> Andrew F. Icken, Deputy Director Planning and Development Services Division

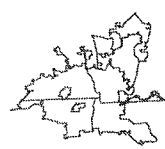




Request for the abandonment and sale of a 10-foot-wide utility easement in exchange for the conveyance to the City of a 10-foot-wide utility easement, located within Lot 19, Block 6, Woodside Section 3, James Hamilton Survey, Section 27. (SY9-026 and VY9-024)

————— Applicants property  
 - - - - - Subject easement

1 inch equals 140 feet  
 0 20 40 60 80  
 Feet



**CITY OF HOUSTON**  
**Department of Public Works**

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.



To: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

<b>SUBJECT:</b> PURCHASE of Parcel AY7-051, located at 26 Parker Road for the PARKER ROAD PAVING PROJECT (from Fulton to Hardy Toll Road). Owner: Angel Roberto Avila and Maria Avila WBS N-000620-0001-2	<b>Page</b> 1 of 1	<b>Agenda Item #</b>  13
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<b>FROM: (Department or other point of origin):</b>  Department of Public Works and Engineering	<b>Origination Date</b>  12-18-08	<b>Agenda Date</b>  DEC 30 2008
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<b>DIRECTOR'S SIGNATURE:</b>  Michael S. Marcotte, P.E., D.WRE, BCEE, Director	<b>Council District affected:</b> H Key Map 413X
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<b>For additional information contact:</b> Nancy P. Collins Phone: (713) 837-0881 Senior Assistant Director- Real Estate Planning and Development Services Division	<b>Date and identification of prior authorizing Council Action:</b> Ordinance 2005-1047, passed September 7, 2005
--	--

**RECOMMENDATION: (Summary)**  
Authority be given through Council Motion to PURCHASE Parcel AY7-051

<b>Amount and</b>	\$76,694.00
<b>Source of Funding:</b>	(covered under Blanket Appropriation Ordinance 2005-1047 N-00663A-00RE-2-01, Street and Bridge Consolidated Construction Fund 4506).

**SPECIFIC EXPLANATION:**  
The PARKER ROAD PAVING PROJECT (from Fulton to Hardy Toll Road) provides for the acquisition of land necessary for street and utility improvements in order to improve traffic flow/circulation and storm water drainage in the service area. The parcel is located at 26 Parker Road.

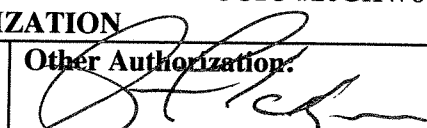
**PURCHASE:**  
The City desires to acquire 379 square feet of improved residential land to be used as a street right of way. The City's offer was based on an appraisal by Sam Jarrett, IFA, RA. The valuation was reviewed and recommended for approval by a senior staff appraiser of this department. The breakdown is as follows:

**LAND:**  
Parcel AY7-051 (Easement)

379 square feet @ \$4.00.....	\$ 1,516.00
<b>IMPROVEMENTS</b> .....	\$ 9,310.00
<b>COST TO CURE AND DAMAGES TO THE REMAINDER</b> .....	\$64,394.00
<b>TOTAL LAND, IMPROVEMENTS, COST TO CURE AND DAMAGES</b>	\$75,220.00
Title Policy/Services.....	\$ 1,474.00
<b>TOTAL AMOUNT</b> .....	\$76,694.00

It is recommended that authority be given through Council Motion to PURCHASE Parcel AY7-051 located at 26 Parker Road. This parcel contains 379 square feet of land situated in in the H. & T. C. R.R. Company Survey, Section 5, Abstract Number 428 in Harris County, Texas. Said 379-square foot tract being more particularly out of the residue of Lot 5 of Burbank Place Subdivision, an unrecorded subdivision out of Lot 21 of Thatchers Gardens Subdivision, a subdivision thereof recorded in Volume 73, Page 326 of the Harris County Deed Records in said Harris County, Texas. Said residue of Lot 5, Block 2 conveyed unto Angel Roberto Avila, et ux Maria Avila by deed recorded under Harris County Clerk's File No. K954068 of the Official Public Records for Real Property in said Harris County, Texas according to City of Houston field notes.  
MSM:NPC:gw  
cc: Marty Stein

Willis/AY7051RCA CUIC #20GKW04

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

**VALUATION**

**Parcel AY7-051**

LAND (Easement):

379 square feet @ \$4.00 .....\$ 1,516.00

IMPROVEMENTS:

184 square feet of concrete @ \$6.50 less 2% depreciation .....\$ 1,172.00 ®

42 linear feet of fence @\$84.00 less 2% depreciation .....\$ 3,457.00 ®

12 linear foot swing gate @ \$100.00 less 2% depreciation .....\$ 1,176.00

21 linear foot motorized gate @\$150.00 less 2% depreciation.....\$ 3,087.00

Mailbox and post \$350.00 less 2% depreciation .....\$ 343.00

1 shrub .....\$ 75.00

TOTAL IMPROVEMENTS .....\$ 9,310.00

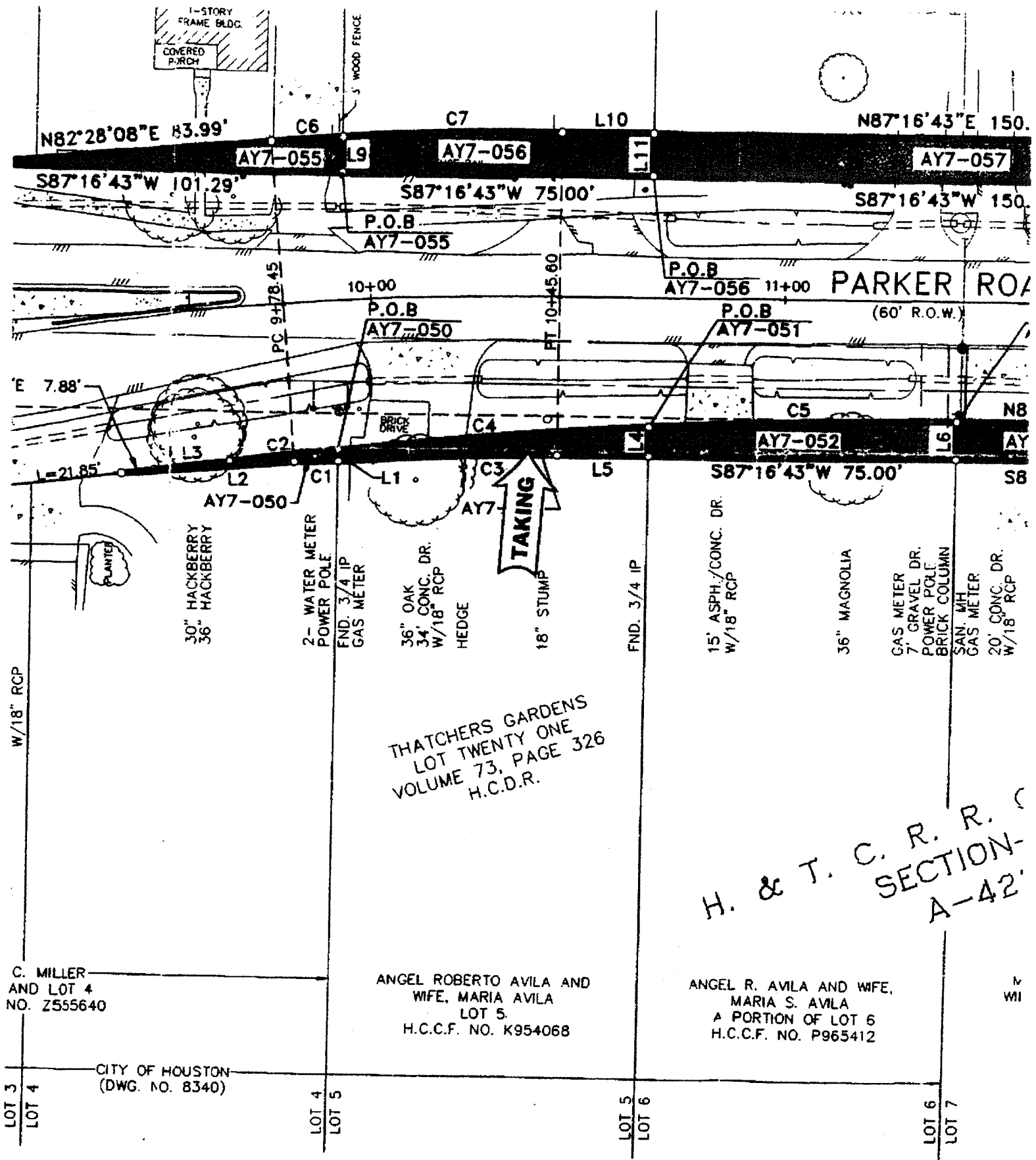
DAMAGES TO THE REMAINDER/ COST TO CURE:

15% damages due to new proximity to right-of-way and fence relocation .....\$ 64,394.00

TOTAL COMPENSATION .....\$ 75,220.00

TITLE POLICY/SERVICES.....\$ 1,474.00

TOTAL.....\$ 76,694.00



POINT OF BEGINNING TABLE

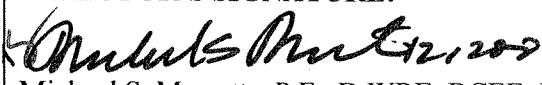
DEED	PARCEL NO.	NORTH (Y)	EAST (X)	STATION	OFFSET	MARKER SET	REF
Z555640	AY7-050	13,878,989.04	3,115,199.08	9+90.08	37.40' RT	FND. 3/4" IP	
	AY7-051	13,878,999.53	3,115,273.67	10+67.71	32.30' RT	FND. 3/4" IP	
K954068	AY7-052	13,879,005.40	3,115,348.47	11+42.71	30.00' RT	SET 5/8" IP	


To: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION


<b>SUBJECT:</b> PURCHASE of Parcel AY7-080, located at 112 Parker Road for the PARKER ROAD PAVING PROJECT (from Fulton to Hardy Toll Road). OWNER: Francisco Rodriguez WBS N-000620-0001-2	<b>Page</b> 1 of 1	<b>Agenda Item</b> #  14
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<b>FROM: (Department or other point of origin):</b>  Department of Public Works and Engineering	<b>Origination Date</b>  12-18-08	<b>Agenda Date</b>  DEC 30 2008
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<b>DIRECTOR'S SIGNATURE:</b>  Michael S. Marcotte, P.E., D.WRE, BCEE, Director	<b>Council District affected:</b>  H Key Map 413X
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<b>For additional information contact:</b>  Nancy P. Collins Phone: (713) 837-0881 Senior Assistant Director- Real Estate Planning and Development Services Division	<b>Date and identification of prior authorizing Council Action:</b> Ordinance 2005-1047, passed September 7, 2005
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**RECOMMENDATION: (Summary)**  
Authority be given through Council Motion to PURCHASE Parcel AY7-080

<b>Amount and Source of Funding:</b> \$ 53,098.00 (covered under Blanket Appropriation Ordinance 2005-1047 N-00663A-00RE-2-01 Street and Bridge Consolidated Construction Fund 4506) 
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**SPECIFIC EXPLANATION:**  
The PARKER ROAD PAVING PROJECT (from Fulton to Hardy Toll Road) provides for the acquisition of land necessary for street and utility improvements in order to improve traffic flow/circulation and storm water drainage in the service area. The parcel is located at 112 Parker Road.

**PURCHASE:**  
The City desires to acquire 650 square feet of improved residential land to be used as street right of way. The City's offer was based on an appraisal by Gerald A. Teel, MAI, CRE, Independent Fee Appraiser. This valuation was reviewed and recommended for approval by a senior staff appraiser of this department. The breakdown is as follows:

**LAND:**  
Parcel AY7-080 (Easement)

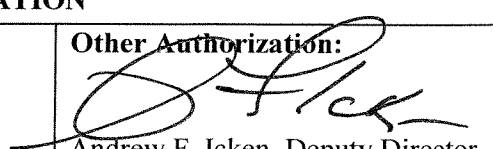
650 square feet @ \$3.80 .....	\$ 2,470.00
IMPROVEMENTS.....	\$ 7,809.00
COST TO CURE AND DAMAGES TO THE REMAINDER.....	\$ 41,403.00
TOTAL LAND, IMPROVEMENTS, COST TO CURE AND DAMAGES .....	\$ 51,682.00
Title Policy/Services.....	\$ 1,416.00
TOTAL AMOUNT.....	\$ 53,098.00

It is recommended that authority be given through Council Motion to PURCHASE Parcel AY7-080, owned by Francisco Rodriguez. This parcel contains 650 square feet of land situated in the H. & T. C. R.R. Company Survey, Section 5, Abstract 428, Harris County, Texas. Said 650 square foot tract being more particularly out of Lot 25, Block 4 of Gilwood Place Subdivision, a subdivision according to the plat thereof recorded in Volume 26, Page 33 of the Map Records of Harris County, Texas conveyed unto Francisco Rodriguez by deed recorded under Harris County Clerk's File Z395619 of the Official Public Records of Real Property, Harris County, Texas according to City of Houston field notes.

MSM:NPC:cr  
cc: Marty Stein

Rosborough/AY7080RCA	CUIC #20CDR21
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**REQUIRED AUTHORIZATION**

<b>Finance Department:</b>	<b>Other Authorization:</b>	<b>Other Authorization:</b>  Andrew F. Icken, Deputy Director Planning and Development Services Division
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**VALUATION**

**Parcel AY7-080**

LAND (Easement):

650 square feet @ \$3.80.....\$ 2,470.00

IMPROVEMENTS:

5 linear foot of chain fence @ \$13.00 less 37% depreciation ..... \$ 24.00 @

100 square foot of driveway @ \$2.50 less 37% depreciation ..... \$ 92.00 @

80 linear foot wrought iron fence @ \$63.06 less 10% depreciation. \$ 4,540.00 @

2 trees..... \$ 3,153.00

TOTAL IMPROVEMENTS.....\$ 7,809.00

DAMAGES TO THE REMAINDER/COST TO CURE:

50% damages due to new proximity to right-of-way.....\$ 41,403.00

TOTAL COMPENSATION .....\$ 51,682.00

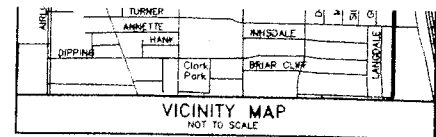
TITLE POLICY/SERVICES.....\$ 1,416.00

TOTAL .....\$ 53,098.00

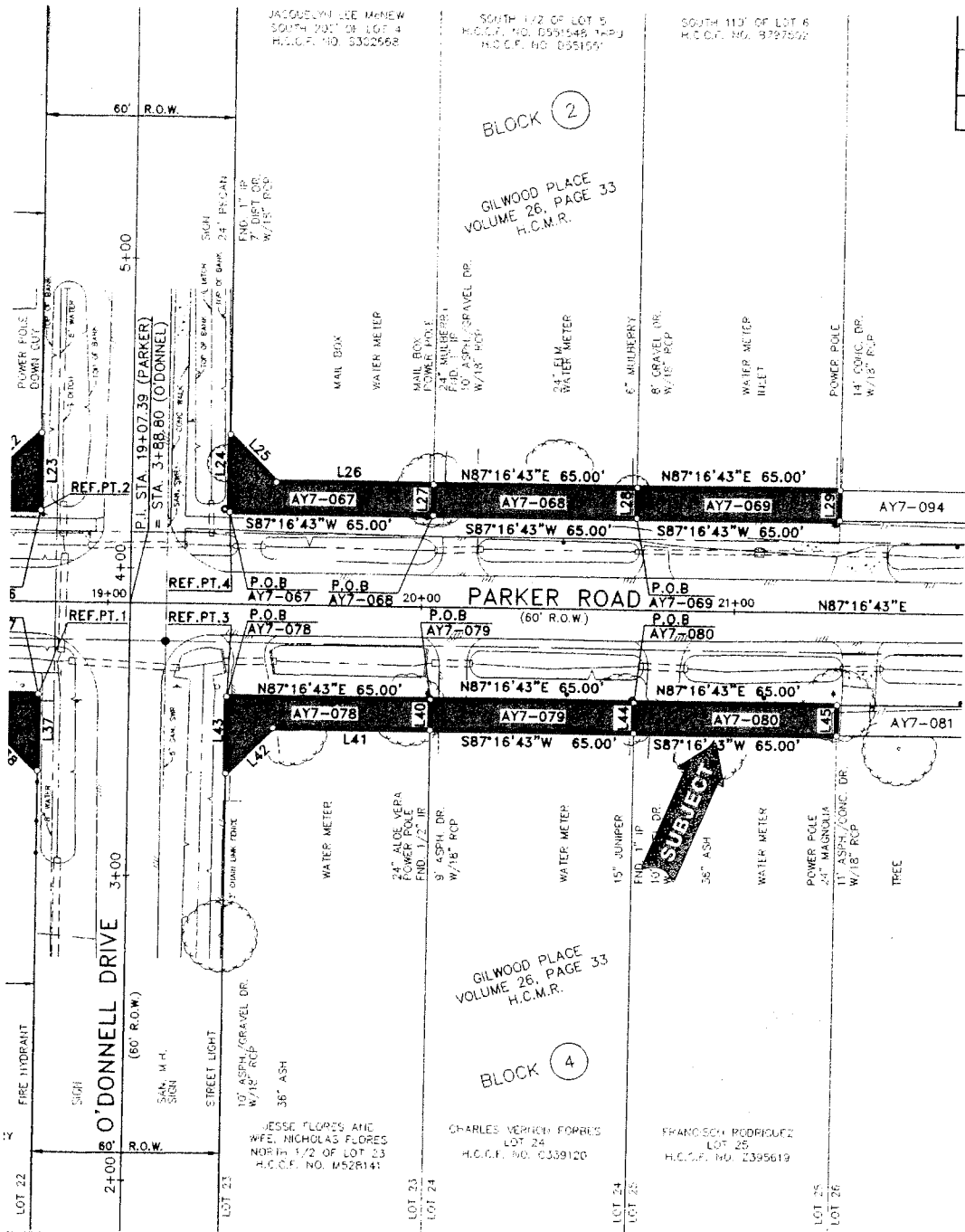
JACQUELYN LEE MAHEW  
SOUTH 1/2 OF LOT 4  
H.C.C.F. NO. 5302568

SOUTH 1/2 OF LOT 5  
H.C.C.F. NO. 5591548 MAP J  
H.C.C.F. NO. 0551557

SOUTH 1/2 OF LOT 6  
H.C.C.F. NO. 9797552



KEY MAP NO. 413-X & Y



REFERENCE POINT TABLE

NORTH (Y)	EAST (X)	PARCEL NO.'S
13,879,040.32	3,116,083.21	AY7-070 THRU AY7-076
13,879,100.25	3,116,080.31	AY7-059 THRU AY7-065
13,879,043.17	3,116,143.14	AY7-079 AND AY7-080
13,879,103.10	3,116,140.24	AY7-068 AND AY7-069

**SURVEYOR'S CERTIFICATION**

I, RAYMOND A. RAHAMAN HEREBY CERTIFY THAT THIS PLAT CORRECTLY REPRESENTS THE FACTS FOUND AS A RESULT OF AN ACTUAL SURVEY CONDUCTED UNDER MY SUPERVISION DURING THE MONTHS OF JUNE THRU NOVEMBER, 2006.

THERE ARE NO APPARENT ENCROACHMENTS AND IMPROVEMENTS ARE WITHIN ITS BOUNDARIES UNLESS OTHERWISE SHOWN HEREON.

RAYMOND A. RAHAMAN R.P.L.S. NO. 4354  
(Not valid without original signature)



**Western Group Consultants**  
11111 KATY FREEWAY, SUITE 520  
HOUSTON, TEXAS 77079  
(713) 465-6655

**PARKER ROAD PAVING PROJECT  
FULTON TO HARDY TOLL ROAD  
R.O.W. WIDENING MAP**

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

APPROVAL: [Signature] DATE: 02/22/07  
RIGHT OF WAY SECTION

KEY MAP NO. 413-X & Y  
DATE: NOVEMBER, 2006  
PARCEL NOS: AY7-059 THRU AY7-080  
SCALE: 1"=30'  
WBS NO. N-000620-0001-4  
C.M. NO.

43003  
CITY ENGINEER  
HOUSTON, TEXAS  
SHEET 6 OF 12



DRAWING NO.


To: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

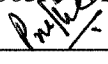
<b>SUBJECT:</b> PURCHASE of Parcel AY7-093, located at 164 Parker Road for the PARKER ROAD PAVING PROJECT (from Fulton to Hardy Toll Road). OWNER: Jose Luis Balderas WBS N-000620-0001-2	<b>Page</b> 1 of 1	<b>Agenda Item</b> #  15
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<b>FROM: (Department or other point of origin):</b>  Department of Public Works and Engineering	<b>Origination Date</b> 12-18-08	<b>Agenda Date</b> DEC 30 2008
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<b>DIRECTOR'S SIGNATURE:</b>  Michael S. Marcotte, P.E., D.WRE, BCEE	<b>Council District affected:</b>  H  Key Map 413X
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<b>For additional information contact:</b>  Nancy P. Collins Phone: (713) 837-0881  Senior Assistant Director	<b>Date and identification of prior authorizing Council Action:</b> Ordinance 2005-1047, passed September 7, 2005
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**RECOMMENDATION: (Summary)**  
Authority be given through Council Motion to PURCHASE Parcel AY7-093

<b>Amount and</b> \$56,463.00
<b>Source of Funding:</b> (covered under Blanket Appropriation Ordinance 2005-1047 N-00663A-000RE-2-01 Street and Bridge Consolidated Construction Fund 4506) 

**SPECIFIC EXPLANATION:**  
The PARKER ROAD PAVING PROJECT (from Fulton to Hardy Toll Road) provides for the acquisition of land necessary for street and utility improvements in order to improve traffic flow/circulation and storm water drainage in the service area. The parcel is located at 164 Parker Road.

**PURCHASE:**  
The City desires to acquire 713 square feet of improved residential land to be used as street right of way. The City's offer was based on an appraisal by Gerald A. Teel, MAI, CRE, Independent Fee Appraiser. This valuation was reviewed and recommended for approval by a senior staff appraiser of this department. The breakdown is as follows:


**LAND:**  
Parcel AY7-093 (Easement)

713 square feet @ \$4.00 .....	\$ 2,852.00
<b>IMPROVEMENTS</b> .....	\$ 4,751.00
<b>COST TO CURE AND DAMAGES TO THE REMAINDER</b> .....	\$ 47,424.00
<b>TOTAL LAND, IMPROVEMENTS, COST TO CURE AND DAMAGES</b> .....	\$ 55,027.00
Title Policy/Services.....	\$ 1,436.00
<b>TOTAL AMOUNT</b> .....	\$ 56,463.00

It is recommended that authority be given through Council Motion to PURCHASE Parcel AY7-093, owned by Jose Luis Balderas. This parcel contains 713 square feet of land situated in the H. & T. C. R.R. Company Survey, Section 5, Abstract 428, Harris County, Texas. Said 713-square foot tract being more particularly out of Lot 38, Block 4 of Gilwood Place Subdivision, a subdivision according to the plat thereof recorded in Volume 26, Page 33 of the Map Records of Harris County, Texas conveyed unto Jose Luis Balderas by deed recorded under Harris County Clerk's File W668198 Official Public Records of Real Property, Harris County, Texas according to City of Houston field notes.

MSM:NPC:cr  
cc: Marty Stein

Rosborough/AY7093RCA CUIC #20CDR20  
**REQUIRED AUTHORIZATION**

<b>Finance Department:</b>	<b>Other Authorization:</b>	<b>Other Authorization:</b>  Andrew F. Icken, Deputy Director Planning and Development Services Division
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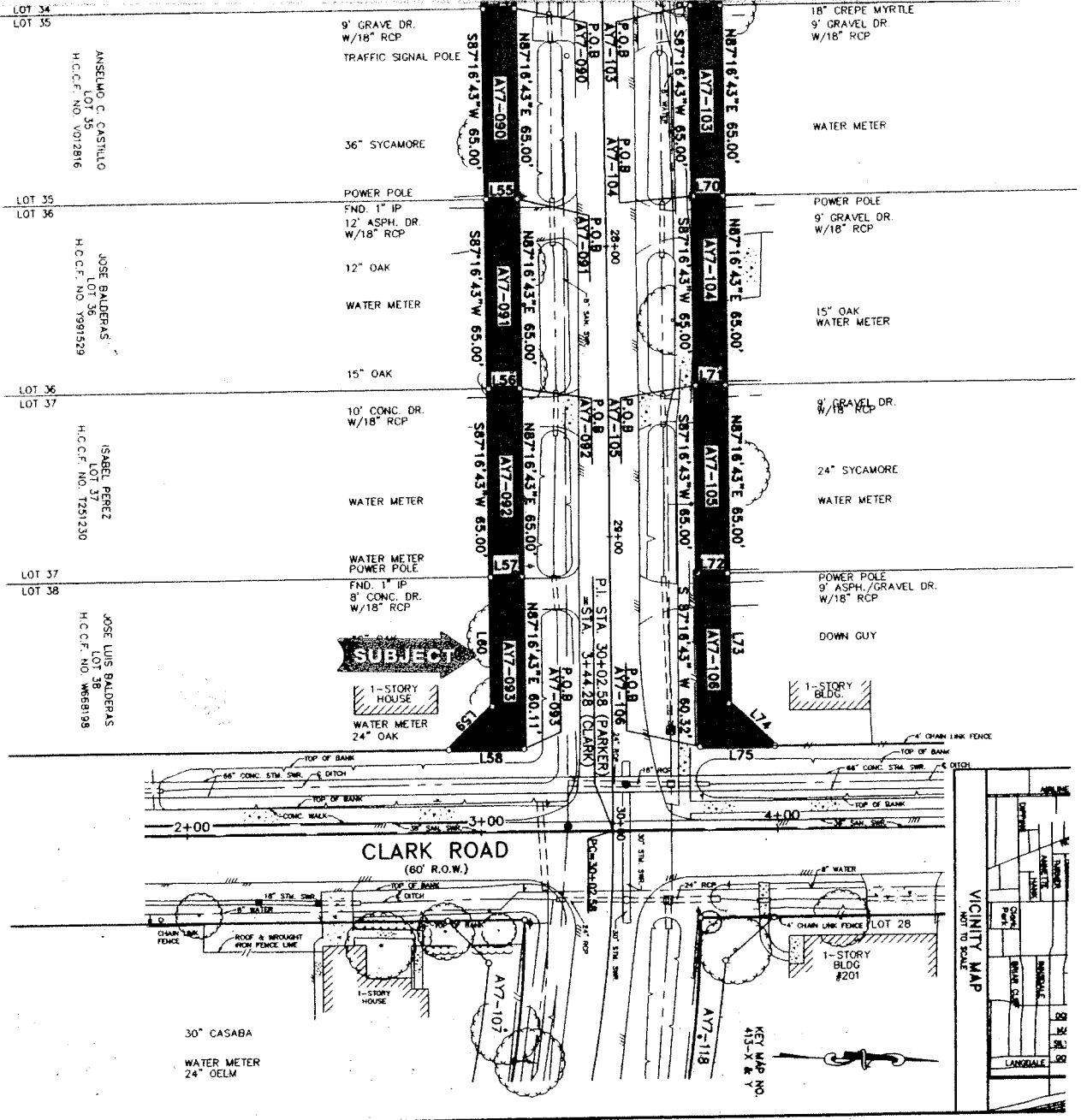
**VALUATION**

**Parcel AY7-093**

LAND (Easement):	
713 square feet @ \$4.00.....	\$ 2,852.00
IMPROVEMENTS:	
160 square feet of concrete paving @ \$5.25 less 35% depreciation..	\$ 547.00
2 trees.....	<u>\$ 4,204.00</u>
TOTAL IMPROVEMENTS .....	\$ 4,751.00
TOTAL DAMAGES TO THE REMAINDER/COST TO CURE:	
50% damages due to new proximity to right-of-way.....	<u>\$ 47,424.00</u>
TOTAL COMPENSATION.....	\$ 55,027.00
TITLE POLICY/SERVICES .....	<u>\$ 1,436.00</u>
TOTAL .....	\$ 56,463.00

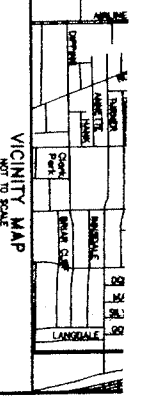
SET	
1" IR	
2" IR	
3" IR	
4" IR	
5" IR	
6" IR	
7" IR	
8" IR	
9" IR	
10" IR	

REFERENCE POINT TABLE			
REF. PT. NO.	NORTH (Y)	EAST (X)	PARCEL NO.'S
3	13,879,043.17	3,118,143.14	AV7-081 THRU AV7-092
4	13,879,103.18	3,118,140.24	AV7-094 THRU AV7-105



**Western Group Consultants**  
 11115 KATY FREEWAY, SUITE 520  
 HOUSTON, TEXAS 77079  
 (713) 485-8655

**PARKER ROAD PAVING PROJECT**  
 FORTON TO HARRY TOLL ROAD



To: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

<b>SUBJECT:</b> PURCHASE of Parcel AY7-101, located at 143 Parker Road for the PARKER ROAD PAVING PROJECT (from Fulton to Hardy Toll Road). OWNER: Mildred J. Archibald Brake WBS N-000620-0001-2	<b>Page</b> 1 of 1	<b>Agenda Item</b> #  16
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<b>FROM: (Department or other point of origin):</b>  Department of Public Works and Engineering	<b>Origination Date</b> 12/17/08	<b>Agenda Date</b> DEC 30 2008
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<b>DIRECTOR'S SIGNATURE:</b>  Michael S. Marcotte, P.E., D.WRE, BCEE, Director	<b>Council District affected:</b>  H Key Map 413X
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<b>For additional information contact:</b> Nancy P. Collins Phone: (713) 837-0881 Senior Assistant Director-Real Estate Planning and Development Services Division	<b>Date and identification of prior authorizing Council Action:</b> Ordinance 2005-1047, passed September 7, 2005
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**RECOMMENDATION: (Summary)**  
Authority be given through Council Motion to PURCHASE Parcel AY7-101

**Amount and Source of Funding:** \$53,493.00 (covered under Blanket Appropriation Ordinance 2005-1047 N-00663A-00RE-2-01 Street and Bridge Consolidated Construction Fund 4506)

**SPECIFIC EXPLANATION:**  
The PARKER ROAD PAVING PROJECT (from Fulton to Hardy Toll Road) provides for the acquisition of land necessary for street and utility improvements in order to improve traffic flow/circulation and storm water drainage in the service area. The parcel is located at 143 Parker Road.

**PURCHASE:**  
The City desires to acquire 650 square feet of improved residential land to be used for street right of way. The City's offer was based on an appraisal by Gerald A. Teel, MAI, CRE, Independent Fee Appraiser. This valuation was reviewed and recommended for approval by a senior staff appraiser of this department. The breakdown is as follows:

**LAND:**  
Parcel AY7-101 (Easement)  
650 square feet @ \$3.80.....\$ 2,470.00

**IMPROVEMENTS.....\$ 2,907.00**

**COST TO CURE AND DAMAGES TO THE REMAINDER.....\$ 46,800.00**

**TOTAL LAND, IMPROVEMENTS, COST TO CURE AND DAMAGES .....\$ 52,177.00**


**Title Policy/Services.....\$ 1,316.00**

**TOTAL AMOUNT.....\$ 53,493.00**

It is recommended that authority be given through Council Motion to PURCHASE Parcel AY7-101, owned by Mildred J. Archibald Bake. This parcel contains 650 square feet of land situated in the H. & T. C. R.R. Company Survey, Section 5, Abstract 428, Harris County, Texas. Said 650-square foot tract being more particularly out of Lot 14, Block 2 of Gilwood Place Subdivision, a subdivision according to the plat thereof recorded in Volume 26, Page 33 of the Map Records of Harris County, Texas conveyed unto Elmer H. Archibald and wife, Mildred Archibald by deed recorded under Harris County Clerk's File 676757 of the Official Public Records of Real Property, Harris County, Texas according to City of Houston field notes.

MSM: NPC:hht  
cc: Marty Stein

Tyler/AY7101RCA CUIC #20HHT192

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

**VALUATION**

**Parcel AY7-101**

LAND (Easement):

650 square feet @ \$3.80..... \$ 2,470.00

IMPROVEMENTS:

49 linear feet of chain link fencing @ \$13.66 less 57% depreciation \$ 287.00 @

2 gates @ \$299.55 less 70% depreciation ..... \$ 180.00 @

Concrete paving ..... \$ 253.00

Landscaping ..... \$ 85.00

Magnolia tree ..... \$2,102.00

TOTAL IMPROVEMENTS..... \$ 2,907.00

TOTAL DAMAGES TO THE REMAINDER/COST TO CURE:

75% damages due to new proximity to right-of-way and fence/gate relocation..... \$46,800.00

TOTAL COMPENSATION..... \$52,177.00

TITLE POLICY/SERVICES..... \$ 1,316.00

TOTAL ..... \$53,493.00





To: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION


<b>SUBJECT:</b> PURCHASE of Parcel AY7-113, located at 226 Parker Road for the PARKER ROAD PAVING PROJECT (from Fulton to Hardy Toll Road). OWNERS: Manuel Garza and Rosa Christina Garza WBS N-000620-0001-2	<b>Page</b> 1 of 4	<b>Agenda Item #</b>  17
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<b>FROM: (Department or other point of origin):</b>  Department of Public Works and Engineering	<b>Origination Date</b> 12/17/08	<b>Agenda Date</b> DEC 30 2008
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<b>DIRECTOR'S SIGNATURE:</b>  Michael S. Marcotte, P.E., D.WRE, BCEE	<b>Council District affected:</b>  H 411 Key Map 413X
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<b>For additional information contact:</b>  Nancy P. Collins Phone: (713) 837-0881 Senior Assistant Director 	<b>Date and identification of prior authorizing Council Action:</b> Ordinance 2005-1047, passed September 7, 2005
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**RECOMMENDATION: (Summary)**  
Authority be given through Council Motion to PURCHASE Parcel AY7-113

**Amount and Source of Funding:** \$62,589.00 (covered under Blanket Appropriation Ordinance 2005-1047 N-00663A-00RE-2-01 Street and Bridge Consolidated Construction Fund 4506) 

**SPECIFIC EXPLANATION:**  
The PARKER ROAD PAVING PROJECT (from Fulton to Hardy Toll Road) provides for the acquisition of land necessary for street and utility improvements in order to improve traffic flow/circulation and storm water drainage in the service area. The parcel is located at 226 Parker Road.

**PURCHASE:**  
The City desires to acquire 629 square feet of improved residential land to be used for street right of way. The City's offer was based on an appraisal by Albert N. Allen, MAI, CRE, SR/WA, Independent Fee Appraiser. This valuation was reviewed and recommended for approval by a senior staff appraiser of this department. The breakdown is as follows:

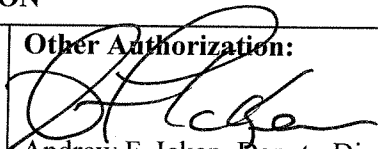
**LAND:**  
Parcel AY7-113 (Easement)  
629 square feet @ \$4.00 .....

IMPROVEMENTS .....	\$ 513.00
COST TO CURE AND DAMAGES TO THE REMAINDER .....	\$ 58,096.00
TOTAL LAND, IMPROVEMENTS, COST TO CURE AND DAMAGES .....	\$ 61,125.00
Title Policy/Services .....	\$ 1,464.00
TOTAL AMOUNT .....	\$ 62,589.00

It is recommended that authority be given through Council Motion to PURCHASE Parcel AY7-113, owned by Manuel Garza and Rosa Christina Garza. This parcel contains 629 square feet of land situated in the H. & T. C. R.R. Company Survey, Section 5, Abstract 428, Harris County, Texas. Said 624-square foot tract being more particularly out of Lot 8 of Strathmore Place Subdivision, a subdivision according to the plat thereof recorded in Volume 30, Page 33 of the Map Records of Harris County, Texas conveyed unto Manuel Garza and wife, Rosa Christina Garza by deed recorded under Harris County Clerk's File L207786 Official Public Records of Real Property, Harris County, Texas according to City of Houston field notes.  
MSM: NPC:hht  
cc: Marty Stein

Tyler/AY7113RCA CUIC #20HHT191

REQUIRED AUTHORIZATION

<b>Finance Department:</b>	<b>Other Authorization:</b>	<b>Other Authorization:</b>  Andrew F. Icken, Deputy Director Planning and Development Services Division
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## VALUATION

### PARCEL AY7-113

LAND (Easement):

629 square feet @ \$4.00.....\$ 2,516.00

IMPROVEMENTS:

38 linear feet of chain link fencing @ \$11.20 depreciated 50% .... \$ 213.00 @

80 square feet of concrete paving @ \$5.00 depreciated 50% ..... \$ 200.00

10 linear feet of wood fencing @ \$20.00 depreciated 50%..... \$ 100.00

TOTAL IMPROVEMENTS..... \$ 513.00

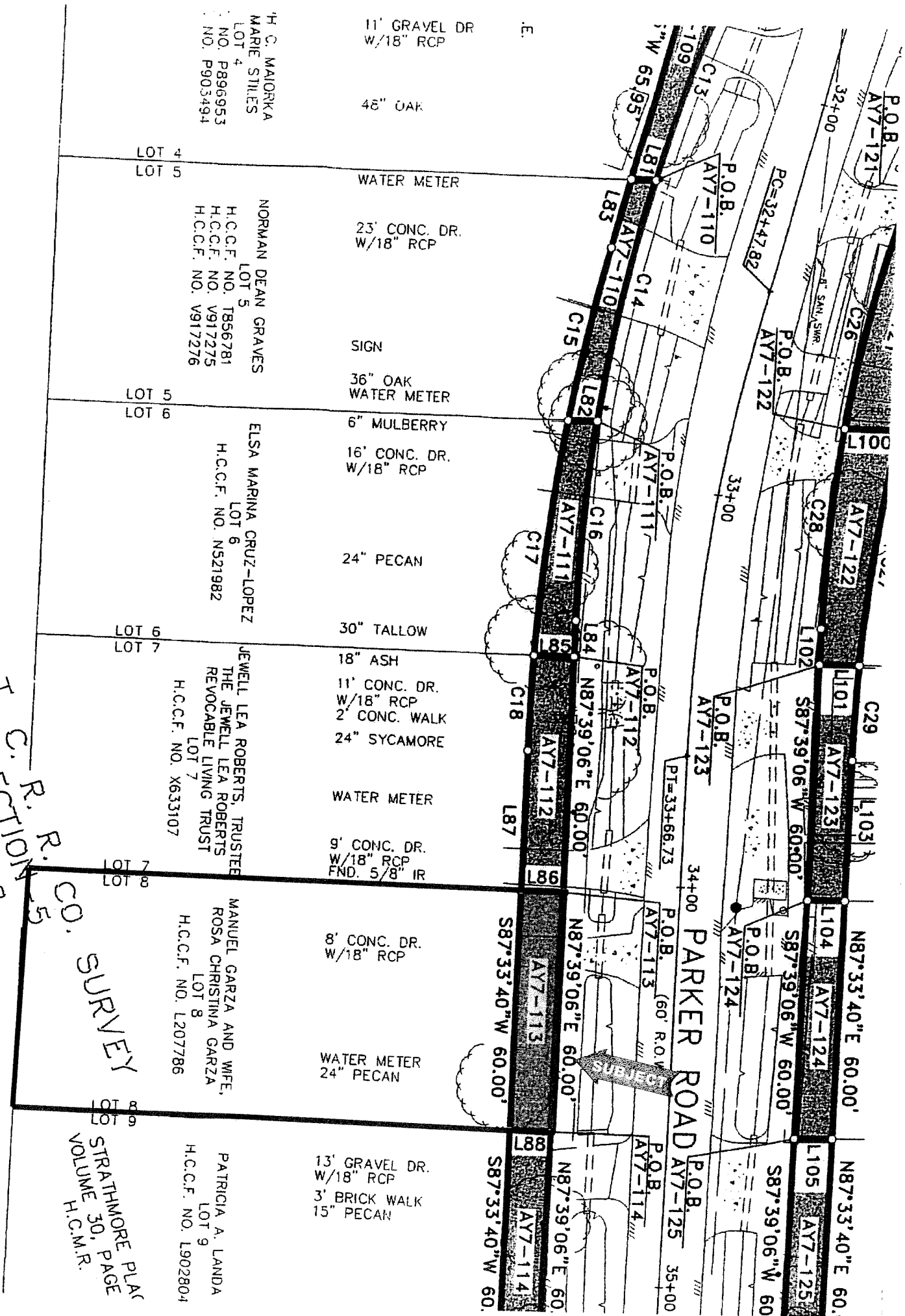
TOTAL DAMAGES TO THE REMAINDER/COST TO CURE:

75% damages due to new proximity to right-of-way and fence relocation..... \$ 58,096.00

TOTAL COMPENSATION..... \$ 61,125.00

TITLE POLICY/SERVICES ..... \$ 1,464.00

TOTAL..... \$ 62,589.00



11' GRAVEL DR  
W/18" RCP

48" OAK

H. C. MAIORKA  
MARIE STILES  
LOT 4  
H.C.C.F. NO. P896953  
H.C.C.F. NO. P903494

LOT 4  
LOT 5

WATER METER

23' CONC. DR.  
W/18" RCP

NORMAN DEAN GRAVES  
LOT 5  
H.C.C.F. NO. 1856781  
H.C.C.F. NO. V917275  
H.C.C.F. NO. V917276

LOT 5  
LOT 6

SIGN

36" OAK  
WATER METER

6" MULBERRY

16' CONC. DR.  
W/18" RCP

ELSA MARINA CRUZ-LOPEZ  
LOT 6  
H.C.C.F. NO. NS21982

LOT 6  
LOT 7

24" PECAN

30" TALLOW

18" ASH  
11' CONC. DR.  
W/18" RCP  
2' CONC. WALK  
24" SYCAMORE

JEWELL LEA ROBERTS, TRUSTEE  
THE JEWELL LEA ROBERTS  
REVOCABLE LIVING TRUST  
LOT 7  
H.C.C.F. NO. X633107

LOT 7  
LOT 8

WATER METER

9' CONC. DR.  
W/18" RCP  
FND. 5/8" IR

MANUEL GARZA AND WIFE,  
ROSA CRISTINA GARZA  
LOT 8  
H.C.C.F. NO. L207786

8' CONC. DR.  
W/18" RCP

WATER METER  
24" PECAN

13' GRAVEL DR.  
W/18" RCP  
3' BRICK WALK  
15" PECAN

PATRICIA A. LANDA  
LOT 9  
H.C.C.F. NO. L902804

STRATHMORE PLAC  
VOLUME 30, PAGE  
H.C.M.R.

H. & T. C. R. R.  
SECTION A-428

CO. SURVEY





To: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

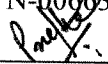
<b>SUBJECT:</b> PURCHASE of Parcel AY7-114, located at 230 Parker Road for the PARKER ROAD PAVING PROJECT (from Fulton to Hardy Toll Road). OWNER: Patricia Landa Martinez WBS N-000620-0001-2	<b>Page</b> 1 of 1	<b>Agenda Item #</b>  18
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<b>FROM: (Department or other point of origin):</b> Department of Public Works and Engineering	<b>Origination Date</b> 12/17/08	<b>Agenda Date</b> DEC 30 2008
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<b>DIRECTOR'S SIGNATURE:</b>  Michael S. Marcotte, P.E., D.WRE, BCEE	<b>Council District affected:</b> H HHT Key Map 413X
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<b>For additional information contact:</b> Nancy P. Collins Phone: (713) 837-0881 Senior Assistant Director 	<b>Date and identification of prior authorizing Council Action:</b> Ordinance 2005-1047, passed September 7, 2005
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**RECOMMENDATION: (Summary)**  
Authority be given through Council Motion to PURCHASE Parcel AY7-114

**Amount and** \$65,442.00  
**Source of Funding:** (covered under Blanket Appropriation Ordinance 2005-1047 N-00663A-00RE-2-01 Street and Bridge Consolidated Construction Fund 4506) 

**SPECIFIC EXPLANATION:**  
The PARKER ROAD PAVING PROJECT (from Fulton to Hardy Toll Road) provides for the acquisition of land necessary for street and utility improvements in order to improve traffic flow/circulation and storm water drainage in the service area. The parcel is located at 230 Parker Road.

**PURCHASE:**  
The City desires to acquire 624 square feet of improved residential land to be used as street right of way. The City's offer was based on an appraisal by Albert N. Allen, MAI, CRE, SR/WA, Independent Fee Appraiser. This valuation was reviewed and recommended for approval by a senior staff appraiser of this department. The breakdown is as follows:

**LAND:**  
Parcel AY7-114 (Easement)  
624 square feet @ \$4.00 ..... \$ 2,496.00

**IMPROVEMENTS.....** \$ 3,005.00

**COST TO CURE AND DAMAGES TO THE REMAINDER.....** \$ 58,443.00

**TOTAL LAND, IMPROVEMENTS, COST TO CURE AND DAMAGES.....** \$ 63,944.00


**Title Policy/Services.....** \$ 1,498.00

**TOTAL AMOUNT.....** \$ 65,442.00

It is recommended that authority be given through Council Motion to PURCHASE Parcel AY7-114, owned by Patricia Landa Martinez. This parcel contains 624 square feet of land situated in the H. & T. C. R.R. Company Survey, Section 5, Abstract 428, Harris County, Texas. Said 624-square foot tract being more particularly out of Lot 9 of Strathmore Place Subdivision, a subdivision according to the plat thereof recorded in Volume 30, Page 33 of the Map Records of Harris County, Texas conveyed unto Patricia A. Landa by deed recorded under Harris County Clerk's File L902804 Official Public Records of Real Property, Harris County, Texas according to City of Houston field notes.

MSM: NPC:hht  
cc: Marty Stein

Tyler/AY7114RCA CUIC #20HHT190

<b>Finance Department:</b>	<b>Other Authorization:</b>	<b>Other Authorization:</b>  Andrew F. Icken, Deputy Director Planning and Development Services Division
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**PARCEL VALUATION**

**Parcel AY7-114**

LAND (Easement):

624 square feet @ \$4.00 ..... \$ 2,496.00

IMPROVEMENTS:

63 linear feet of chain link fencing X \$11.20 less 50% depreciation.\$ 353.00 ®  
(1) 3-foot wide gate @ \$215.00 less 50% depreciation ..... \$ 108.00 ®  
(2) 8-foot wide gate @ \$250.00 less 50% depreciation ..... \$ 250.00  
33 square feet of brick walkway @ \$12.50 less 50% depreciation . \$ 206.00 ®  
176 square feet of gravel paving @ \$1.00 less 50% depreciation.. \$ 88.00  
Landscaping (2) trees..... \$ 2,000.00  
TOTAL IMPROVEMENTS ..... \$ 3,005.00

TOTAL DAMAGES TO THE REMAINDER/COST TO CURE:

75% damages due to new proximity to right-of-way and fence relocation ..... \$ 58,443.00  
TOTAL COMPENSATION ..... \$ 63,944.00

TITLE POLICY/SERVICES ..... \$ 1,498.00

TOTAL ..... \$ 65,442.00

LOT 8  
 CO. SURVEY  
 1-5  
 28

MANUEL GARZA AND WIFE,  
 ROSA CRISTINA GARZA  
 LOT 8  
 H.C.C.F. NO. L207786

PATRICIA A. LANDA  
 LOT 9  
 H.C.C.F. NO. L902804

ALICIA A. GARCIA AND  
 JESUS U. GARCIA  
 LOT 10  
 H.C.C.F. NO. X037057

ANSELMO GIL AND  
 RAMONA GIL  
 LOT 11  
 H.C.C.F. NO. T612192

BILLY E. Mc NEASE, TRUSTEE  
 LUELLA Mc NEASE  
 REVOCABLE LIVING TRUST  
 LOT 12  
 H.C.C.F. NO. S266126

STRATHMORE PLACE  
 VOLUME 30, PAGE 33  
 H.C.M.R.

8' CONC. DR.  
 W/18" RCP

WATER METER  
 24" PECAN

13' GRAVEL DR.  
 W/18" RCP  
 3' BRICK WALK  
 15" PECAN

FIRE HYDRANT  
 24" PECAN

16' GRAVEL DR.  
 W/18" RCP

6" JUNIPER

WATER METER

STREET LIGHT

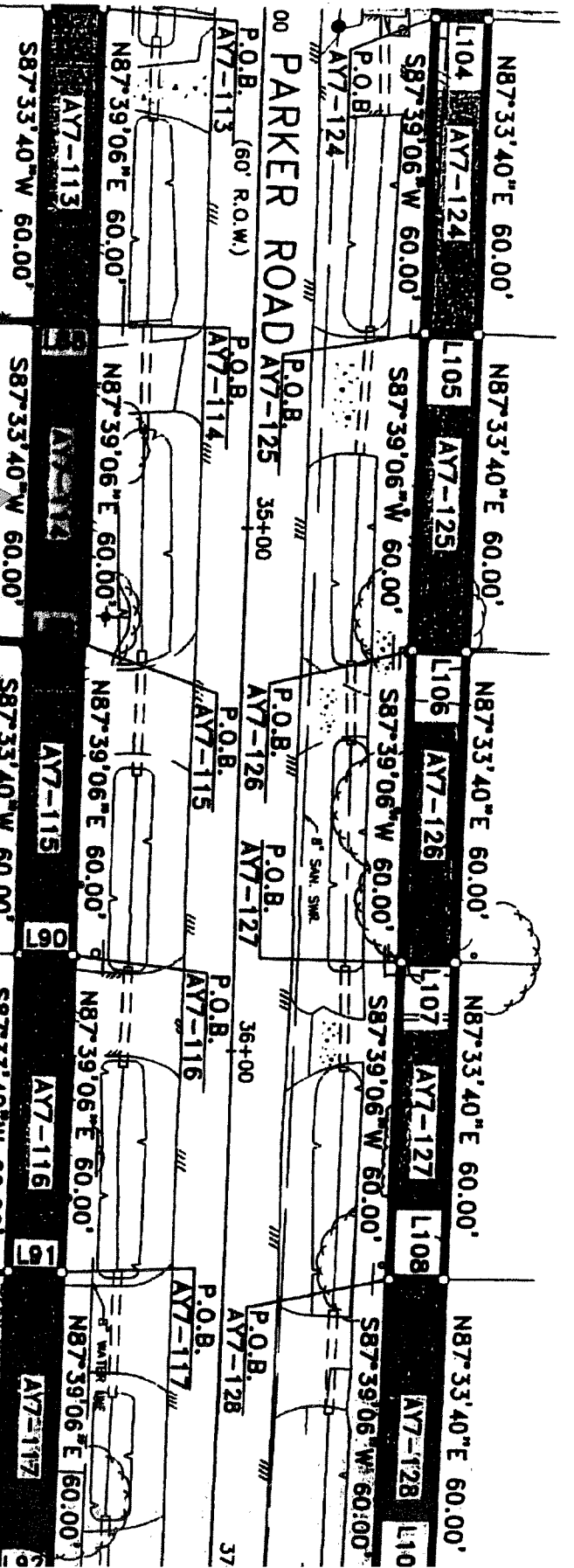
16' ASPH./CONC  
 W/18" RCP

24" HACKBERRY

WATER METER

16' GRAVEL DR.  
 W/18" RCP

WATER VALVE  
 24" OAK

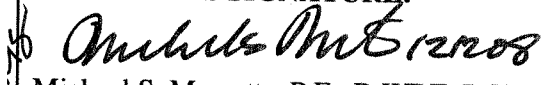


To: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

<b>SUBJECT:</b> PURCHASE of Parcel AY7-116, located at 238 Parker Road for the PARKER ROAD PAVING PROJECT (from Fulton to Hardy Toll Road). OWNERS: Anselmo Gil and wife Ramona Gil WBS N-000620-0001-2	<b>Page</b> 1 of 1	<b>Agenda Item #</b>  19
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<b>FROM: (Department or other point of origin):</b>  Department of Public Works and Engineering	<b>Origination Date</b> 12/17/08	<b>Agenda Date</b> DEC 30 2008
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<b>DIRECTOR'S SIGNATURE:</b>  Michael S. Marcotte, P.E., D.WRE, BCEE	<b>Council District affected:</b>  H Key Map 413X
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<b>For additional information contact:</b>  Nancy P. Collins Phone: (713) 837-0881 Senior Assistant Director-Real Estate Planning and Development Services Division	<b>Date and identification of prior authorizing Council Action:</b> Ordinance 2005-1047, passed September 7, 2005
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**RECOMMENDATION: (Summary)**  
Authority be given through Council Motion to PURCHASE Parcel AY7-116

**Amount and Source of Funding:** \$58,281.00 (covered under Blanket Appropriation Ordinance 2005-1047 N-00663A-00RE-2-01 Street and Bridge Consolidated Construction Fund 4506) *NY*

**SPECIFIC EXPLANATION:**  
The PARKER ROAD PAVING PROJECT (from Fulton to Hardy Toll Road) provides for the acquisition of land necessary for street and utility improvements in order to improve traffic flow/circulation and storm water drainage in the service area. The parcel is located at 238 Parker Road.

**PURCHASE:**  
The City desires to acquire 612 square feet of improved residential land to be used for street right of way. The City's offer was based on an appraisal by Albert N. Allen, MAI, CRE, SR/WA Independent Fee Appraiser. This valuation was reviewed and recommended for approval by a senior staff appraiser of this department. The breakdown is as follows:

**LAND:**  
Parcel AY7-116 (Easement)  
612 square feet @ \$4.00.....\$ 2,448.00

**IMPROVEMENTS**.....\$ 4,760.00

**COST TO CURE AND DAMAGES TO THE REMAINDER**.....\$ 49,723.00

**TOTAL LAND, IMPROVEMENTS, COST TO CURE AND DAMAGES**.....\$ 56,931.00

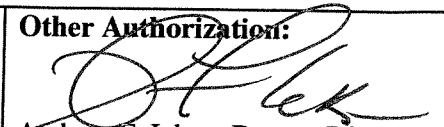
**Title Policy/Services**.....\$ 1,350.00

**TOTAL AMOUNT**.....\$ 58,281.00

It is recommended that authority be given through Council Motion to PURCHASE Parcel AY7-116, owned by Anselmo Gil and wife, Ramona Gil. This parcel contains 612 square feet of land situated in the H. & T. C. R.R. Company Survey, Section 5, Abstract 428, Harris County, Texas. Said 612-square foot tract being more particularly out of Lot 11 of Strathmore Place Subdivision, a subdivision according to the plat thereof recorded in Volume 30, Page 33 of the Map Records of Harris County, Texas conveyed unto Anselmo Gil and wife, Ramona Gil by deed recorded under Harris County Clerk's File T612192 Official Public Records of Real Property, Harris County, Texas according to City of Houston field notes.

MSM:NPC:hht  
cc: Marty Stein

Tyler/AY7116RCA CUIC #20HHT193

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

## PARCEL VALUATION

### Parcel AY7-116

LAND (Easement):	
612 square feet @ \$4.00 .....	\$ 2,448.00
IMPROVEMENTS:	
58 linear feet of wrought iron fencing @ \$45.00 less 50% depreciation ..	\$ 1,305.00
Wrought iron gate @ \$1,800.00 less 50% depreciation .....	\$ 900.00
220 square feet of Concrete paving @ \$5.00 less 50% depreciation .....	\$ 550.00
58 square feet of concrete block @ \$5.00 less 50% depreciation .....	\$ 145.00
400 square feet of Carport @ \$9.00 less 50% depreciation .....	\$ 1,800.00
Landscaping .....	\$ 60.00
TOTAL IMPROVEMENTS .....	\$ 4,760.00
TOTAL DAMAGES TO THE REMAINDER/COST TO CURE:	
50% damages due to new proximity to right-of-way and fence/carport removal .....	\$ 49,723.00
TOTAL COMPENSATION .....	\$ 56,931.00
TITLE POLICY/SERVICES .....	\$ 1,350.00
TOTAL .....	\$ 58,281.00

LOT 8  
 CO. SURVEY  
 1-5  
 28

MANUEL GARZA AND WIFE,  
 ROSA CRISTINA GARZA  
 LOT 8  
 H.C.C.F. NO. L207786

PATRICIA A. LANDA  
 LOT 9  
 H.C.C.F. NO. L902804

ALICIA A. GARCIA AND  
 JESUS U. GARCIA  
 LOT 10  
 H.C.C.F. NO. X037057

ANSELMO GIL AND  
 RAMONA GIL  
 LOT 11  
 H.C.C.F. NO. T612192

BILLY E. Mc NEASE, TRUSTEE  
 LUELLA Mc NEASE  
 REVOCABLE LIVING TRUST  
 LOT 12  
 H.C.C.F. NO. S266126

STRATHMORE PLACE  
 VOLUME 30, PAGE 33  
 H.C.M.R.

8" CONC. DR.  
 W/18" RCP

WATER METER  
 24" PECAN

13' GRAVEL DR.  
 W/18" RCP  
 3' BRICK WALK  
 15" PECAN

FIRE HYDRANT  
 24" PECAN

16' GRAVEL DR.  
 W/18" RCP

6" JUNIPER

WATER METER

STREET LIGHT

16' ASPH./CONC  
 W/18" RCP

24" HACKBERRY

WATER METER

16' GRAVEL DR.  
 W/18" RCP

WATER VALVE  
 24" OAK

FND. 1/2" IR  
 20' GRAVEL DR.  
 W/18" RCP  
 9' CONC. DR.  
 W/18" RCP

00 PARKER ROAD

P.O.B. (60' R.O.W.)  
 AYT-113

P.O.B.  
 AYT-114

P.O.B.  
 AYT-115

P.O.B.  
 AYT-126

P.O.B.  
 AYT-127

P.O.B.  
 AYT-116

P.O.B.  
 AYT-117

P.O.B.  
 AYT-128

P.O.B.  
 AYT-128

P.O.B.  
 AYT-124

P.O.B.  
 AYT-125

P.O.B.  
 AYT-126

P.O.B.  
 AYT-127

P.O.B.  
 AYT-128

P.O.B.  
 AYT-128

L104 AYT-124

L105 AYT-125

L106 AYT-126

L107 AYT-127

L108 AYT-128

L109 AYT-128

S87°33'40"W 60.00'

S87°33'40"W 60.00'

S87°33'40"W 60.00'

S87°33'40"W 60.00'

S87°33'40"W 60.00'

N87°39'06"E 60.00'

N87°39'06"E 60.00'

N87°39'06"E 60.00'

N87°39'06"E 60.00'

N87°39'06"E 60.00'

N87°33'40"E 60.00'

N87°33'40"E 60.00'

N87°33'40"E 60.00'

N87°33'40"E 60.00'

N87°33'40"E 60.00'

SUBJECT

8" SAN. SWR

8" WATER LINE

35+00

36+00

37+00


N 87° 3

To: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

<b>SUBJECT:</b> PURCHASE of Parcel AY7-119, located at 205 Parker Road for the PARKER ROAD PAVING PROJECT (from Fulton to Hardy Toll Road). OWNER: Gustavo Huerta and Homero Huerta WBS N-000620-0001-2	<b>Page</b> 1 of 1	<b>Agenda Item #</b>  20
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<b>FROM: (Department or other point of origin):</b>  Department of Public Works and Engineering	<b>Origination Date</b> 12/17/08	<b>Agenda Date</b> DEC 30 2008
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<b>DIRECTOR'S SIGNATURE:</b>  Michael S. Marcotte, P.E., D.WRE, BCEE, Director	<b>Council District affected:</b>  H Key Map 413X
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<b>For additional information contact:</b> Nancy P. Collins Phone: (713) 837-0881 Senior Assistant Director- Real Estate Planning and Development Services Division	<b>Date and identification of prior authorizing Council Action:</b> Ordinance 2005-1047, passed September 7, 2005
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**RECOMMENDATION: (Summary)**  
Authority be given through Council Motion to PURCHASE Parcel AY7-119

<b>Amount and</b> \$70,432.00
<b>Source of Funding:</b> (covered under Blanket Appropriation Ordinance 2005-1047 N-00663A-00RE-2-01 Street and Bridge Consolidated Construction Fund 4506)

**SPECIFIC EXPLANATION:**  
The PARKER ROAD PAVING PROJECT (from Fulton to Hardy Toll Road) provides for the acquisition of land necessary for street and utility improvements in order to improve traffic flow/circulation and storm water drainage in the service area. The parcel is located at 205 Parker Road.

**PURCHASE:**  
The City desires to acquire 411 square feet of improved residential land to be used as street right of way. The City's offer was based on an appraisal by Albert N. Allen, MAI, CRE, SR/WA, Independent Fee Appraiser. This valuation was reviewed and recommended for approval by a senior staff appraiser of this department. The breakdown is as follows:

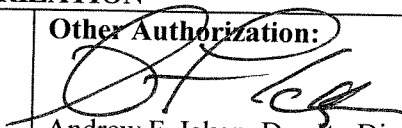
**LAND:**  
Parcel AY7-119 (Easement)  
411 square feet @ \$4.00 .....\$ 1,644.00

IMPROVEMENTS.....	\$ 1,591.00
COST TO CURE AND DAMAGES TO THE REMAINDER.....	\$ 65,765.00
TOTAL LAND, IMPROVEMENTS, COST TO CURE AND DAMAGES .....	\$ 69,000.00
Title Policy/Services.....	\$ 1,432.00
TOTAL AMOUNT.....	\$ 70,432.00

It is recommended that authority be given through Council Motion to PURCHASE Parcel AY7-119, owned by Gustavo Huerta and Homero Huerta. This parcel contains 411 square feet of land situated in the H. & T. C. R.R. Company Survey, Section 5, Abstract 428, Harris County, Texas. Said 411-square foot tract being more particularly out of Lot 28 of Strathmore Place Subdivision, a subdivision according to the plat thereof recorded in Volume 30, Page 33 of the Map Records of Harris County, Texas conveyed unto Gustavo Huerta and Homero Huerta by deed recorded under Harris County Clerk's File R914506 of the Official Public Records of Real Property, Harris County, Texas according to City of Houston field notes.

MSM: NPC:dc  
cc: Marty Stein

S:/Charleston/Parker/AY7-119RCA	CUIC #20DC01
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REQUIRED AUTHORIZATION		
<b>Finance Department:</b>	<b>Other Authorization:</b>	<b>Other Authorization:</b>  Andrew F. Icken, Deputy Director Planning and Development Services Division

**VALUATION**

**PARCEL AY7-119**

LAND (Easement):

411 square feet @ \$4.00 ..... \$ 1,644.00

IMPROVEMENTS:

156 square feet of carport @ \$9.50 less 50% depreciation.....\$ 741.00

180 square feet of concrete @ \$5.00 less 50% depreciation.....\$ 450.00

2 small trees.....\$ 400.00

TOTAL IMPROVEMENTS ..... \$ 1,591.00

DAMAGES TO THE REMAINDER/COST TO CURE:

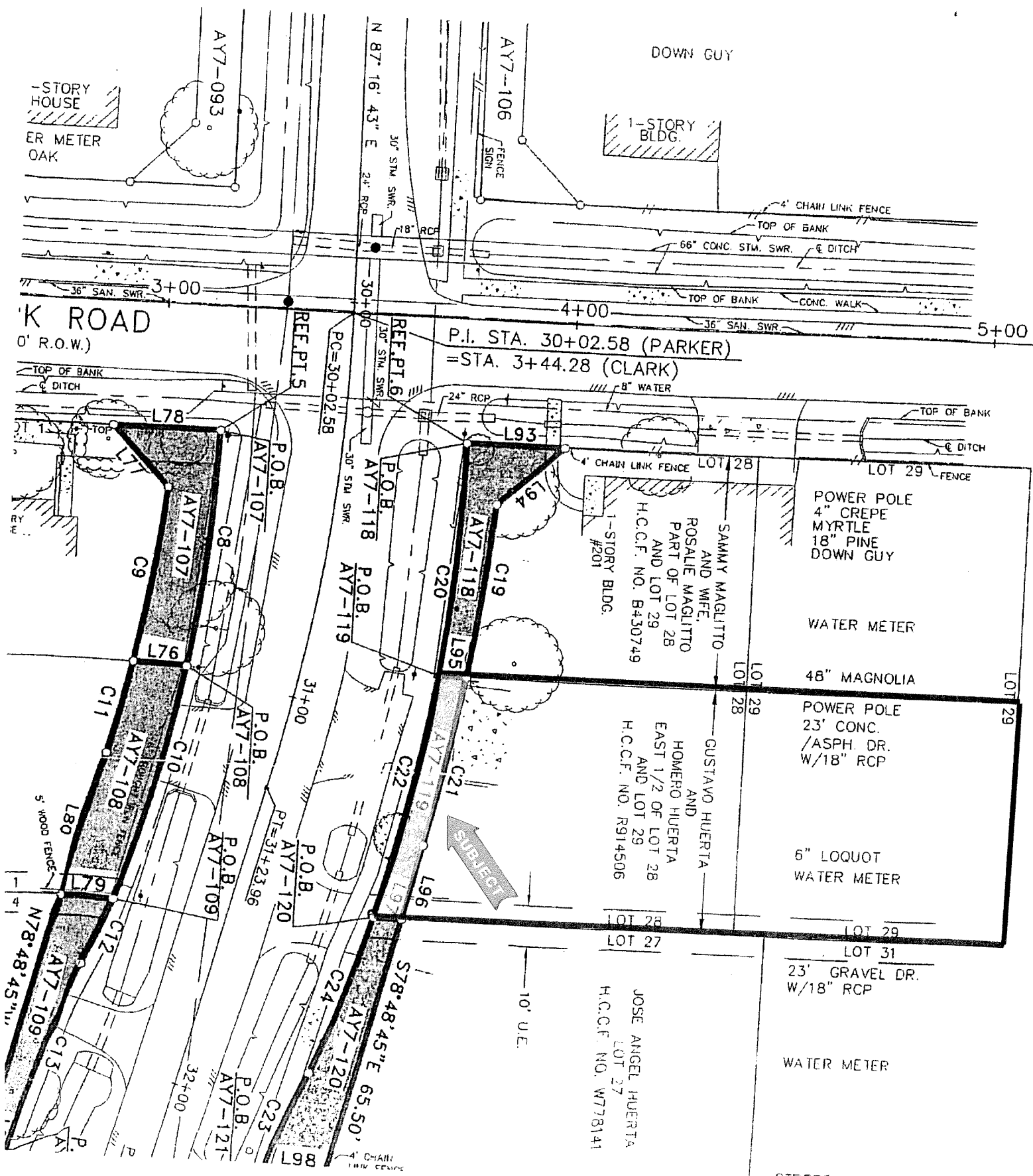
90% damages due to new proximity to right-of-way and carport removal ..... \$ 65,765.00

TOTAL COMPENSATION ..... \$ 69,000.00

TITLE POLICY/SERVICES ..... \$ 1,432.00

TOTAL ..... \$ 70,432.00





1-STORY HOUSE  
WATER METER  
OAK

1-STORY BLDG.

'K ROAD  
0' R.O.W.)

P.I. STA. 30+02.58 (PARKER)  
= STA. 3+44.28 (CLARK)

POWER POLE  
4" CREPE  
MYRTLE  
18" PINE  
DOWN GUY

WATER METER

48" MAGNOLIA  
POWER POLE  
23' CONC.  
/ASPH. DR.  
W/18" RCP

6" LOQUOT  
WATER METER

LOT 31  
23' GRAVEL DR.  
W/18" RCP

WATER METER

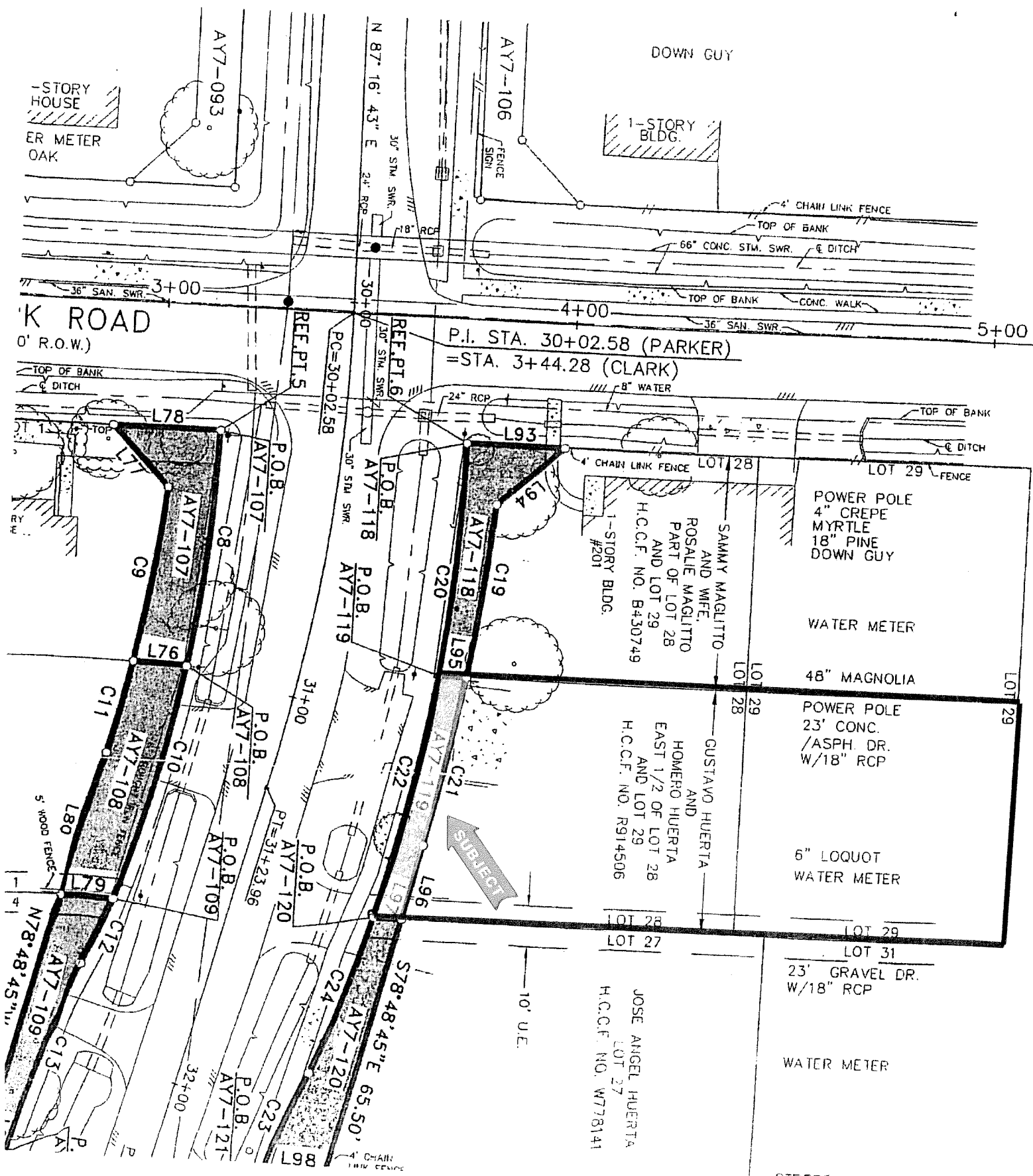
STREET LIGHT

SAMMY MAGLITTO  
AND WIFE,  
ROSALIE MAGLITTO  
PART OF LOT 28  
AND LOT 29  
H.C.C.F. NO. B430749

GUSTAVO HUERTA  
AND  
HOMERO HUERTA  
EAST 1/2 OF LOT 28  
AND LOT 29  
H.C.C.F. NO. R914506

JOSE ANGEL HUERTA  
LOT 27  
H.C.C.F. NO. W778141

SUBJECT



To: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: PURCHASE of Parcel AY7-121, located at 213 Parker Road for the PARKER ROAD PAVING PROJECT (from Fulton to Hardy Toll Road).  
OWNER: Raymundo and Teodora Vega  
WBS N-000620-0001-2


Page  
1 of 1

Agenda Item #  
  
21

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

Origination Date  
12/17/08

Agenda Date  
DEC 30 2008

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

Council District affected:  
  
H  
Key Map 413X

For additional information contact:  
Nancy P. Collins Phone: (713) 837-0881  
Senior Assistant Director- Real Estate  
Planning and Development Services Division

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

RECOMMENDATION: (Summary)  
Authority be given through Council Motion to PURCHASE Parcel AY7-121

Amount and Source of Funding: \$59,588.00  
(covered under Blanket Appropriation Ordinance 2005-1047 N-00663A-00RE-2-01 Street and Bridge Consolidated Construction Fund 4506) *By.*

SPECIFIC EXPLANATION:  
The PARKER ROAD PAVING PROJECT (from Fulton to Hardy Toll Road) provides for the acquisition of land necessary for street and utility improvements in order to improve traffic flow/circulation and storm water drainage in the service area. The parcel is located at 213 Parker Road.

PURCHASE:  
The City desires to acquire 863 square feet of improved residential land to be used as street right of way. The City's offer was based on an appraisal by Albert N. Allen, MAI, CRE, SR/WA, Independent Fee Appraiser. This valuation was reviewed and recommended for approval by a senior staff appraiser of this department. The breakdown is as follows:

LAND:	
Parcel AY7-121 (Easement)	
863 square feet @ \$4.00 .....	\$ 3,452.00
IMPROVEMENTS.....	\$ 2,337.00
COST TO CURE AND DAMAGES TO THE REMAINDER.....	\$ 52,439.00
TOTAL LAND, IMPROVEMENTS, COST TO CURE AND DAMAGES .....	\$ 58,228.00
Title Policy/Services.....	\$ 1,360.00
TOTAL AMOUNT.....	\$ 59,588.00

It is recommended that authority be given through Council Motion to PURCHASE Parcel AY7-121, owned by Raymundo and Teodora Vega. This parcel contains 863 square feet of land situated in the H. & T. C. R.R. Company Survey, Section 5, Abstract 428, Harris County, Texas. Said 863-square foot tract being more particularly out of Lot 26 of Strathmore Place Subdivision, a subdivision according to the plat thereof recorded in Volume 30, Page 33 of the Map Records of Harris County, Texas conveyed unto Raymundo and Teodora Vega by deed recorded under Harris County Clerk's File L827585 of the Official Public Records of Real Property, Harris County, Texas according to City of Houston field notes.

MSM: NPC:dc  
cc: Marty Stein

S:/Charleston/Parker/AY7-121RCA CUIC #20DC02

REQUIRED AUTHORIZATION

Finance Department:

Other Authorization:

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

VALUATION

PARCEL AY7-121

LAND (Easement):

863 square feet @ \$4.00 .....\$ 3,452.00

IMPROVEMENTS:

130 square feet of gravel @ \$1.00 less 50% depreciation.....\$ 65.00

195 square feet of concrete @ \$5.00 less 50% depreciation.....\$ 488.00 ®

158 square feet of carport @ \$9.00 less 50% depreciation.....\$ 711.00

13 linear feet of chain-link fence @ \$11.20 less 50% depreciation.....\$ 73.00 ®

Landscaping.....\$ 1,000.00

TOTAL IMPROVEMENTS.....\$ 2,337.00

TOTAL DAMAGES REMAINDER/COST TO CURE:

90% damages due to new proximity to right-of-way and carport removal.....\$ 52,439.00

TOTAL COMPENSATION .....\$ 58,228.00

TITLE POLICY/SERVICES.....\$ 1,360.00

TOTAL.....\$ 59,588.00

DOWN  
 WATER  
 45" M  
 POWER  
 23' CO  
 /ASPH  
 W/18"  
 6" LOC  
 WATER  
 23' G  
 W/18"  
 WATER  
 STREET  
 15' CO  
 W/18"  
 30" PE  
 9' CON  
 W/18"

AMY MAGUITO  
 AND WIFE,  
 SAIE MAGUITO  
 RT OF LOT 28  
 AND LOT 29  
 I.F. NO. B430749  
 TORY BLDC.  
 #201

GUSTAVO HUERTA  
 AND  
 HOMERO HUERTA  
 EAST 1/2 OF LOT 28  
 AND LOT 29  
 H.C.C.F. NO. R914506

JOSE ANGEL HUERTA  
 LOT 27.  
 H.C.C.F. NO. W778141

RAYMUNDO VEGA AND  
 WIFE, TEODORA VEGA  
 LOT 26  
 H.C.C.F. NO. L827585

GARY WAYNE SHIFLET AND  
 WIFE, TERRY LYNN SHIFLET  
 LOT 25  
 H.C.C.F. NO. E129416

HECTOR G. GARZ  
 WIFE, RITA A. G  
 LOT 24  
 H.C.C.F. NO. M4.

STRAITHMORE PLACE 33  
 VOLUME 30, PAGE 33  
 H.C.M.R.

SUBJECT

10' CONC. DR.  
 W/18" RCP

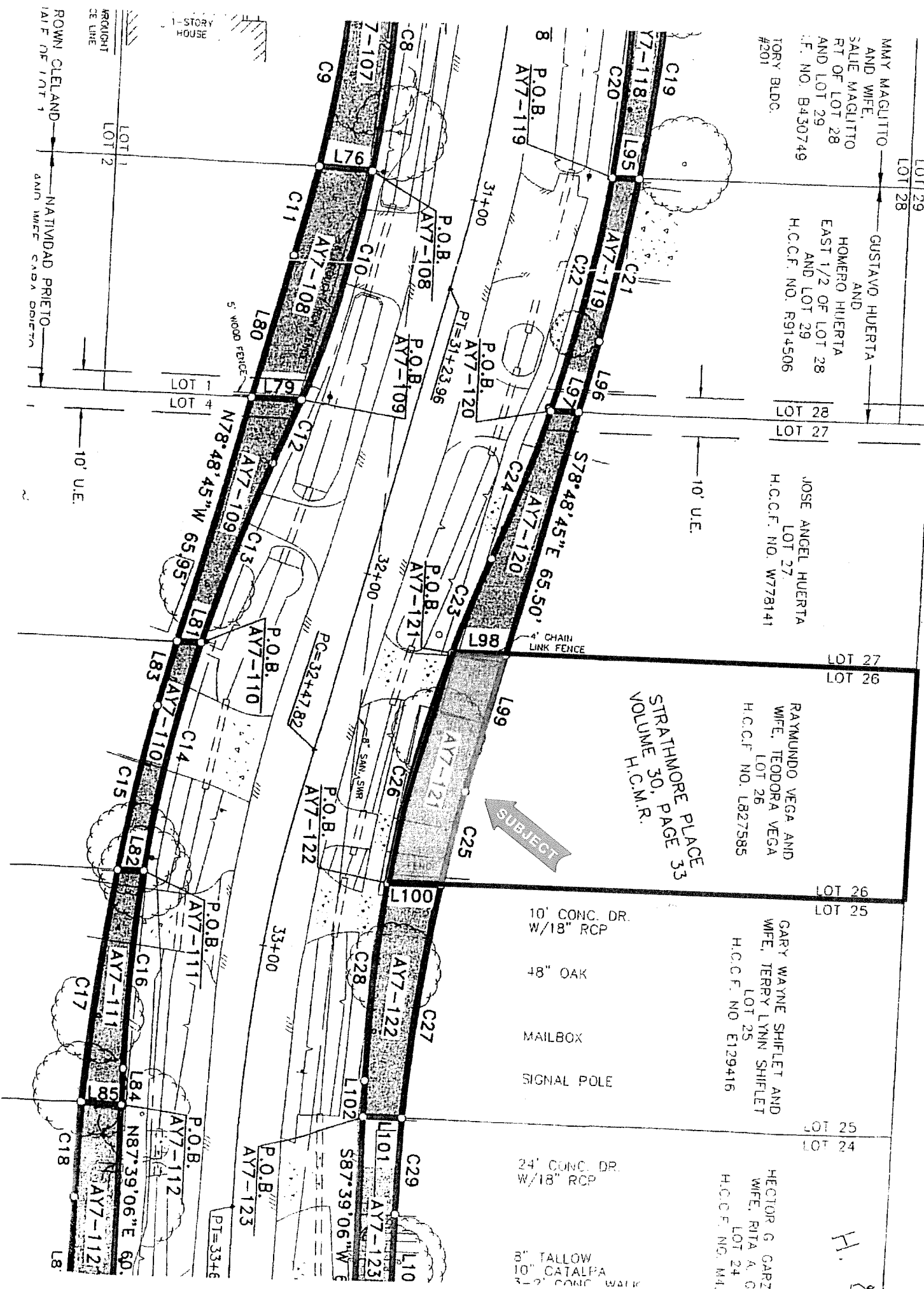
48" OAK

MAILBOX

SIGNAL POLE

24' CONC. DR.  
 W/18" RCP

8" TALLOW  
 10" CATALPA  
 2" CONC. WALK



1-STORY HOUSE  
 ROWEN CLELAND  
 HALF OF LOT 1  
 NATIVIDAD PRIETO  
 DAMN IMPCT. CADA DORICTA

LOT 1  
 LOT 4  
 10' U.E.

LOT 25  
 LOT 24  
 H.

To: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: PURCHASE of Parcel AY7-123, located at 221 Parker Road for the PARKER ROAD PAVING PROJECT (from Fulton to Hardy Toll Road).  
OWNER: Hector G. and Rita Garza  
WBS N-000620-0001-2

Page  
1 of 1

Agenda Item  
#

22

FROM: (Department or other point of origin):

Origination Date

Agenda Date

12-17-08

DEC 30 2008

Department of Public Works and Engineering

DIRECTOR'S SIGNATURE:

Council District affected:

*Michael S. Marcotte*

H

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

Key Map 413X

For additional information contact:

Date and identification of prior authorizing Council Action:

Nancy P. Collins Phone: (713) 837-0881  
Senior Assistant Director- Real Estate  
Planning and Development Services Division

Ordinance 2005-1047, passed September 7, 2005

RECOMMENDATION: (Summary)

Authority be given through Council Motion to PURCHASE Parcel AY7-123

Amount and \$96,012.00

Source of Funding: (covered under Blanket Appropriation Ordinance 2005-1047 N-00663A-00RE-2-01 Street and Bridge Consolidated Construction Fund 4506)

SPECIFIC EXPLANATION:

The PARKER ROAD PAVING PROJECT (from Fulton to Hardy Toll Road) provides for the acquisition of land necessary for street and utility improvements in order to improve traffic flow/circulation and storm water drainage in the service area. The parcel is located at 221 Parker Road.

PURCHASE:

The City desires to acquire 570 square feet of improved residential land to be used as street right of way. The City's offer was based on an appraisal by Albert N. Allen, MAI, CRE, SR/WA, Independent Fee Appraiser. This valuation was reviewed and recommended for approval by a senior staff appraiser of this department. The breakdown is as follows:

LAND:

Parcel AY7-123 (Easement)

570 square feet @ \$4.00 .....\$ 2,280.00

IMPROVEMENTS.....\$ 4,459.00

COST TO CURE AND DAMAGES TO THE REMAINDER.....\$ 87,667.00

TOTAL LAND, IMPROVEMENTS, COST TO CURE AND DAMAGES.....\$ 94,406.00

Title Policy/Services.....\$ 1,606.00

TOTAL AMOUNT.....\$ 96,012.00

It is recommended that authority be given through Council Motion to PURCHASE Parcel AY7-123, owned by Hector G. and Rita Garza. This parcel contains 570 square feet of land situated in the H. & T. C. R.R. Company Survey, Section 5, Abstract 428, Harris County, Texas. Said 570-square foot tract being more particularly out of Lot 24 of Strathmore Place Subdivision, a subdivision according to the plat thereof recorded in Volume 30, Page 33 of the Map Records of Harris County, Texas conveyed unto Hector G. and Rita Garza by deed recorded under Harris County Clerk's File M436451 of the Official Public Records of Real Property, Harris County, Texas according to City of Houston field notes.

MSM: NPC:dc

cc: Marty Stein

S:/Charleston/Parker/AY7-123RCA

CUIC #20DC03

REQUIRED AUTHORIZATION

Finance Department:

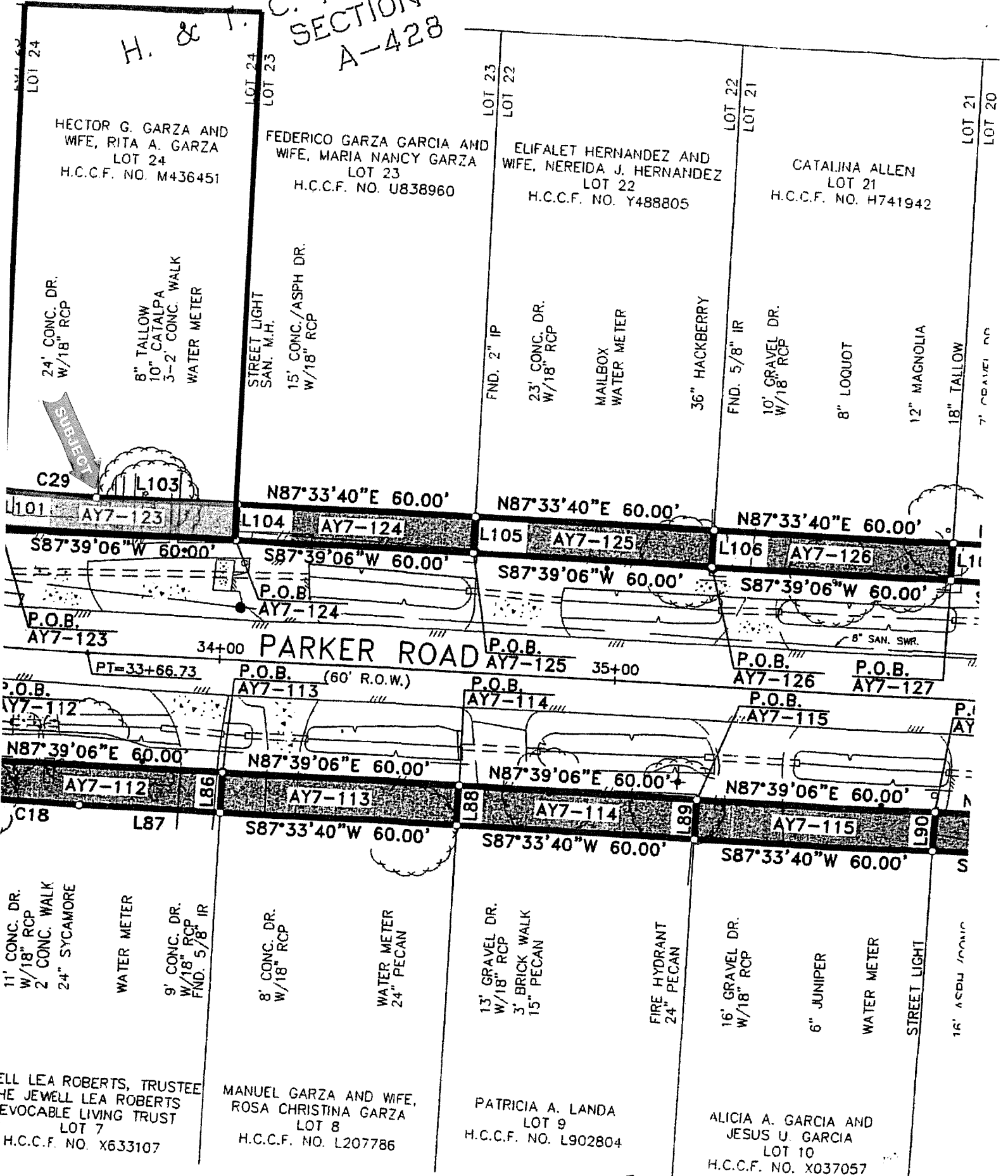
Other Authorization:

Other Authorization:

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

C. R. R. CO. SUR.  
SECTION-5  
A-428

H. & T.



HECTOR G. GARZA AND WIFE, RITA A. GARZA  
LOT 24  
H.C.C.F. NO. M436451

FEDERICO GARZA GARCIA AND WIFE, MARIA NANCY GARZA  
LOT 23  
H.C.C.F. NO. U838960

ELIFALET HERNANDEZ AND WIFE, NEREIDA J. HERNANDEZ  
LOT 22  
H.C.C.F. NO. Y488805

CATALINA ALLEN  
LOT 21  
H.C.C.F. NO. H741942

11' CONC. DR. W/18" RCP  
2' CONC. WALK  
24" SYCAMORE

WATER METER

9' CONC. DR. W/18" RCP  
FND. 5/8" IR

8' CONC. DR. W/18" RCP

WATER METER  
24" PECAN

13' GRAVEL DR. W/18" RCP  
3' BRICK WALK  
15" PECAN

FIRE HYDRANT  
24" PECAN

16' GRAVEL DR. W/18" RCP

6" JUNIPER

WATER METER

STREET LIGHT

16' ASPH CONC

ELL LEA ROBERTS, TRUSTEE  
HE JEWELL LEA ROBERTS  
EVOCABLE LIVING TRUST  
LOT 7  
H.C.C.F. NO. X633107

MANUEL GARZA AND WIFE,  
ROSA CHRISTINA GARZA  
LOT 8  
H.C.C.F. NO. L207786

PATRICIA A. LANDA  
LOT 9  
H.C.C.F. NO. L902804

ALICIA A. GARCIA AND  
JESUS U. GARCIA  
LOT 10  
H.C.C.F. NO. X037057

C29

L103

N87°33'40"E 60.00'

N87°33'40"E 60.00'

N87°33'40"E 60.00'

L101 AY7-123

L104 AY7-124

L105 AY7-125

L106 AY7-126

L107

S87°39'06"W 60.00'

S87°39'06"W 60.00'

S87°39'06"W 60.00'

S87°39'06"W 60.00'

S87°39'06"W 60.00'

P.O.B. AY7-123

P.O.B. AY7-124

P.O.B. AY7-125

P.O.B. AY7-126

P.O.B. AY7-127

PT=33+66.73

P.O.B. (60' R.O.W.) AY7-113

P.O.B. AY7-114

P.O.B. AY7-115

P.O.B. AY7-116

N87°39'06"E 60.00'

N87°39'06"E 60.00'

N87°39'06"E 60.00'

N87°39'06"E 60.00'

N87°39'06"E 60.00'

C18

L87

S87°33'40"W 60.00'

S87°33'40"W 60.00'

S87°33'40"W 60.00'

L90

S

**VALUATION**

**PARCEL AY7-123**

**LAND (Easement):**

570 square feet @ \$4.00.....\$ 2,280.00

**IMPROVEMENTS:**

138 square feet of carport @ \$20.96 less 50% depreciation .... \$ 1,446.00 ®

295 square feet of concrete @ \$5.00 less 50% depreciation .... \$ 738.00 ®

20 linear feet of wood fence @ \$20.00 less 50% depreciation..\$ 200.00

2, 3-foot-wide gates @ \$250.00 each less 50% depreciation...\$ 250.00

3, 12-foot-wide gates @ \$600.00 each less 50% depreciation..\$ 900.00

2, 8.5-foot-wide gates @ \$425.00 each less 50% depreciation..\$ 425.00

1 large tree.....\$ 500.00

**TOTAL IMPROVEMENTS** .....\$ 4,459.00

**TOTAL DAMAGES TO THE REMAINDER/COST TO CURE:**

75% damages due to new proximity to right-of-way, gate replacement  
and carport removal ..... \$ 87,667.00

**TOTAL COMPENSATION** .....\$ 94,406.00

**TITLE POLICY/SERVICES**.....\$ 1,606.00


**TOTAL**.....\$ 96,012.00

To: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

<b>SUBJECT:</b> PURCHASE of Parcel AY7-138, located at 254 Parker Road for the PARKER ROAD PAVING PROJECT (from Fulton to Hardy Toll Road). OWNER: Juan M. and Maria G. Jaramillo WBS N-000620-0001-2	<b>Page</b> 1 of 1	<b>Agenda Item #</b>  23
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<b>FROM: (Department or other point of origin):</b>  Department of Public Works and Engineering	<b>Origination Date</b> 12-17-08	<b>Agenda Date</b> DEC 30 2008
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<b>DIRECTOR'S SIGNATURE:</b>  Michael S. Marcotte, P.E., D.WRE, BCEE, Director	<b>Council District affected:</b>  H Key Map 413X
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<b>For additional information contact:</b> Nancy P. Collins Phone: (713) 837-0881 Senior Assistant Director- Real Estate Planning and Development Services Division	<b>Date and identification of prior authorizing Council Action:</b> Ordinance 2005-1047, passed September 7, 2005
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**RECOMMENDATION: (Summary)**  
Authority be given through Council Motion to PURCHASE Parcel AY7-138

<b>Amount and</b> \$62,824.00
<b>Source of Funding:</b> (covered under Blanket Appropriation Ordinance 2005-1047 N-00663A-00RE-2-01 Street and Bridge Consolidated Construction Fund 4506) <i>ny.</i>

**SPECIFIC EXPLANATION:**  
The PARKER ROAD PAVING PROJECT (from Fulton to Hardy Toll Road) provides for the acquisition of land necessary for street and utility improvements in order to improve traffic flow/circulation and storm water drainage in the service area. The parcel is located at 254 Parker Road.

**PURCHASE:**  
The City desires to acquire 600 square feet of improved residential land to be used as street right of way. The City's offer was based on an appraisal by Albert N. Allen, MAI, CRE, SR/WA, Independent Fee Appraiser. This valuation was reviewed and recommended for approval by a senior staff appraiser of this department. The breakdown is as follows:

**LAND:**  
Parcel AY7-138 (Easement)

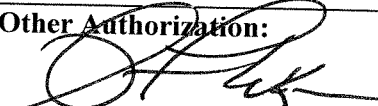
600 square feet @ \$4.00 .....	\$ 2,400.00
IMPROVEMENTS.....	\$ 1,900.00
COST TO CURE AND DAMAGES TO THE REMAINDER.....	\$ 57,143.00
TOTAL LAND, IMPROVEMENTS, COST TO CURE AND DAMAGES .....	\$ 61,443.00
Title Policy/Services.....	\$ 1,381.00
TOTAL AMOUNT.....	\$ 62,824.00

It is recommended that authority be given through Council Motion to PURCHASE Parcel AY7-138, owned by Juan M. and Maria G. Jaramillo. This parcel contains 600 square feet of land situated in the H. & T. C. R.R. Company Survey, Section 5, Abstract 428, Harris County, Texas. Said 600-square foot tract being more particularly out of Lot 15 of Strathmore Place Subdivision, a subdivision according to the plat thereof recorded in Volume 30, Page 33 of the Map Records of Harris County, Texas conveyed unto Juan M. and Maria G. Jaramillo by deed recorded under Harris County Clerk's File S176300 of the Official Public Records of Real Property, Harris County, Texas according to City of Houston field notes.

MSM: NPC:dc  
cc: Marty Stein  
S:/Charleston/Parker/AY7-138RCA

CUIC #20DC04

REQUIRED AUTHORIZATION

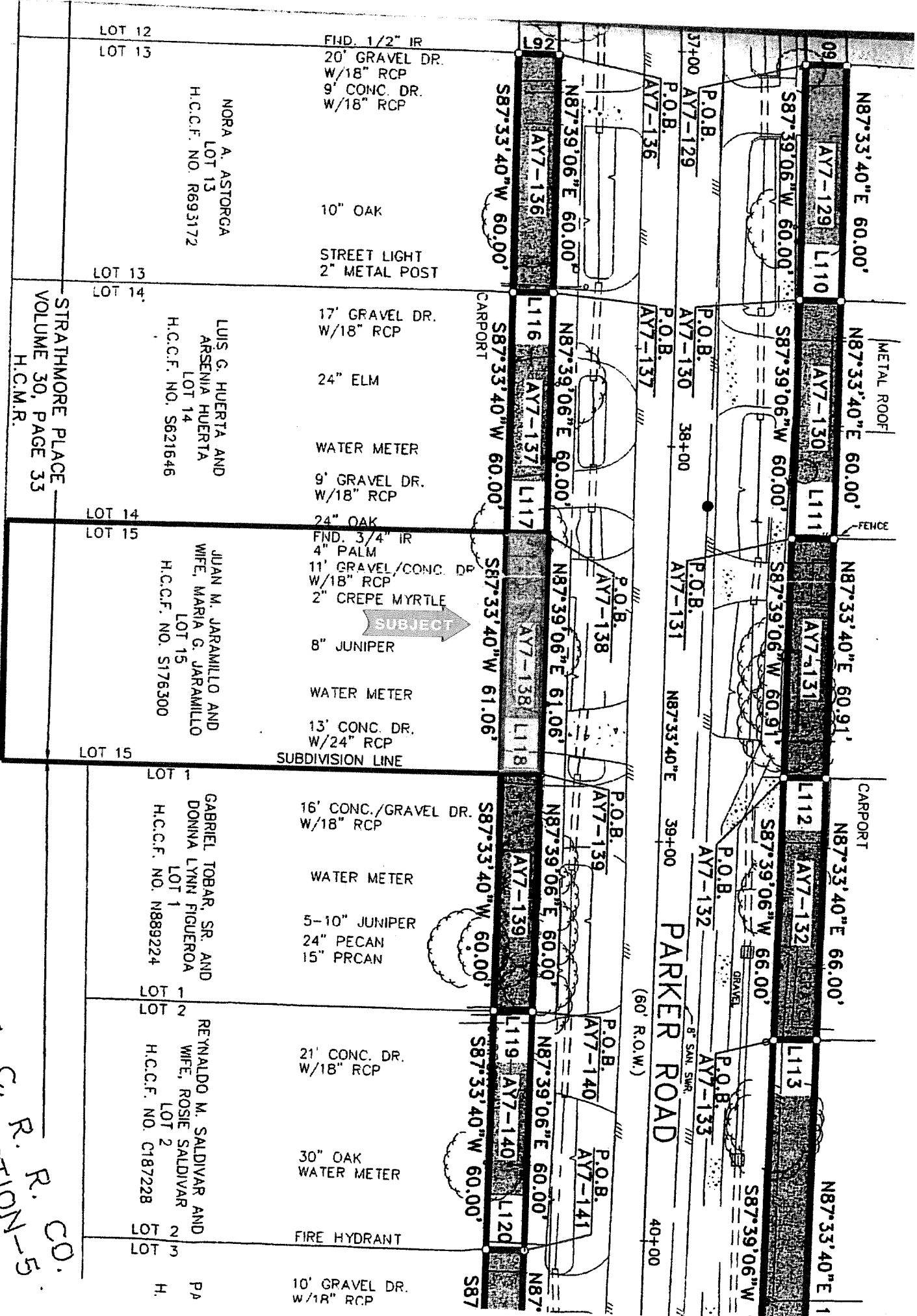
<b>Finance Department:</b>	<b>Other Authorization:</b>	<b>Other Authorization:</b>  Andrew F. Icken, Deputy Director Planning and Development Services Division
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**VALUATION**

**PARCEL AY7-138**

LAND (Easement):		
600 square feet @ \$4.00.....		\$ 2,400.00
IMPROVEMENTS:		
240 square feet of concrete @ \$5.00 less 50% depreciation .....	\$ 600.00	
1 light pole @ \$600.00 each less 50% depreciation... ..	\$ 300.00	
Landscaping .....	<u>\$ 1,000.00</u>	
TOTAL IMPROVEMENTS: .....		\$ 1,900.00
TOTAL DAMAGES TO THE REMAINDER/COST TO CURE:		
90% damages due to new proximity to right-of-way and loss of parking .....		<u>\$ 57,143.00</u>
TOTAL COMPENSATION.....		\$ 61,443.00
TITLE POLICY/SERVICES.....		<u>\$ 1,381.00</u>
TOTAL.....		\$ 62,824.00



STRATHMORE PLACE  
 VOLUME 30, PAGE 33  
 H.C.M.R.

H. & T. C. R. CO.  
 SECTION-5  
 A-428

LOT 12  
 LOT 13  
 NORA A. ASTORGA  
 LOT 13  
 H.C.C.F. NO. R693172

LOT 13  
 LOT 14  
 LUIS G. HUERTA AND  
 ARSENIA HUERTA  
 LOT 14  
 H.C.C.F. NO. S621646

LOT 14  
 LOT 15  
 JUAN M. JARAMILLO AND  
 WIFE, MARIA G. JARAMILLO  
 LOT 15  
 H.C.C.F. NO. S176300

LOT 1  
 GABRIEL TOBAR, SR. AND  
 DONNA LYNN FIGUEROA  
 LOT 1  
 H.C.C.F. NO. N889224

LOT 1  
 LOT 2  
 LOT 3  
 LOT 4  
 RENALDO M. SALDIVAR AND  
 WIFE, ROSIE SALDIVAR  
 LOT 2  
 H.C.C.F. NO. C187228

FND. 1/2" IR  
 20' GRAVEL DR.  
 W/18" RCP  
 9' CONC. DR.  
 W/18" RCP

10" OAK

STREET LIGHT  
 2" METAL POST

17' GRAVEL DR.  
 W/18" RCP

24" ELM

WATER METER

9' GRAVEL DR.  
 W/18" RCP

24" OAK

FND. 3/4" IR  
 4" PALM  
 11' GRAVEL/CONC. DR.  
 W/18" RCP  
 2" CREPE MYRTLE

8" JUNIPER

WATER METER

13' CONC. DR.  
 W/24" RCP

SUBDIVISION LINE

16' CONC./GRAVEL DR.  
 W/18" RCP

WATER METER

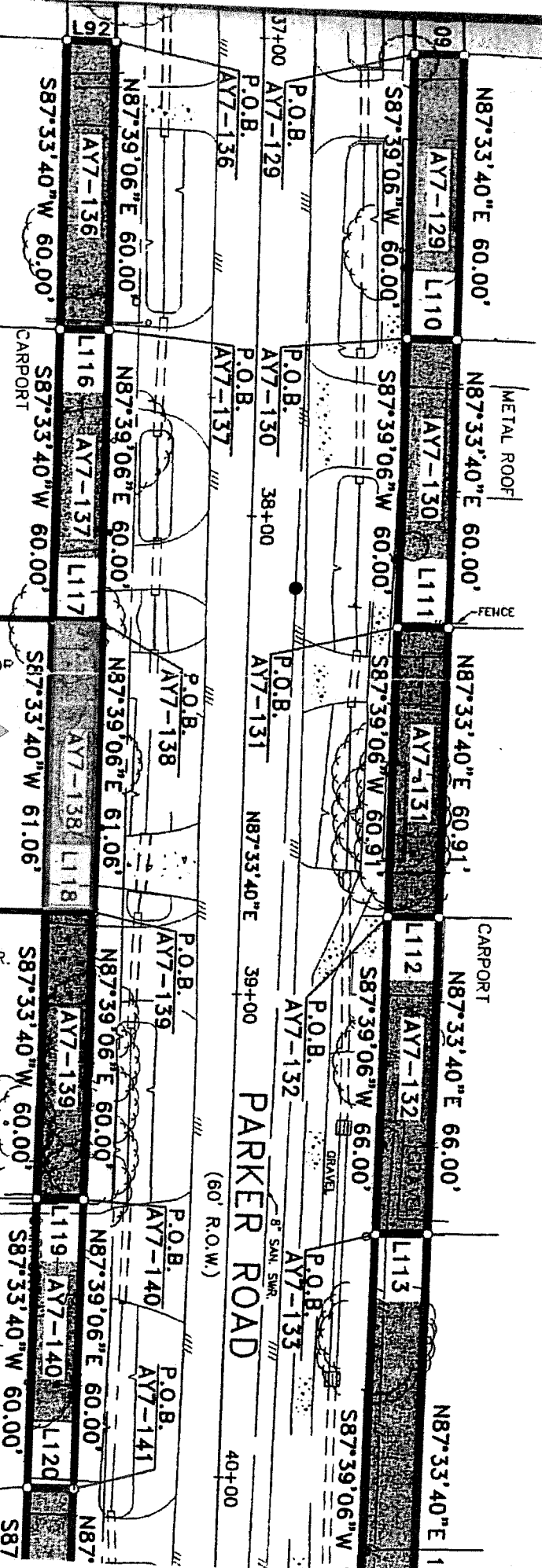
5-10" JUNIPER  
 24" PECAN  
 15" PRCAN

21' CONC. DR.  
 W/18" RCP

30" OAK  
 WATER METER

FIRE HYDRANT

10' GRAVEL DR.  
 W/18" RCP




To: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

<b>SUBJECT:</b> PURCHASE of Parcel AY7-162, located at 509 Parker Road for the PARKER ROAD PAVING PROJECT (from Fulton to Hardy Toll Road). OWNER: Pedro Torres WBS N-000620-0001-2	<b>Page</b> 1 of 1	<b>Agenda Item #</b>  
		24

<b>FROM: (Department or other point of origin):</b>  Department of Public Works and Engineering	<b>Origination Date</b> 12-17-08	<b>Agenda Date</b> DEC 30 2008
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<b>DIRECTOR'S SIGNATURE:</b>  Michael S. Marcotte, P.E., D.WRE, BCEE, Director	<b>Council District affected:</b>  H Key Map 413Y
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<b>For additional information contact:</b> Nancy P. Collins Phone: (713) 837-0881 Senior Assistant Director- Real Estate Planning and Development Services Division	<b>Date and identification of prior authorizing Council Action:</b> Ordinance 2005-1047, passed September 7, 2005
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**RECOMMENDATION: (Summary)**  
 Authority be given through Council Motion to PURCHASE Parcel AY7-162

<b>Amount and</b>	\$58,085.00
<b>Source of Funding:</b>	(covered under Blanket Appropriation Ordinance 2005-1047 N-00663A-00RE-2-01 Street and Bridge Consolidated Construction Fund 4506)

**SPECIFIC EXPLANATION:**  
 The PARKER ROAD PAVING PROJECT (from Fulton to Hardy Toll Road) provides for the acquisition of land necessary for street and utility improvements in order to improve traffic flow/circulation and storm water drainage in the service area. The parcel is located at 509 Parker Road.


**PURCHASE:**  
 The City desires to acquire 721 square feet of improved residential land to be used as street right of way. The City's offer was based on an appraisal by David R. Dominy, MAI, MRICS, Independent Fee Appraiser. This valuation was reviewed and recommended for approval by a senior staff appraiser of this department. The breakdown is as follows:

**LAND:**  
 Parcel AY7-162 (Easement)  
 721 square feet @ \$4.20.....\$ 3,028.00®

IMPROVEMENTS.....	\$ 9,907.00
COST TO CURE AND DAMAGES TO THE REMAINDER.....	\$ 43,800.00
TOTAL LAND, IMPROVEMENTS, COST TO CURE AND DAMAGES .....	\$ 56,735.00
Title Policy/Services.....	\$ 1,350.00
TOTAL AMOUNT.....	\$ 58,085.00

It is recommended that authority be given through Council Motion to PURCHASE Parcel AY7-162, owned by Pedro Torres. This parcel contains 721 square feet of land situated in the H. & T. C. R.R. Company Survey, Section 5, Abstract 428, Harris County, Texas. Said 721 square foot tract being more particularly out of Lot 341 in Block 15 of Hawthorne Place Section Two Subdivision, a subdivision according to the plat thereof recorded in Volume 29, Page 60 of the Map Records of Harris County, Texas conveyed unto Pedro Torres by deed recorded under Harris County Clerk's File S796147 of the Official Public Records of Real Property, Harris County, Texas according to City of Houston field notes.

MSM:NPC:tb  
 cc: Marty Stein  
 S:/BATES/Parker/AY7-162 RCA

<b>REQUIRED AUTHORIZATION</b>			<b>CUIC #20TSB02</b>
<b>Finance Department:</b>	<b>Other Authorization:</b>	 Andrew F. Icken, Deputy Director Planning and Development Services Division	

## PARCEL VALUATION

### Parcel AY7-162

LAND (Easement):

721 square feet @ \$4.20 ..... \$ 3,028.00

IMPROVEMENTS:

145 square feet of concrete driveway @ \$6.00 less 15% depreciation ... \$ 740.00 ®

36 square feet of concrete sidewalk @ \$6.50 less 15% depreciation..... \$ 199.00 ®

73 linear feet of wrought iron fencing @ \$68.00 less 10% depreciation... \$ 4,468.00 ®

One wrought iron gate ..... \$ 4,500.00

TOTAL IMPROVEMENTS ..... \$ 9,907.00

TOTAL DAMAGES TO THE REMAINDER/COST TO CURE:

50% damages due to new proximity to right-of-way and fence/gate relocation..... \$ 43,800.00

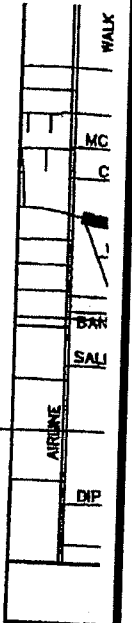
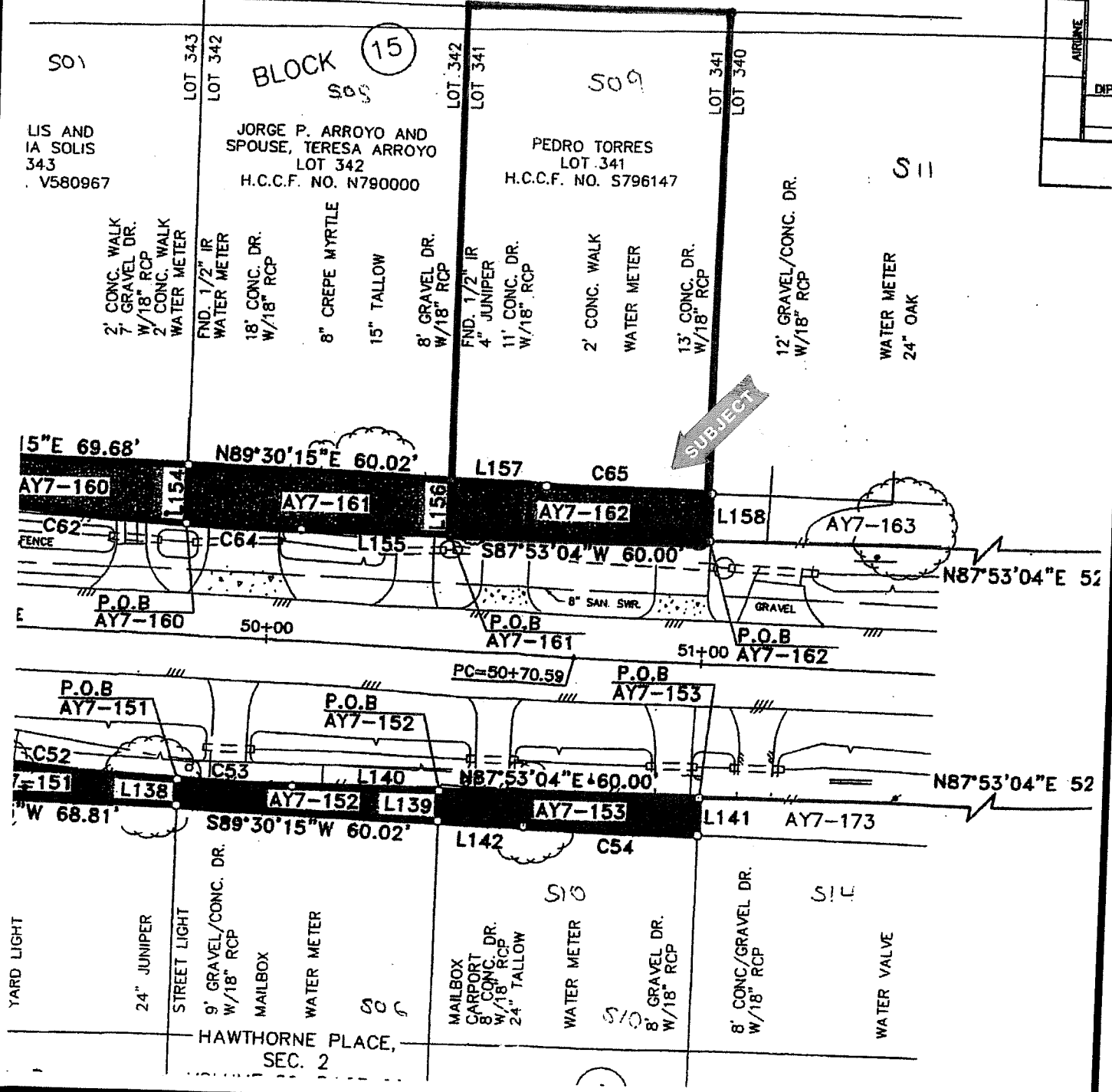
TOTAL COMPENSATION..... \$ 56,735.00

TITLE POLICY/SERVICES..... \$ 1,350.00

TOTAL ..... \$ 58,085.00

AY7-159	309 SQ. FT.	ENRIQUE B. DELEON	S967710
AY7-160	791 SQ. FT.	DAVID SOLIS AND WIFE, JULIA SOLIS	V580967
AY7-161	816 SQ. FT.	JORGE P. ARROYO AND SPOUSE, TERESA ARROYO	N790000
AY7-162	721 SQ. FT.	PEDRO TORRES	S786147

HAWTHORNE PLACE, SEC. 2  
 VOLUME 29, PAGE 60  
 H.C.M.R.




To: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

<b>SUBJECT:</b> PURCHASE of Parcel AY7-170, located at 705 Parker Road for the PARKER ROAD PAVING PROJECT (from Fulton to Hardy Toll Road). OWNER: Dennis Paul Bergeaux WBS N-000620-0001-2	<b>Page</b> 1 of 1	<b>Agenda Item</b> #  25
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<b>FROM: (Department or other point of origin):</b>  Department of Public Works and Engineering	<b>Origination Date</b> 12-17-08	<b>Agenda Date</b> DEC 30 2008
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<b>DIRECTOR'S SIGNATURE:</b>  Michael S. Marcotte, P.E., D.WRE, BCEE, Director	<b>Council District affected:</b>  H Key Map 413Y
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<b>For additional information contact:</b> Nancy P. Collins Phone: (713) 837-0881 Senior Assistant Director- Real Estate Planning and Development Services Division	<b>Date and identification of prior authorizing Council Action:</b> Ordinance 2005-1047, passed September 7, 2005
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**RECOMMENDATION: (Summary)**  
Authority be given through Council Motion to PURCHASE Parcel AY7-170.

<b>Amount and</b> \$105,904.00
<b>Source of Funding:</b> (covered under Blanket Appropriation Ordinance 2005-1047 N-00663A-00RE-2-01 Street and Bridge Consolidated Construction Fund 4506)

**SPECIFIC EXPLANATION:**  
The PARKER ROAD PAVING PROJECT (from Fulton to Hardy Toll Road) provides for the acquisition of land necessary for street and utility improvements in order to improve traffic flow/circulation and storm water drainage in the service area. The parcel is located at 705 Parker Road.

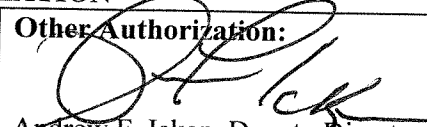
**PURCHASE:**  
The City desires to acquire 650 square feet of improved residential land to be used as street right of way. The City's offer was based on an appraisal by Gary Brown, MAI, CCIM, Independent Fee Appraiser. This valuation was reviewed and recommended for approval by a senior staff appraiser of this department. The breakdown is as follows:

<b>LAND:</b>	
Parcel AY7-170 (Easement)	
650 square feet @ \$4.20.....	\$ 2,730.00
<b>IMPROVEMENTS</b> .....	\$ 957.00
<b>COST TO CURE AND DAMAGES TO THE REMAINDER</b> .....	\$102,217.00
<b>TOTAL LAND, IMPROVEMENTS, COST TO CURE AND DAMAGES</b> .....	\$105,904.00
Title Policy/Services.....	\$ 1,675.00
<b>TOTAL AMOUNT</b> .....	\$107,579.00

It is recommended that authority be given through Council Motion to PURCHASE Parcel AY7-170, owned by Dennis Paul Bergeaux. This parcel contains 650 square feet or 0.0149 acres situated in the H. & T. C. R.R. Company Survey, Section 5, Abstract 428, Harris County, Texas. Said 650-square foot tract being out of Lot 331 in Block 14 of Hawthorne Place Section Two Subdivision, a subdivision according to the plat thereof recorded in Volume 29, Page 60 of the Map Records of said Harris County, Texas. Said Lot 331 conveyed unto Dennis Paul Bergeaux by deed recorded under Harris County Clerk's File No. S458511 of the Official Public Records for Real Property in said Harris County, Texas according to City of Houston field notes.

MSM: NPC:hht  
cc: Marty Stein

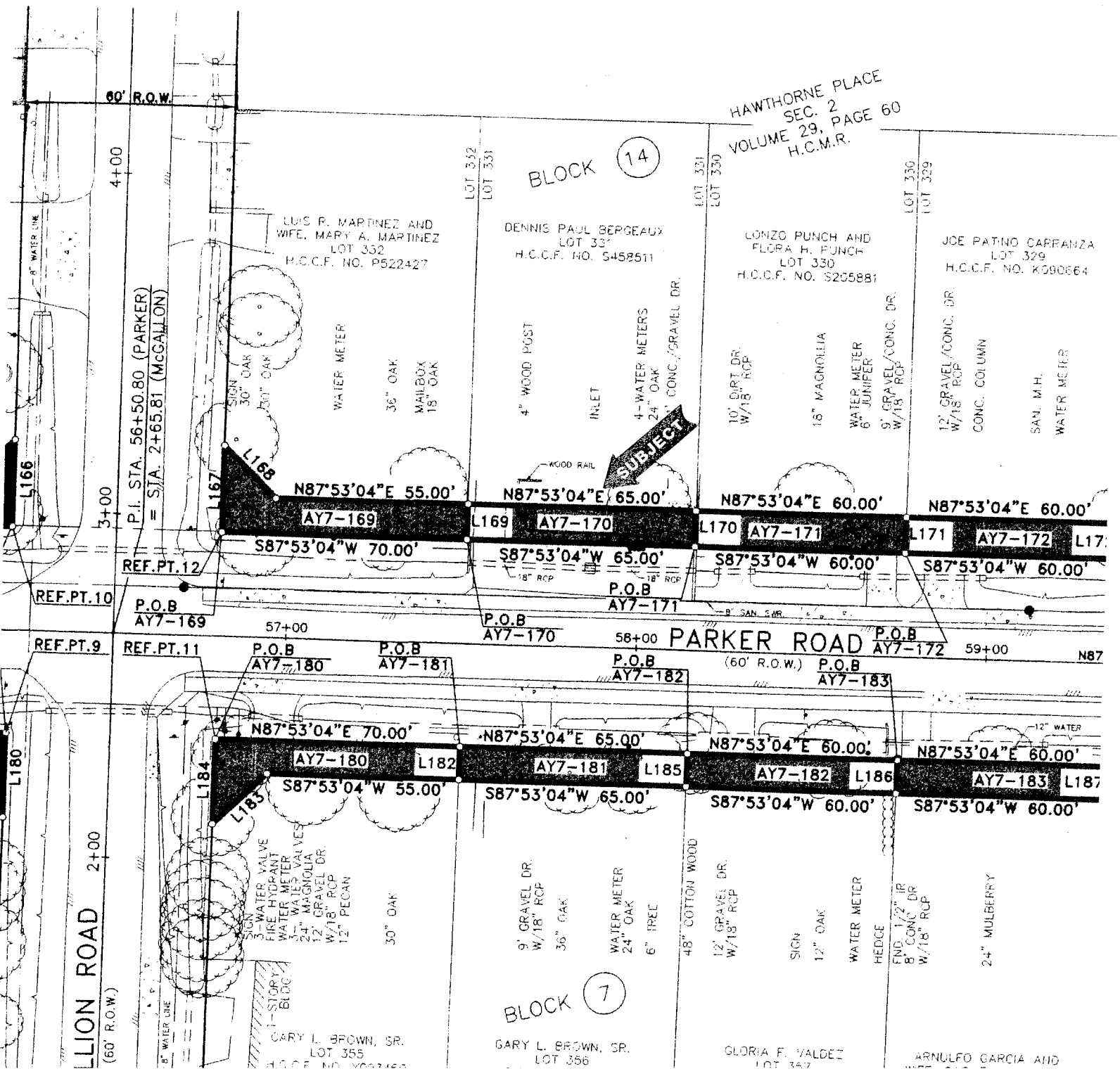
S:/Kincher/Parker/AY7170RCA CUIC #20JKP01

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

**VALUATION**

**Parcel AY7-170**

LAND (Easement):	
650 square feet @ \$4.20.....	\$ 2,730.00
IMPROVEMENTS:	
800 square feet of gravel paving @ \$1.50 less 40% depreciation.....	\$720.00
Landscaping.....	\$150.00
Entrepreneurial Profit: 10% of total improvements (\$870.00).....	<u>\$ 87.00</u>
TOTAL IMPROVEMENTS.....	\$ 957.00
TOTAL DAMAGES TO THE REMAINDER/COST TO CURE:	
60% damages due to new proximity to right-of-way.....	<u>\$ 102,217.00</u>
TOTAL COMPENSATION .....	\$ 105,904.00
TITLE POLICY/SERVICES.....	<u>\$ 1,675.00</u>
TOTAL.....	\$ 107,579.00



HAWTHORNE PLACE  
 SEC. 2  
 VOLUME 29, PAGE 60  
 H.C.M.R.

BLOCK 14

LOT 332  
 LOT 331

LOT 331  
 LOT 330

LOT 330  
 LOT 329

LUIS R. MARTINEZ AND  
 WIFE, MARY A. MARTINEZ  
 LOT 332  
 H.C.C.F. NO. P522427

DENNIS PAUL BERGEOUX  
 LOT 331  
 H.C.C.F. NO. 5458511

LONZO PUNCH AND  
 FLORA H. PUNCH  
 LOT 330  
 H.C.C.F. NO. S205881

JOE PATINO CARRANZA  
 LOT 329  
 H.C.C.F. NO. K090664

P.I. STA. 56+50.80 (PARKER)  
 = S.J.A. 2+65.81 (MCGALLON)

N87°53'04"E 55.00'

N87°53'04"E 65.00'

N87°53'04"E 60.00'

N87°53'04"E 60.00'

AY7-169

AY7-170

AY7-171

AY7-172

S87°53'04"W 70.00'

S87°53'04"W 65.00'

S87°53'04"W 60.00'

S87°53'04"W 60.00'

REF.PT.10  
 P.O.B  
 AY7-169

P.O.B  
 AY7-170

P.O.B  
 AY7-172

REF.PT.11

P.O.B  
 AY7-180

P.O.B  
 AY7-181

P.O.B  
 AY7-182

P.O.B  
 AY7-183

N87°53'04"E 70.00'

N87°53'04"E 65.00'

N87°53'04"E 60.00'

N87°53'04"E 60.00'

AY7-180

AY7-181

AY7-182

AY7-183

S87°53'04"W 55.00'

S87°53'04"W 65.00'

S87°53'04"W 60.00'

S87°53'04"W 60.00'

LLION ROAD  
 (60' R.O.W.)  
 2+00

BLOCK 7

GARY L. BROWN, SR.  
 LOT 355  
 H.C.C.F. NO. Y032428

GARY L. BROWN, SR.  
 LOT 356

GLORIA F. VALDEZ  
 LOT 357

ARNULFO GARCIA AND





To: Mayor via City Secretary


REQUEST FOR COUNCIL ACTION

R

<b>SUBJECT:</b> PURCHASE of Parcel AY7-189, located at 904 Parker Road for the PARKER ROAD PAVING PROJECT (from Fulton to Hardy Toll Road). OWNER: Richard and Helen Villarreal WBS N-000620-0001-2	<b>Page</b> 1 of 1	<b>Agenda Item #</b>  
		<span style="font-size: 2em;">26</span>

<b>FROM: (Department or other point of origin):</b>  Department of Public Works and Engineering	<b>Origination Date</b> 12-19-08	<b>Agenda Date</b> DEC 30 2008
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<b>DIRECTOR'S SIGNATURE:</b>  Michael S. Marcotte, P.E., D.WRE, BCEE, Director	<b>Council District affected:</b> H Key Map 413Y 
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<b>For additional information contact:</b> Nancy P. Collins Phone: (713) 837-0881  Senior Assistant Director	<b>Date and identification of prior authorizing Council Action:</b> Ordinance 2005-1047, passed September 7, 2005
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**RECOMMENDATION: (Summary)**  
 Authority be given through Council Motion to PURCHASE Parcel AY7-189.

<b>Amount and</b>	\$51,846.00
<b>Source of Funding:</b>	(covered under Blanket Appropriation Ordinance 2005-1047 N-00663A-00RE-2-01 Street and Bridge Consolidated Construction Fund 4506)

**SPECIFIC EXPLANATION:**  
 The PARKER ROAD PAVING PROJECT (from Fulton to Hardy Toll Road) provides for the acquisition of land necessary for street and utility improvements in order to improve traffic flow/circulation and storm water drainage in the service area. The parcel is located at 904 Parker Road.

**PURCHASE:**  
 The City desires to acquire 600 square feet of improved residential land to be used as street right of way. The City's offer was based on an appraisal by Gary Brown, MAI, CCIM, Independent Fee Appraiser. This valuation was reviewed and recommended for approval by a senior staff appraiser of this department. The breakdown is as follows:

**LAND:**  
 Parcel AY7-189 (Easement)  
 600 square feet @ \$4.20..... \$ 2,520.00

**IMPROVEMENTS..... \$ 1,760.00**

**COST TO CURE AND DAMAGES TO THE REMAINDER..... \$ 46,258.00**

**TOTAL LAND, IMPROVEMENTS, COST TO CURE AND DAMAGES..... \$ 50,538.00**

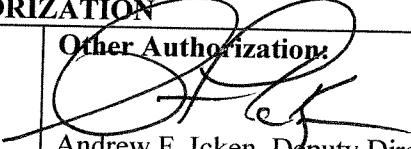
**Title Policy/Services..... \$ 1,308.00**

**TOTAL AMOUNT..... \$ 51,846.00**

It is recommended that authority be given through Council Motion to PURCHASE Parcel AY7-189, located at 904 Parker Road. This parcel contains 600 square feet of land situated in the H. & T. C. R.R. Company Survey, Section 5, Abstract 428, in Harris County, Texas. Said 600-square foot tract being more particularly out of Lot 364 in Block 7 of Hawthorne Place Section Two Subdivision, a subdivision according to the plat thereof recorded in Volume 29, Page 60 of the Map Records of Harris County, Texas conveyed unto Richard Villarreal and wife, Helen Villarreal by deed recorded under Harris County Clerk's File F083926 of the Official Public Records of Real Property, Harris County, Texas according to City of Houston field notes.

MSM:NPC;jk  
 cc: Marty Stein

S:/Kincher/Parker/AY7189RCA CUIC #20JKP02

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

**VALUATION**

**Parcel AY7-189**

LAND (Easement):		
600 square feet @ \$4.20 .....		\$ 2,520.00
IMPROVEMENTS:		
150 square feet of concrete paving.....	\$ 462.00	
80 LF of chain link fencing and gate .....	\$ 528.00	
Landscaping (three oak trees and shrubs).....	\$ 770.00	
TOTAL IMPROVEMENTS .....		\$ 1,760.00
TOTAL DAMAGES TO THE REMAINDER/COST TO CURE:		
60% damages due to new proximity to right-of-way and loss of parking .....		\$ <u>46,800.00</u>
TOTAL COMPENSATION.....		\$ 50,538.00
TITLE POLICY/SERVICES.....		\$ <u>1,308.00</u>
TOTAL.....		\$ 51,846.00



**REQUEST FOR COUNCIL ACTION**

**TO:** Mayor via City Secretary

**RCA# 8146**

**Subject:** Formal Bids Received for Animal Control Trucks for the Health and Human Services Department  
S38-N23037

Category #  
1 & 4

Page 1 of 2

Agenda Item

*27-27A*

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

**Origination Date**  
December 02, 2008

**Agenda Date**  
DEC 30 2008

**DIRECTOR'S SIGNATURE**

*Calvin D. Wells*

**Council District(s) affected**  
All

**For additional information contact:**

Kathy Barton Phone: (713) 794-9998  
Ray DuRousseau Phone: (832) 393-8726

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

**RECOMMENDATION: (Summary)**

Approve an ordinance authorizing the appropriation of \$239,806.00 out of Equipment Acquisition Consolidated Fund (Fund 1800), and approve an award to Tommie Vaughn Motors, Inc. on its low bid in the total amount of \$239,806.00 for animal control trucks for the Health and Human Services Department.

Award Amount: \$239,806.00

**Finance Budget**

\$239,806.00 - Equipment Acquisition Consolidation Fund (Fund 1800)

**SPECIFIC EXPLANATION:**

The City Purchasing Agent recommends that City Council approve an ordinance authorizing the appropriation of \$239,806.00 out of the Equipment Acquisition Consolidated Fund (Fund 1800) for the Health and Human Services Department. It is further recommended that City Council approve an award to Tommie Vaughn Motors, Inc. on its low bid in the total amount of \$239,806.00 for seven complete animal control trucks for the Health and Human Services Department. These new animal control trucks will be used by the Department's Bureau of Animal Regulation and Care (BARC) to transport animals safely and comfortably from the point of pick-up to the designated City facility. This equipment is included in the adopted FY09 Equipment Acquisition Plan.

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

<u>Company</u>	<u>Total Amount</u>
1. Tommie Vaughn Motors, Inc.	\$239,806.00
2. Philpott Motors, Ltd. d/b/a Philpott Ford	\$243,831.00
3. Planet Ford	\$247,009.00
4. Lawrence Marshall Ford	\$248,176.39
5. Ron Carter Automotive	\$269,990.00

These new trucks will meet the EPA's current emission standards for low emission vehicles. The cabs & chassis will come with a full 3-year/36,000-mile bumper-to-bumper warranty, and the animal control bodies will come with a full 12-month warranty on materials and workmanship. These new animal control trucks will replace existing units that have exceeded their useful life and will be sent to auction for disposition. See Equipment Usage Summary on Page 2 of 2 for details.

Buyer: Lena Farris

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

**REQUIRED AUTHORIZATION**

Finance Department:

Other Authorization:

*Stephen J. Williams*

Other Authorization:

*NBT*

*or/ta*

Date:  
12/2/2008

Subject: Formal Bids Received for Animal Control Trucks for the  
Health and Human Services Department  
S38-N23037

Originator's  
Initials  
LF

Page 2 of 2

### EQUIPMENT USAGE SUMMARY

Requisition No./ Item Description	Qty.	Department/Division Fleet Usage	Equipment Replacement		
			Shop No.	Age/Yrs	Mileage
PR 10062978	7	Health and Human Services Department/ BARC Division	30708	9	95,845
		This equipment will be used citywide by the Department's personnel to transport animals safely from the point of pickup to the designated City facility.	30801	9	101,709
			30803	9	85,734
			32138	8	82,848
			32139	8	94,705
			32140	8	118,108
			32141	8	90,498

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

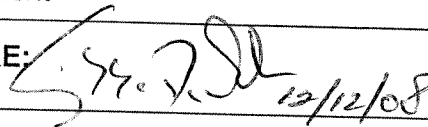
**SUBJECT:** First Amendment to Construction Management at Risk Contract  
 Spaw Maxwell Company, L.P.  
 Julia Ideson Building - Restoration and Addition  
 WBS No. E-000155-0001-4

Page  
1 of 2  
Agenda  
Item  
**28-28A**

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

**Origination Date**  
 12/18/08

**Agenda Date**  
 DEC 30 2008

**DIRECTOR'S SIGNATURE:**   
 Issa Z. Dadoush, P.E. 12/12/08

**Council District(s) affected:**  
 All

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

**Date and identification of prior authorizing Council actions:**  
 Ordinance No. 2007-1205; dated 10/31/07  
 Ordinance No. 2007-1471; dated 12/19/07

**RECOMMENDATION:** Approve First Amendment to Construction Management at Risk Contract; approve the purchase of mobile high-density shelving through the State of Texas Building and Procurement Commissioner's Contract (TXMAS), and appropriate funds for the project.

**Amount and Source of Funding:**  
 \$ 7,500,000.00 Julia Ideson Library Contributions Fund (4036)

**Finance Budget:**



**Previous Funding:**  
 \$314,800.00 Library Capital Project Fund (4018)

**SPECIFIC EXPLANATION:** On October 31, 2007, City Council approved the Julia Ideson Restoration and Funding Agreement (Agreement) between the City and Julia Ideson Library Preservation Partners, Inc. (JILPP), a non-profit corporation, for the construction of a new archival wing and the repair and restoration of the existing Julia Ideson Building. The Julia Ideson Building at the Central Library is a historic landmark and serves as a public library and center for archival research.

Under the Agreement, the above-referenced Julia Ideson Library Contributions Fund was created. The Downtown Redevelopment Authority TIRZ No. 3 has agreed to contribute \$10 million to the project and JILPP agreed to raise the balance of the funds for pre-construction and construction phase services. To date, TIRZ No. 3 and JILPP have deposited \$4 million and \$3.5 million, respectively into the Fund.

**PROJECT DESCRIPTION:** This project consists of one Guaranteed Maximum Price (GMP) proposal package with two construction phases. Phase I is the construction of a new archival wing. Phase II is the restoration of the existing building.

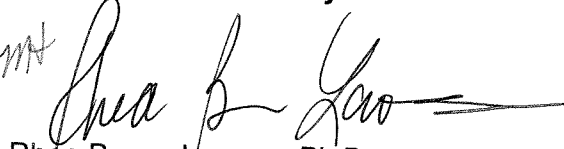
**REQUIRED AUTHORIZATION**

CUIC ID # 25CONS79

**General Services Department:**

**Houston Public Library:**

  
 Humberto Bautista  
 Chief of Design & Construction Division

  
 Rhea Brown Lawson, Ph.D.  
 Director

2928

<b>Date:</b>	<b>SUBJECT:</b> First Amendment to Construction Management at Risk Contract Spaw Maxwell Company, L.P. Julia Ideson Building - Restoration and Addition WBS No. E-000155-0001-4	<b>Originator's Initials</b>  ON	<b>Page</b>  2 of 2
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The General Services Department (GSD) recommends that City Council approve a First Amendment to the Construction Management at Risk (CMAR) contract with Spaw Maxwell Company, L.P., which delegates authority to the GSD director to approve the GMP proposal, and appropriate \$7.5 million for Phase I. The total Phase I cost is estimated at \$13.5 million. The requested appropriation will partially fund the construction costs, 5% contingency and high-density shelving, and fully fund engineering/materials testing. Council will be requested to appropriate the remaining \$6 million for Phase I construction in the third quarter of FY09 under a separate Council action. GSD further recommends that City Council authorize the issuance of a purchase order in an amount not to exceed \$475,000 to procure mobile high-density shelving from Southwest Solutions Group through the State of Texas Building and Procurement Commissioner's Contract (TXMAS).

**PROJECT LOCATION:** 500 McKinney (493L)

**PREVIOUS HISTORY AND PROJECT SCOPE:** On December 19, 2007, City Council awarded a CMAR contract to Spaw Maxwell Company, L.P., to provide pre-construction and construction phase services, and appropriated \$314,800.00 for pre-construction phase services.

The anticipated contract duration for Phase I of this project is 330 calendar days. The design consultant is Gensler.

**FUNDING SUMMARY:** It is recommended that City Council appropriate funds for Phase I construction, including an additional appropriation of \$30,000 for engineering/materials testing services under the existing contract with Alliance Laboratories, Inc., and authorize the issuance of a purchase order in an amount not to exceed \$475,000 to Southwest Solutions Group through TXMAS for a mobile high-density shelving system.

	<u>Requested Appropriation</u>	<u>Remaining Phase I Appropriation</u>
Construction Contract Services	\$ 6,661,905.00	\$ 4,380,000.00
Contingency (5%)	\$ 333,095.00	\$ 219,000.00
<b>Total Contract Services</b>	<b>\$ 6,995,000.00</b>	<b>\$ 4,599,000.00</b>
High Density Shelving	\$ 475,000.00	\$ 475,000.00
FF&E	\$ 0.00	\$ 550,000.00
Engineering/Materials Testing	\$ 30,000.00	\$ 0.00
Data & Telecom	\$ 0.00	\$ 200,000.00
Security	\$ 0.00	\$ 176,000.00
<b>Total Appropriation</b>	<b>\$ 7,500,000.00</b>	<b>\$ 6,000,000.00</b>

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

IZD:HB:RAV:JLN:ON:on

c : Marty Stein, Dr. Rhea Brown Lawson, Jacquelyn L. Nisby, Esq., Webb Mitchell, Mary M. Villarreal, Siria Harbour,  
File E-000155-0001-4 /812





**REQUEST FOR COUNCIL ACTION**

**TO:** Mayor via City Secretary

**RCA# 8159**

**Subject:** Approve the Sole Source Purchase of a Software Upgrade for the Public Works & Engineering Department

Category #  
4 & 5

Page 1 of 1

Agenda Item

**29**

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

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

*for Kevin McClellan*

**Origination Date**

December 08, 2008

**Agenda Date**

DEC 30 2008

**DIRECTOR'S SIGNATURE**

**Council District(s) affected**  
All

**For additional information contact:**

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

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

**RECOMMENDATION: (Summary)**

Approve the sole source purchase from Information Builders, Inc., in the total amount of \$346,764.00 to upgrade the WebFOCUS® software for the Public Works & Engineering Department.

Award Amount: \$346,764.00

**Finance Budget**

\$346,764.00 - Building Inspection Fund (Fund 2301)

**SPECIFIC EXPLANATION:**

The City Purchasing Agent recommends that City Council approve a sole source purchase from Information Builders, Inc. in the total amount of \$346,764.00 to upgrade the WebFOCUS® software for the Public Works & Engineering Department, and that authorization be given to issue a purchase order. The WebFOCUS® software is used to provide enterprise reporting and interfaces directly with the Integrated Land Management System (ILMS). Maintenance shall include all product technical updates, enhancements, and telephone support.

Information Builders, Inc. is the proprietary owner, developer, manufacturer, supplier, and distributor of the WebFOCUS® software products and applications, and has no authorized third-party maintenance providers.

The scope of work requires the contractor to upgrade 100 WebFOCUS® software user licenses for the Public Works & Engineering Department (PW&E). In addition, PW&E's Information Technology personnel will receive installation of the software upgrade, WebFOCUS Developer Studio®, and WebFOCUS® reporting server software for creating reports from the ILMS. These reports are used by supervisors and all levels of management of the Code Enforcement, Plan Review, Building Inspection, Sign Administration, Encroachment, and Fire Marshall Divisions, along with the Solid Waste Management Department.

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

Buyer: Murdock Smith

**REQUIRED AUTHORIZATION**

Finance Department:

Other Authorization:

*65CDW 8159A*

Other Authorization

*Murdock Smith 12/22/08*

TO: Mayor via City Secretary

### REQUEST FOR COUNCIL ACTION

**SUBJECT:** Authorization to file a lawsuit against CES Environmental Services, Inc. for violation of environmental laws.

**Category #**

**Page**  
1 of 1

**Agenda Item #**

30

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

Legal Department

**Origination Date**  
December 22, 2008

**Agenda Date**

DEC 30 2008

**DIRECTOR'S SIGNATURE:**

*Arturo G. Michel*

Arturo G. Michel, City Attorney

**Council District affected:**  
District D

**For additional information contact:** Paulette Wolfson  
Phone: 832 393 6290

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

**RECOMMENDATION: (Summary)**

Approve a Resolution authorizing the City Attorney to take appropriate legal action, including filing a lawsuit, against CES Environmental Services, Inc. (CES) to enforce provisions of environmental laws and regulations.

**Amount of Funding:** None

**F & A Budget:**

**SOURCE OF FUNDING:**

General Fund

Grant Fund

Enterprise Fund

Other (Specify)

**SPECIFIC EXPLANATION:**

This action is necessary to resolve hundreds of complaints investigated by the Health Department, HPD and HFD regarding this company's operation of a waste processing facility located at 4904 Griggs Rd. Notices of violation and citations issued by the City have not resolved the problems, as evidenced by two explosions at the facility in December, culminating in HFD's "red-tagging" of some of the facility's operating units. Negotiations between the City Attorney and counsel for CES have also failed to resolve the issues. Based on the failure of CES to improve its operations, its continuing violations of law, and the failed attempts at more amicable means of resolving this matter, the Legal Department is seeking authorization to take appropriate legal action, including filing a lawsuit, against CES. The state environmental laws require that before a municipal government files a lawsuit alleging violations of certain parts of state law, the governing body of the municipality must adopt a Resolution authorizing the lawsuit.

#### REQUIRED AUTHORIZATION


**F&A Director:**

**Other Authorization:**

**Other Authorization:**

<b>SUBJECT:</b> Ordinance amending the Houston Sign Code (Chapter 46 of the Houston Construction Code) by adding a provision to Section 4605(b)(8) permitting directional signage for medical and higher education institutions and amending 4602 to include new definitions for higher education and medical institutions.	<b>Category #</b>	<b>Page 1 of 1</b>	<b>Agenda Item #</b>  <div style="font-size: 2em; text-align: center;">31</div>
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<b>FROM (Department or other point of origin):</b> Department of Public Works and Engineering	<b>Origination Date</b> 12-22-08	<b>Agenda Date</b>
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<b>DIRECTOR'S SIGNATURE:</b>  Michael S. Marcotte, P.E., D.WRE, BCEE	<b>Council District affected:</b> All
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<b>For additional information contact:</b> Andrew F. Icken Phone: (713) 837- 0510 Deputy Director	<b>Date and identification of prior authorizing Council action:</b>
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**RECOMMENDATION:** Adopt an ordinance revising Section 4605 of the Houston Sign Code to allow one single permitted directional sign per entrance no larger than 25 square feet and no more than 8 feet in height or 30 square feet in total size and no more than 6 feet in height for medical and higher education institutions over 20 acres in size and 4602 to include two new definitions for higher education and medical institutions.

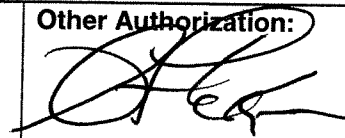
<b>Amount and Source of Funding:</b> N/A	<b>F&amp;A Budget:</b>
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**BACKGROUND:**  
 Currently, Section 4605(b) of the Houston Sign Code allows 2 directional signs at each entrance of a business premise. The signs are limited to no larger than 6 sq. feet in size and no more than 5 feet in height. The signs can be lighted indirectly and may only display either the business name or logo.

These size limitations have proven to be too restrictive for large educational and medical institutions that have numerous visitors to their campuses on a daily basis. The Department of Public Works and Engineering introduced the following proposed revisions to Section 4605(b)(8) during the December 10, 2008 Quality of Life Committee:

- Medical and Higher Education institutions over 20 acres in size may have (in lieu of 2 directional signs):
- A permitted single directional sign per entrance no larger than 25 square feet in total size and no more than 8 feet in height, or
  - A permitted single sign no larger than 30 square feet in total size and no more than 6 feet in height.
  - The sign may be lighted indirectly and be consistent with the other requirements for electrical signs, but no changeable message or spectacular sign is allowed.
  - No more than 20 percent of the sign can be dedicated to logos and/or institutions name.

The committee recommended moving this issue forward to City Council.

<b>REQUIRED AUTHORIZATION 20AFI26A</b>		
<b>F&amp;A Director:</b>	<b>Other Authorization:</b>	<b>Other Authorization:</b>  Andrew F. Icken Deputy Director Planning and Development Services

Redline of Section 4605(b)

**(8) Directional and Locational Signs**

- a. On-premise signs no larger than 6 square feet in size, and no more than 5 feet in height, that display only business names or logos, setting forth the location of or directions to parking or buildings located on the premises, or regulating the flow of the on-premise traffic. Such directional signs may be lighted, consistent with the other requirements for electrical signs in this chapter and with the requirements of the Construction Code. Such directional signs shall be limited to a maximum of two in number for each entrance utilized for vehicular access to the business premises.
- b. Institutions of higher education and medical institutions may utilize a single directional sign per entrance in lieu of the two signs permitted above, provided such sign is no larger than 25 square feet in total size and no more than 8 feet in height, or no larger than 30 square feet in total size and no more than 6 feet in height; any illumination is indirect; and no more than 20 percent of the sign surface is devoted to the logo or entity name. Electronic signs, spectacular signs, and changeable message signs are prohibited. A sign permit is required.

**City of Houston, Texas, Ordinance No. 200\_\_\_\_\_**

**AN ORDINANCE AMENDING THE HOUSTON SIGN CODE RELATING TO DIRECTIONAL AND LOCATIONAL SIGNS FOR INSTITUTIONS OF HIGHER EDUCATION AND MEDICAL INSTITUTIONS; CONTAINING FINDINGS AND OTHER PROVISIONS RELATING TO THE FOREGOING SUBJECT; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.**

\* \* \* \* \*

**WHEREAS**, large institutions of higher education require multiple points of entry to accommodate members of the student body on a day-to-day basis as well as to accommodate high volumes of visitors on a periodic basis for symposiums, theatrical performances, sporting events, and the like; and

**WHEREAS**, state institutions of higher education are not restricted by the limitations of the City's Sign Code regarding directional and locational signage, and have utilized signage that in some instances is somewhat more effective for large campus purposes; and

**WHEREAS**, large medical institutions require multiple points of entry because of the specialized facilities and multiple destination points located across the campus; and

**WHEREAS**, it is especially important for large medical institutions to have effective directional signage because of the need to direct emergency vehicles and personnel as well as family members speedily but safely to emergency rooms for lifesaving services; and

**WHEREAS**, effective locational and directional signage for such large campus institutions is important to the overall traffic flow of vehicles, not only on the campus of such institutions, but also for adjacent streets, thoroughfares, and feeder roads; and

**WHEREAS**, the Mayor's Task Force on On-Premise Signage has studied the locational and directional signage needs of large campus medical institutions and institutions of higher education and has recommended that provisions for alternative locational and directional signage be included in the City's Sign Code to accommodate the unique traffic demands of such institutions; **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 Section 4602 of Houston Sign Code (Chapter 46 of that volume of the City of Houston Construction Code known as the City of Houston Building Code) is hereby amended by adding, in the appropriate alphabetical order position, new definitions that read as follows:

**"INSTITUTION OF HIGHER EDUCATION** shall mean a private or independent institution of higher education, as defined in Section 61.003(15) of the Texas Education Code, located on a single campus comprising an area in excess of twenty acres and located within the corporate limits of the city. In determining the size of the campus, areas containing dedicated streets shall be included as part of the campus."

**"MEDICAL INSTITUTION** shall mean one or more facilities located on a single campus comprising an area in excess of twenty acres located within the corporate limits of the city, and dedicated to the prevention and treatment of illness and disease and the preservation of good health through the services of medical, nursing or allied health professionals recognized by the American Medical Association. In determining the size of the campus, areas containing dedicated streets shall be included as part of the campus."

**Section 3.** That Item (8) of Subsection (b) of Section 4605 is hereby amended to read as follows:

**"(8) Directional and Locational Signs**

- a. On-premise signs no larger than 6 square feet in size, and no more than 5 feet in height, that display only business names or logos, setting forth the location of or directions to parking or buildings located on the premises, or regulating the flow of the on-premise traffic. Such directional signs may be lighted, consistent with the other requirements for electrical signs in this chapter and with the requirements of the Construction Code. Such directional signs shall be limited to a maximum of two in number for each entrance utilized for vehicular access to the business premises.
- b. Institutions of higher education and medical institutions may utilize a single directional sign per entrance in lieu of the two signs permitted above, provided such sign is no larger than 25 square feet in total size and no more than 8 feet in height, or


no larger than 30 square feet in total size and no more than 6 feet in height; any illumination is indirect; and no more than 20 percent of the sign surface is devoted to the logo or entity name. Electronic signs, spectacular signs, and changeable message signs are prohibited. A sign permit is required."

**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.

**PASSED AND APPROVED** this \_\_\_\_ day of \_\_\_\_\_, 2008.

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

Prepared by Legal Dept.   
LWS:asw 12/19/2008

\_\_\_\_\_  
Senior Assistant City Attorney

Requested by Michael S. Marcotte, P.E., Director, Public Works and Engineering  
L.D. File No. 0650800014001

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

<b>SUBJECT:</b> Ordinance authorizing the abandonment and sale of 11,094-square-feet of excess dedicated Dacoma Street right-of-way from Hurfus Street to Karbach Street, in exchange for conveyance to the City of a 20-foot-wide water line easement, all adjacent to Lot 75, located in Eureka Acres Subdivision, out of the John Flowers Survey, A-269. <b>Parcels SY8-010 and KY8-275</b>	<b>Category # 7</b>	<b>Page 1 of 2</b>	<b>Agenda Item #</b>  <span style="font-size: 2em; font-weight: bold;">320</span>
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<b>FROM (Department or other point of origin):</b>  Department of Public Works and Engineering	<b>Origination Date</b>  12-17-08	<b>Agenda Date</b>  DEC 30 2008
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<b>DIRECTOR'S SIGNATURE:</b>  Michael S. Marcotte, P.E., D.WRE, BCEE, Director	<b>Council District affected: H</b>  Key Map 451V
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<b>For additional information contact:</b> Nancy P. Collins Phone: (713) 837-0881 Senior Assistant Director-Real Estate	<b>Date and identification of prior authorizing Council Action:</b> C.M. 2008-0250 (4/9/08)
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**RECOMMENDATION: (Summary)** It is recommended City Council approve an Ordinance authorizing the abandonment and sale of 11,094-square-feet of excess dedicated Dacoma Street right-of-way from Hurfus Street to Karbach Street, in exchange for conveyance to the City of a 20-foot-wide water line easement, all adjacent to Lot 75, located in Eureka Acres Subdivision, out of the John Flowers Survey, A-269. **Parcels SY8-010 and KY8-275**

**Amount and Source of Funding:** Not Applicable

**SPECIFIC EXPLANATION:**  
 By Motion 2008-0250, City Council authorized the abandonment and sale of ±21,760 square feet of excess dedicated Dacoma Street right-of-way from Hurfus Street to Karbach Street, adjacent to Lot 75, located in Eureka Acres Subdivision, out of the John Flowers Survey, A-269. Subsequent to passage of the Motion the required survey determined the correct square footage as 11,094 square feet. It was determined the applicant shall convey to the City a 20-foot-wide water line easement in lieu of being required to (a) cut, plug, and abandon the existing 8-inch water main in the subject street right-of-way from Karbach Street to Hurfus Street and (b) construct an 8-inch water main in the portion of Dacoma Street right-of-way to remain from Karbach Street to Hurfus Street. Pedro Arreguin, the abutting property owner, plans to use this vacant property for an on-premise sign that will adhere to all City permit requirements.

The Ordinance authorizing the abandonment and sale of the subject street shall provide that the owner shall execute an instrument, as prepared by the City's Legal Department, within thirty days following passage of the Ordinance establishing as a covenant running with the land, that the property may never (a) be used for or have located on it an off-premises sign as defined in the City of Houston Sign Code, as amended to date of passage of the Ordinance, or (b) be eligible for relocation of an off-premises sign under the Sign Code. The Ordinance shall provide that, in the event the owner does not execute such instrument before the expiration of the thirty day period, the Ordinance shall be null and void.

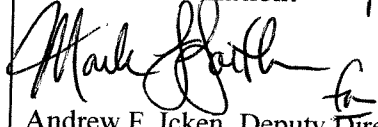
Pedro Arreguin has complied with the Motion requirements, has accepted the City's offer, and has rendered payment in full.

The City will sell to Pedro Arreguin:


<b>Parcel SY8-010</b>	
11,094 square feet of excess dedicated right-of-way	\$55,470.00
Valued at \$5.00 per square foot	
<b>TOTAL ABANDONMENT</b>	<b><u>\$55,470.00</u></b>

dob\sy8-010.rc2.doc CUIC #20DOB034

**REQUIRED AUTHORIZATION**

<b>Finance Department:</b>	<b>Other Authorization:</b>	<b>Other Authorization:</b> 12/5/08  Andrew F. Icken, Deputy Director Planning and Development Services Division
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<b>Date:</b>	<b>SUBJECT:</b> Ordinance authorizing the abandonment and sale of 11,094-square-feet of excess dedicated Dacoma Street right-of-way from Hurfus Street to Karbach Street, in exchange for conveyance to the City of a 20-foot-wide water line easement, all adjacent to Lot 75, located in Eureka Acres Subdivision, out of the John Flowers Survey, A-269. <b>Parcels SY8-010 and KY8-275</b>	<b>Originator's Initials</b> 	<b>Page</b> <u>2</u> of <u>2</u>
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In exchange, Pedro Arreguin will pay:

Cash	\$40,215.00
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Plus convey to the City:

**Parcel KY8-275**

6,102 square feet of water line easement Valued at \$2.50 per square foot	\$15,255.00
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<b>TOTAL CASH AND CONVEYANCE</b>	<b><u>\$55,470.00</u></b>
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Therefore, it is recommended City Council approve an Ordinance authorizing the abandonment and sale of 11,094-square-feet of excess dedicated Dacoma Street right-of-way from Hurfus Street to Karbach Street, in exchange for a consideration of \$40,215.00 plus conveyance to the City of a 20-foot-wide water line easement, all adjacent to Lot 75, located in Eureka Acres Subdivision, out of the John Flowers Survey, A-269. **Parcels SY8-010 and KY8-275**

MSM:NPC:dob

- c: Raymond D. Chong, P.E., P.T.O.E.  
 Marlene Gafrick  
 Reid Mrsny, P.E.  
 Marty Stein



EUREKA ACRES  
VOL. 11, PG. 67  
M.R.H.C.

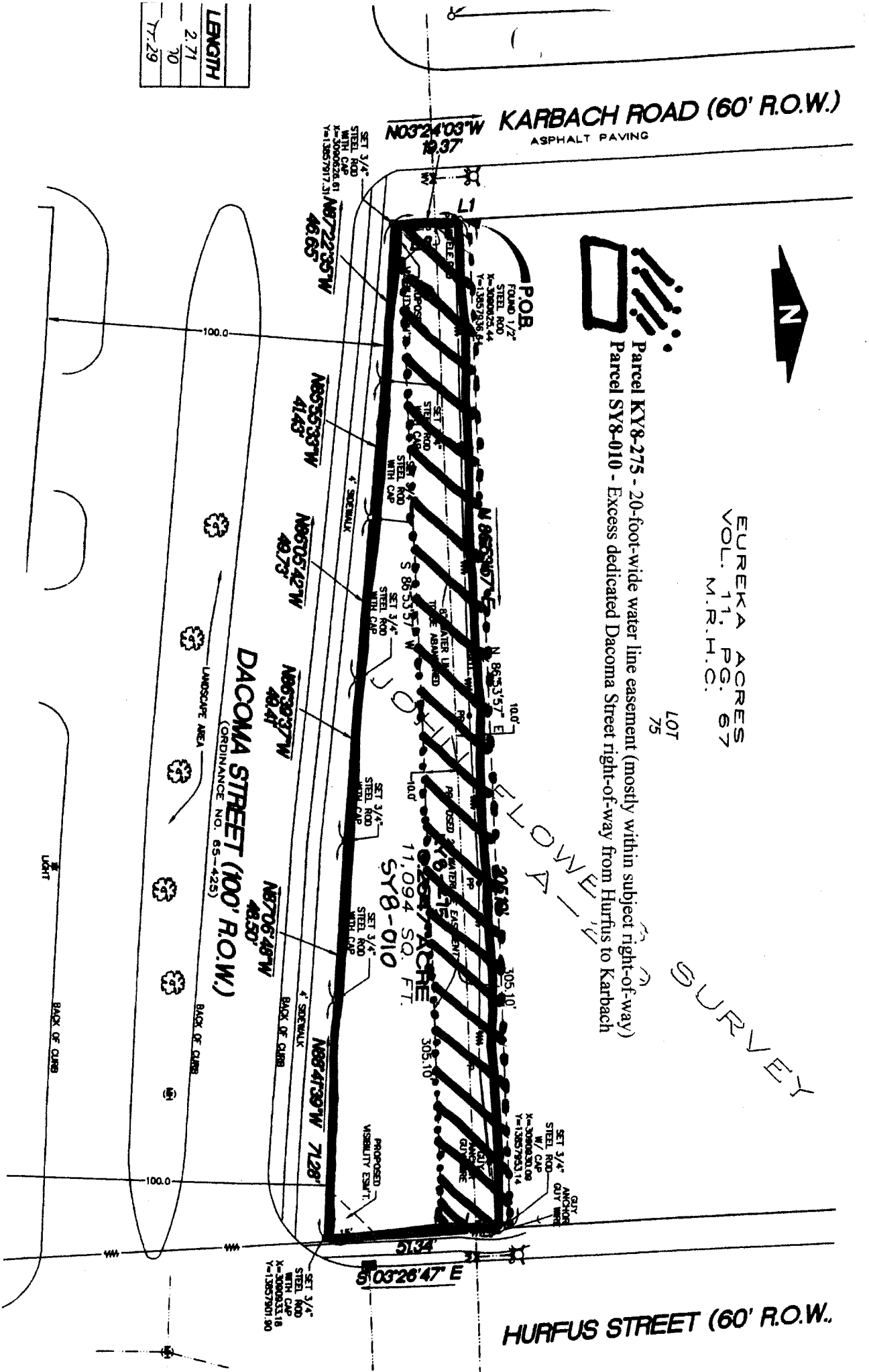
LOT  
75



Parcel KY8-275 - 20-foot-wide water line easement (mostly within subject right-of-way)  
Parcel SY8-010 - Excess dedicated Dacoma Street right-of-way from Hurfus to Karbach

**KARBACH ROAD (60' R.O.W.)**  
ASPHALT PAVING

**HURFUS STREET (60' R.O.W.)**



LENGTH
2.71
70
17.29

Abandonment and sale of 11,094-square-foot of excess dedicated Dacoma Street right-of-way from Hurfus Street to Karbach Street, in exchange for conveyance to the City of a 20-foot-wide water line easement, all adjacent to Lot 75, located in Eureka Acres Subdivision, out of the John Flowers Survey, A-269. Parcels SY8-010 and KY8-275

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 Karen Riddle, Abel Permits, 20810 Durand Oak Court, Cypress, Texas, 77433, on behalf of Pedro Arreguin, for the abandonment and sale of ±21,760-square-feet of excess dedicated Dacoma Street right-of-way from Hurfus Street to Karbach Street, adjacent to Lot 75 of the Eureka Acres Subdivision, Parcel No. SY8-010, be adopted as follows:

1. The City abandon and sell ±21,760-square-feet of excess dedicated Dacoma Street right-of-way from Hurfus Street to Karbach Street, adjacent to Lot 75 of the Eureka Acres Subdivision;
2. The applicant be required to furnish the Department of Public Works and Engineering with a durable, reproducible (Mylar) survey plat and field notes of the affected property;
3. The applicant be required to obtain a letter of no objection from each of the privately owned utility companies for the utility easement being abandoned and sold;
4. The applicant be required to: (a) cut, plug, and abandon the existing 8-inch water main in the subject street right-of-way from Karbach Street to Hurfus Street and (b) construct an 8-inch water main in the portion of Dacoma Street right-of-way to remain from Karbach Street to Hurfus Street, all at no cost to the City and under the proper permits;
5. In the interest of expediting the abandonment and sale process, the applicant may choose to provide the City with a Letter of Credit (LOC), subject to the City's concurrence, covering the estimated construction cost for work required in Item 4 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;

6. The Legal Department be authorized to prepare the necessary transaction documents; and
7. Michael Copland and Frank Flores, independent real estate appraisers are hereby appointed to establish the value, inasmuch as the value of the property interests is expected to exceed \$25,000.00.

Seconded by Council Member Garcia

Council Member Lawrence moved to amend the above motion to add the following:

The ordinance authorizing the abandonment and sale of the property shall provide that, as part of the consideration for such abandonment and sale, the owner shall execute an instrument in a form acceptable to the City Attorney within thirty (30) days following passage of the ordinance, establishing as a covenant running with the land that the property may never: (i) be used or have located on it an off-premises sign as defined in the City of Houston Sign Code, as amended to date of passage of the ordinance, or (2) be eligible for relocation of an off-premises sign under the Sign Code. The abandonment ordinance shall provide that, in the event that the owner does not execute such instrument before the expiration of the thirty (30) day period, the abandonment ordinance shall be null and void

Seconded by Council Member Lovell

VOTE ON MOTION TO AMEND

Mayor White, Council Members Lawrence, Johnson, Clutterbuck, Adams, Khan, Garcia, Rodriguez, Lovell, Noriega, Green voting aye

Nays none

Council Members Sullivan, Brown and Jones absent

MOTION TO AMEND CARRIED

VOTE ON MAIN MOTION AS AMENDED

Mayor White, Council Members Lawrence, Johnson, Clutterbuck, Adams, Khan, Garcia, Rodriguez, Lovell, Noriega, Green voting aye

Nays none


Council Members Sullivan, Brown and Jones absent

MAIN MOTION AS AMENDED CARRIED

Council Member Holm absent on personal business

PASSED AND ADOPTED this 9th day of April, 2008.

Pursuant to Article VI, Section 6 of the City Charter, the effective date of the foregoing motion is April 15, 2008.


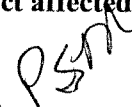
  
City Secretary

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

<b>SUBJECT:</b> Ordinance authorizing the abandonment and sale of Calumet Drive, from Caroline Street to Austin Street, in exchange for the conveyance to the City of a full-width utility easement, all located within the Hermann Park Addition Section 2, J. Christy Survey, A-212 and authorizing an Agreement concerning pursuit of transportation funding and payment of the appraised value for this transaction. <b>Parcels SY8-034 and VY8-033</b>	<b>Page</b> <u>1</u> of <u>2</u>	<b>Agenda Item #</b>  <span style="font-size: 2em; font-weight: bold;">33</span>
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<b>FROM (Department or other point of origin):</b>  Department of Public Works and Engineering	<b>Origination Date</b>  12-18-08	<b>Agenda Date</b>  DEC 30 2008
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<b>DIRECTOR'S SIGNATURE:</b>   Michael S. Marcotte, P.E., D.WRE, BCEE, Director	<b>Council District affected: D</b>  Key Map 533A 
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<b>For additional information contact:</b>  Nancy P. Collins  Phone: (713) 837-0881 Senior Assistant Director-Real Estate	<b>Date and identification of prior authorizing Council Action:</b>  C.M. 2008-0009 (01-03-08)
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**RECOMMENDATION: (Summary)** It is recommended City Council approve an ordinance authorizing the abandonment and sale of Calumet Drive, from Caroline Street to Austin Street, in exchange for the conveyance to the City of a full-width utility easement, all located within the Hermann Park Addition Section 2, J. Christy Survey, A-212 and authorizing an Agreement concerning pursuit of transportation funding and payment of the appraised value for this transaction. **Parcels SY8-034 and VY8-033**

<b>Amount and Source of Funding:</b> Not Applicable	
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**SPECIFIC EXPLANATION:**

By Motion 2008-0009, City Council authorized the subject transaction. Holocaust Museum Houston (HMH), a Texas nonprofit corporation (Walter Hecht, Chairman), plans to combine the street being abandoned and sold with its abutting property for expansion of the HMH exhibit space which will be dedicated to beautification, education, and remembrance. This portion of the street will be a pedestrian plaza allowing access between the existing and new museum spaces in concert with HMH's redevelopment plans and will be open to the public.

In lieu of immediate payment for the street, HMH committed to seeking funding for items such as transit access improvements for the surrounding area, streetscape improvements within the Museum and Management Districts, and infrastructure improvements within the Museum and Management Districts. These funds will be pursued from local and Congressional resources and will be deposited into Special Account 4510 (Contribution for Capital Projects) for the benefit of the Museum and Management Districts area. HMH entered into a contract with the City of Houston prior to closing this transaction stating that if these funds are not secured within five years of the effective date of the street abandonment ordinance, HMH must pay the City the value of the abandoned street.

Holocaust Museum Houston has completed the transaction requirements, has accepted the City's offer, and has executed the aforementioned Agreement.

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

<b>Date:</b>	<b>Subject:</b> Ordinance authorizing the abandonment and sale of Calumet Drive, from Caroline Street to Austin Street, in exchange for the conveyance to the City of a full-width utility easement, all located within the Hermann Park Addition Section 2, J. Christy Survey, A-212 and authorizing an Agreement concerning pursuit of transportation funding and payment of the appraised value for this transaction. <b>Parcels SY8-034 and VY8-033</b>	<b>Originator's Initials</b>	<b>Page</b> <u>2</u> of <u>2</u>
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The City will abandon and sell to Holocaust Museum Houston:

<b><u>Parcel SY8-034</u></b>	
20,000-square-foot portion of Calumet Drive	\$1,040,000.00
Valued at \$52.00 per square foot	
Calumet Drive improvements	\$52,115.00
<b>TOTAL ABANDONMENTS</b>	<b><u>\$1,092,115.00</u></b>

In exchange, Holocaust Museum Houston agrees to obtain funds or pay in cash the following amount within five years from the date of the Agreement:

Funds/Cash	\$572,115.00
Plus convey to the City:	
<b><u>Parcel VY8-033</u></b>	
20,000-square-foot utility easement	\$520,000.00
Valued at \$26.00 per square foot	
<b>TOTAL CASH AND CONVEYANCES</b>	<b><u>\$1,092,115.00</u></b>

Therefore, it is recommended City Council approve an ordinance authorizing the abandonment and sale of Calumet Drive, from Caroline Street to Austin Street, in exchange for the conveyance to the City of a full-width utility easement, all located within the Hermann Park Addition Section 2, J. Christy Survey, A-212. It is also recommended City Council authorize the Mayor to execute and the City Secretary to attest the Agreement pursuing transportation funding and payment of the appraised value for this transaction.

MSM:NPC:psm

- c: Jun Chang, P.E.
- Raymond D. Chong, P.E., PTOE
- Daniel Menendez, P.E.
- Marty Stein

Abandonment and sale of Calumet Drive, from Caroline Street to Austin Street, in exchange for the conveyance to the City of a full-width utility easement, both located in the Hermann Park Addition Section 2, J. Christie Survey, A-212. **Parcels SY8-034 and VY8-033**

11. Calumet Street – Harris County Appraisal District Map



**Parcels SY8-034  
& VY8-033**

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 Barry Goodman of The Goodman Company, 3200 Travis Street, Suite 200, Houston, Texas, 77006, on behalf of the Holocaust Museum Houston, for the abandonment and sale of Calumet Drive, from Caroline Street to Austin Street, in exchange for the conveyance to the City of a full-width utility easement, both located in the Hermann Park Addition Section 2, J. Christie Survey, A-212, Parcel Nos. SY8-034 and VY8-033, be adopted as follows:

1. The City abandon and sell Calumet Drive, from Caroline Street to Austin Street, in exchange for the conveyance to the City of a full-width utility easement, both located in the Hermann Park Addition Section 2, J. Christie Survey, A-212;
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 Legal Department be authorized to prepare the necessary transaction documents; and
4. George Coleman and Samuel Jarrett, 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 Lovell and carried.

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

PASSED AND ADOPTED this 3rd day of January, 2008.

Pursuant to Article VI, Section 6 of the City Charter, the  
effective date of the foregoing motion is January 9, 2008.

  
City Secretary



To: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

<b>SUBJECT:</b> Regional Catastrophic Preparedness Grant Program, FY07-08 Grant Award	<b>Category</b>	<b>Page</b> 1 of 1	<b>Agenda Item #</b> 34
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<b>FROM (Department or other point of origin):</b> Dennis J. Storemski, Mayor's Office of Public Safety and Homeland Security	<b>Origination Date:</b> 12/10/2008	<b>Agenda Date</b> DEC 30 2008
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<b>DIRECTOR'S SIGNATURE:</b> <i>D. Storemski</i>	<b>Council District affected:</b> All
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<b>For additional information contact:</b> Cheryl Murray Phone: 832-393-0929	<b>Date and Identification of prior authorizing Council action:</b>
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**RECOMMENDATION: (Summary)** Approval of an ordinance authorizing execution a sub-recipient agreement with the Governor's Division of Emergency Management (GDEM) to accept FY07-08 Regional Catastrophic Preparedness Grant Program funding.

<b>Amount of Funding:</b> \$5,910,000	<b>F &amp; A Budget:</b> <i>Hale 12/12/08</i>
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**SOURCE OF FUNDING:** [X] Grant Funds: \$5,910,000 (Local, In-Kind Match: \$1,970,000)

**SPECIFIC EXPLANATION:**  
The U.S. Department of Homeland Security has awarded ten major urban areas around the country grants to engage in Regional Catastrophic Preparedness Planning. The regions were selected based upon their high risk and potential impact on the nation's collective security and resilience. Funds are intended to be used to:

1. Fix shortcomings in existing plans
2. Build regional planning processes and planning communities, and
3. Link operational and capabilities-based planning for resource allocation.

In Houston, this planning will focus on two scenarios – a Category 5 hurricane and a catastrophic, multi-IED incident. One of the primary deliverables of this planning engagement will be a region-wide coordination plan that addresses the entire homeland security spectrum (prevention – protection – response – recovery). Pandemic Influenza planning will be the focus of this planning with FY2009 grant funds (an additional \$3 million anticipated in summer 2009).

**REGIONAL CATASTROPIC PLANNING TEAM**  
Pursuant to grant requirements, we have convened a Regional Catastrophic Planning Team comprised of public and private sector representatives. The group includes the direct or indirect representation of jurisdictions across the 13-county H-GAC region, and of applicable disciplines (law enforcement, fire, EMS, public health, emergency management, etc.). To ensure that our plans achieve not only horizontal integration across jurisdictions in our region but also vertical integration, the team is supplemented with state and federal partners. An extensive contingent of subject matter experts, planners and other staff support are also engaged in this broad initiative. School districts, nonprofit agencies, 9-1-1 public safety answering points, and other entities will also be engaged in this planning effort.

**MATCH REQUIREMENT**  
The grant requires a 25% local cash or in-kind match. The City of Houston is serving as the grant's local fiscal agent and will administer subrecipient agreements to regional partners for the grant's use. Before a contract or subrecipient agreement is signed, City of Houston staff will provide a detailed plan to council for meeting match requirements.

	HOUSTON	STATE (M&A)	TOTAL
<b>Federal Share (75%)</b>	\$5,910,000	\$90,000	<b>\$6,000,000</b>
<b>Local Match (25%)</b>	\$1,970,000	\$30,000	<b>\$2,000,000</b>

Adequate in-kind contributions will be secured to meet the grant's match requirement. Current in-kind match funding include City of Houston and regional partner staff time for meeting, planning, and technical assistance sessions, City of Houston venues for hosting these events, and Harris County, Houston Airport System, and CenterPoint Energy funding for individual planning projects. City of Houston staff is also pursuing a request for a waiver of the match requirement, and will solicit area foundations for contributions to support the match for specific project components (e.g., nonprofit capabilities assessments and continuity of operations planning).

REQUIRED AUTHORIZATION

<b>F &amp; A Director:</b>	<b>Other Authorization:</b>	<b>Other Authorization:</b>
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To: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

<b>SUBJECT:</b> FY2008 Homeland Security Grant Program Sub-recipient Agreement	<b>Category</b>	<b>Page</b> 1 of 1	<b>Agenda Item #</b> 35
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<b>FROM (Department or other point of origin):</b> Dennis J. Storemski, Mayor's Office of Public Safety and Homeland Security	<b>Origination Date:</b> 12/10/2008	<b>Agenda Date</b> DEC 30 2008
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MS

<b>DIRECTOR'S SIGNATURE:</b> <i>Dennis J. Storemski</i>	<b>Council District affected:</b> All
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<b>For additional information contact:</b> Cheryl Murray Phone: 832-393-0929	<b>Date and Identification of prior authorizing Council action:</b>
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**RECOMMENDATION: (Summary)** Approval of an ordinance authorizing execution a sub-recipient agreement with the Governor's Division of Emergency Management (GDEM) to accept FY2008 Homeland Security Grant Program funding.

<b>Amount of Funding:</b> \$15,488,525.30	<b>F &amp; A Budget:</b>
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**SOURCE OF FUNDING:**  General Fund  
 Grant Funds: \$15,488,525.30 Governor's Division of Emergency Management (pass-through from DHS)

**SPECIFIC EXPLANATION:**  
The U.S. Department of Homeland Security provides grants to enhance the capacity of state and local governments to respond to incidents of terrorism and natural disasters through coordinated planning, equipment, training, and exercises. In Texas, the agency that manages and administers these programs is the Governor's Division of Emergency Management (GDEM), which has forwarded the City of Houston's FY08 grant award in a sub-recipient agreement.

- FY2008 ALLOCATIONS**  
Houston's sub-recipient agreement is comprised of several component programs as follows:
- **Urban Area Security Initiative** (\$14,402,160) - The UASI program addresses the unique planning, equipment, training and exercise needs of high risk urban areas with funding to develop an enhanced and sustainable capacity to prevent, respond to and recover from threats or acts of terrorism. This FY08 allocation represents a 50% increase in funding for our region (\$37.5 million in FY08, up from \$25 million in FY07 and \$16.67 million in FY06). Local allocations of UASI funds are governed by an executive committee that includes representation from the City of Houston and Harris, Fort Bend and Montgomery counties. The most significant investment of FY2008 funds will include \$8 million for Houston's new radio system.
  - **State Homeland Security Program** (\$765,144.30) - SHSP supports the implementation of strategies to address the planning, equipment, training and exercise priorities of state and local governments. The State of Texas allocates these funds by formula to the state's 24 councils of government where local project requests are prioritized. Locally, allocation recommendations are made by H-GAC's Regional Homeland Security Coordinating Council, and approved by the full H-GAC board. Nearly \$3.5 million in FY08 SHSP funding was allocated to H-GAC, down from \$5.9 million in FY07.
  - **Metropolitan Medical Response System** (\$321,221) - The MMRS program helps to enhance and sustain integrated, systematic mass casualty incident preparedness, whether natural or human-caused, including chemical, biological, radiological, nuclear, explosive, epidemic outbreak or natural disaster. Grant funds are distributed evenly to the 124 eligible jurisdictions in the nation, of which 13 are in Texas.

**RECOMMENDATION**  
It is recommended that Council authorize the director of the Mayor's Office of Public Safety & Homeland Security to execute this sub-recipient agreement, and to request and/or accept any amendments/modifications to this agreement or any subsequent agreements necessary to secure Houston's allocations through these grant programs.

<b>REQUIRED AUTHORIZATION</b>		
<b>Director:</b> <i>Michelle Mitchell</i>	<b>Other Authorization:</b>	<b>Other Authorization:</b>

**REQUEST FOR COUNCIL ACTION**

**TO: Mayor via City Secretary**

**RCA #**

**SUBJECT:** Approval of an ordinance to approve a Third Amendment to the Zone Project and Financing Plan for Tax Increment Reinvestment Zone No. Sixteen (Uptown Zone).

**Category #**

**Page**  
1 of 1

**Agenda Item#**

**37**

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

Michelle Mitchell, Director  
Finance Department

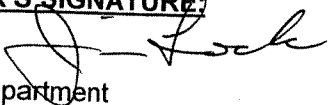
**Origination Date**

December 18, 2008

**Agenda Date**

DEC 30 2008

**DIRECTOR'S SIGNATURE:**



Finance Department

**Council Districts affected:**

C and G

**For additional information contact:**

Robert Fiederlein

Phone: (832)393-8091

**Date and identification of prior authorizing Council Action:** Ord. 2008-95, February 6, 2008

**RECOMMENDATION: (Summary)**

That City Council approve an ordinance to approve a Third Amendment to the Zone Project and Financing Plan for Tax Increment Reinvestment Zone No. Sixteen (Uptown Zone).

**Amount of Funding:** No Funding Required

**Finance Budget:**

**SOURCE OF FUNDING:**

General Fund     Grant Fund     Enterprise Fund  
 Other (Specify)

**SPECIFIC EXPLANATION:**

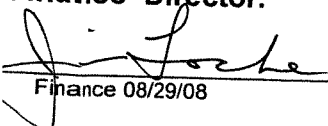
On February 6, 2008, the City Council approved a Second Amendment to the Zone Project and Financing Plan for Tax Increment Reinvestment Zone No. Sixteen (Uptown Zone) that added a park project to the list of projects for the Zone. This project is the acquisition of the Water Wall adjacent to the Transco Tower, in the boundaries of the Zone. The Second Amendment stated that the Uptown TIRZ will "...pay a maximum of \$2,500,000 or thirty percent (30%) of the cost..." The amendment proposed herein would allow the Uptown TIRZ to pay an estimated \$8,500,000 to acquire the Water Wall and then a further \$200,000 per year to provide water, electricity and capital maintenance. This change will be done by substituting a new pg. 2-R and a new pg. 3-R for the previous pages 2 and 3 in the Second Amendment.

The site, originally developed by Houston-based Gerald Hines Interests, has become a Houston landmark and tourist destination. It was originally built as part of Hines' development of the Galleria complex, including the Transco Tower. Ownership of the block has been changed at least twice since then, although Hines Interests has maintained a management role. Acquisition by the Uptown TIRZ will preserve the site as park. City Council will be asked to approve a FY09 budget amendment for the Uptown Redevelopment Authority Operating Budget to allow the Authority to proceed with the acquisition.

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

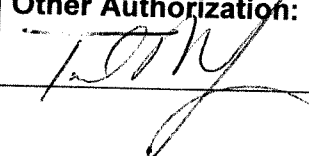
**REQUIRED AUTHORIZATION**

**Finance Director:**



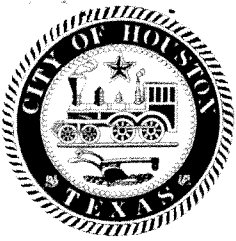
Finance 08/29/08

**Other Authorization:**



**Other Authorization:**





# CITY OF HOUSTON

Office of the Mayor

## Interoffice

Correspondence

37-37A

DEC 30 2008

To: City Controller Annise Parker  
City Council Members

From: Mayor Bill White

cc: Marty Stein  
John Breeding  
Joe Turner  
Michael Moore  
Frank Michel  
Pat Trahan  
Tom Mesa  
Robert Fiederlein  
Michelle Mitchell

Date: December 18, 2008

Subject: Water Wall

The City of Houston and the Uptown TIRZ have concluded negotiations which have extended well over a year to acquire, for permanent public park use, the square block with the water wall originally known as the Transco Fountain. Completion of this acquisition, financed in part by TIRZ funds and in part by private fundraising, will be a major contribution to our City's future.

This block, originally developed by Houston-based Gerald Hines Interests, has become a Houston landmark, the site of weddings and picnics, and a major tourist destination. It was originally built in 1985, as part of Hines' development of the Galleria complex. Ownership of the block has changed since that time, and on at least one occasion in recent history the block and the fountain was "on the market" for potential development.

Over the last ten years much of the remaining acreage available for new development around the Galleria has been developed, and this block now represents the prime parcel which could be sold for commercial development unless it is secured for use as a park in perpetuity. The pricing terms negotiated by the City and the Uptown Development Authority are very beneficial to the public. A total purchase price of \$8.5 million, which can be accommodated within the TIRZ financial capacity, represents a price per square foot that is below the market value of prime parcels of similar size and location. We will be raising \$2.5 million to reimburse the TIRZ for a portion of the purchase price, further reducing the net cost per square foot of this acquisition. In addition, the owners of the Williams Tower will fund annual operating and general maintenance costs, which were \$150,000 last year. The TIRZ will fund certain expenses for water, electricity and any needed future capital improvements.

The 3-acre tract features a 64 foot high semicircular water wall, with surfaces of black obsidian aggregate material. The exterior support was precast with special concrete. There is a 360 foot lawn, flanked by 11.5 foot sidewalks. The property contains 186 live

oak trees. Columns of limestone with black granite bases provide an additional, distinctive feature for this facility.

We intend to form a non-profit conservancy group that could ensure community oversight of this site for the long-run.

Like many real estate transactions, the City and the Uptown Development Authority had many requirements to ensure public access and preservation of this great site. We bargained hard for a good price. There are significant amounts of documentation to effect this real estate purchase, which will be completed in a short period of time. Ms. Stein can arrange for briefings for various Council Members. I want to commend the owners of the property, with whom I have had some discussions over an extended period of time about the public importance of preserving this space, rather than selling it for development to the highest bidder.

**REQUEST FOR COUNCIL ACTION**

**TO: Mayor via City Secretary**

**RCA #**

**SUBJECT:** Approval of an ordinance approving an amended Fiscal Year 2009 Operating Budget and an amended FY2009-2013 Capital Improvement Plan for the Uptown Development Authority (Uptown Zone).

**Category #**

**Page**  
1 of 1

**Agenda Item#**

**37A**

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

Michelle Mitchell, Director  
Finance Department

**Origination Date**

December 18, 2008

**Agenda Date**

DEC 30 2008

**DIRECTOR'S SIGNATURE:**

  
Finance Department

**Council Districts affected:**  
C and G

**For additional information contact:**

Robert Fiederlein

Phone: (832)393-8091

**Date and identification of prior authorizing Council Action:** Ord. 2008-342, April 23, 2008

**RECOMMENDATION: (Summary)**

That City Council approve an ordinance approving an amended Fiscal Year 2009 Operating Budget and an amended FY2009-2013 Capital Improvement Plan for the Uptown Development Authority (Uptown Zone).

**Amount of Funding:** No Funding Required

**Finance Budget:**

**SOURCE OF FUNDING:**

General Fund

Grant Fund

Enterprise Fund

Other (Specify)

**SPECIFIC EXPLANATION:**

On April 23, 2008, the City Council approved a Fiscal Year 2009 Operating Budget and a FY2009-2013 Capital Improvement Plan for the Uptown Development Authority. City Council is now asked to approve an amendment to the Operating Budget and the Capital Improvement Plan that would allow the Uptown Development Authority to implement the Third Amendment to the Zone Project and Reinvestment Zone Financing Plan. Specifically, City Council is asked to approve an Operating Budget amendment and a CIP amendment that would add the acquisition and operation of the Water Wall as a FY09 project. The acquisition of the Water Wall is estimated to be \$8.5 million and the operational budget is estimated to be \$200,000. Additionally, the Operating Budget and the CIP have been re-forecasted to reflect the current status of ongoing projects and updated to reflect current revenue estimates and transfers based upon TY08 certified tax rolls received from HCAD.

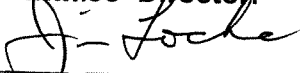
Attached is a summary of the terms for the purchase and operation of the Water Wall that the Uptown Development Authority has negotiated with the owner of the facility. The owner has requested that the Uptown Development Authority use its best efforts to complete the transaction by the close of the calendar year.

**Attachments:** Summary of Terms of Purchase and Transaction Structure  
Proposed Amended FY09 Operating Budget  
Proposed Amended FY2009-2013 Capital Improvement Plan

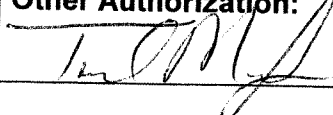
**cc:** Marty Stein, Agenda Director  
Anna Russell, City Secretary  
Arturo Michel, City Attorney  
Deborah McAbee, Senior Assistant City Attorney

**REQUIRED AUTHORIZATION**

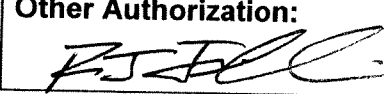
**Finance Director:**



**Other Authorization:**



**Other Authorization:**



## PURCHASE OF WATERWALL TRACT

### Summary of Terms of Purchase and Transaction Structure

#### Terms of Purchase

- Purchase of the approximately 2.8 acre waterwall tract (the "Waterwall") adjacent to the Williams Tower by the Uptown Development Authority ("UDA")
- The Property is currently owned by two entities affiliated with Hines Interests ("Hines")
- Purchase price of \$8.5 million payable in cash at closing
- Earnest money of \$250,000 (not at risk unless contract not terminated during feasibility period)
- Closing on December 31, 2008

#### Deed

- Deed conveying waterwall tract from Hines to UDA will contain restrictions limiting its use to park purposes and uses ancillary to a park with reverter if property ceases to be used for park purposes or if UDA fails to pay for capital repairs, electricity and water.
  - Hines must pay UDA \$8.5 million as condition to exercising right of reverter.
  - If property reverts to the Williams Tower Owner, the Williams Tower Owner must operate property as a park for 5 years. UDA shall have option to purchase property for \$8.5 million plus accrued operation and maintenance expenses during 5 year option period.
- Deed will provide for the Williams Tower Owner to reserve the right to operate and maintain the park pursuant to a Park Agreement between the owner of the Williams Tower ("Williams Tower Owner") and the UDA.
  - If the Williams Tower Owner terminates the Park Agreement it remains liable for its share of the operation and maintenance costs. If the Williams Tower Owner fails to pay these costs, it loses the right of reverter, the right to appoint a representative of the Committee and the right to approve improvements.
  - If the Park Agreement is terminated, the Williams Tower Owner loses its right to approve Park Rules but reserves right to provide maintenance and easement to provide maintenance.
  - If the Williams Tower Owner fails to pay costs after termination of Park Agreement, the Williams Tower Owner loses right to reverter in all circumstances other than UDA's failure to use property for park purposes.

- Hines reserves an easement, subject to Park Rules, to benefit owner of adjacent office tower and its, tenants, occupants and invitees.
- Deed will prohibit the making of improvements above or below ground except:
  - UDA may place two (2) kiosks not exceeding 100 square feet at locations and pursuant to plans approved by a committee composed of two members, one of whom is appointed by the Williams Tower Owner and one of whom is appointed by UDA (the "Committee").
  - UDA may construct, install and alter landscaping and park related improvements such as landscaped areas, lighting and other improvements related to public safety, irrigation systems, fountains, walkways, fencing and similar improvements which do not materially change the character of the Property.
  - UDA may construct and install other improvements approved by the Committee.
- Deed will require that the UDA operate the Waterwall for at least thirty (30) years in accordance with Park Rules, except:
  - During excused periods resulting from casualty, condemnation, and force majeure.
  - UDA shall have no obligation to repair or replace the Waterwall in the event of casualty or condemnation unless sufficient proceeds are available.

#### **Ancillary Agreements**

- The UDA will enter into a contract ("Park Agreement") with the owner of the Williams Tower (the "Williams Tower Owner") which will be responsible for the administration, operation and maintenance of the park.
- The UDA shall promulgate Park Rules based on the Park Rules for Discovery Green which will govern the operation of the park. The Park Rules may be amended by the UDA subject to the approval of the Committee.

#### **Park Agreement**

- Initial term of 3 years.
- Will appoint The Williams Tower Owner as Administrator of Park Rules.
- UDA will be responsible for payment of capital repairs, electricity and water.
  - Capital repairs are defined in the Park Agreement.
  - No capital repairs costing more than \$5,000 may be made without the approval of the UDA.



- Williams Tower Owner will pay all other costs of administration, operation and maintenance of the Waterwall.
- Termination by the Williams Tower Owner without cause upon 120 days notice.
  - After termination, the Williams Tower Owner will pay its costs of operation and maintenance (exclusive of costs of capital repairs (as defined in the Park Agreement), electricity and water) based on annual budget proposed by UDA and approved by the Williams Tower Owner.
    - If the Williams Tower Owner and UDA cannot agree on budget, either party may submit the dispute to arbitration.
- No assignment of the Park Agreement without consent of UDA except to a purchaser of the Williams Tower.
- The Williams Tower Owner to indemnify UDA for negligent acts or willful misconduct of Hines its, agents employees and contractors.
- Park Agreement to contain standards which would require maintenance, at a minimum, at the current level.

**CITY OF HOUSTON  
FINANCE DEPARTMENT  
ECONOMIC DEVELOPMENT DIVISION  
FISCAL YEAR 2009 BUDGET PROFILE  
AMENDED**

Fund Summary  
Fund Name: **Uptown Redevelopment Authority**  
TIRZ: **16**  
Fund Number: **7564/65**

<b>P R O F I L E</b>	<b>Base Year:</b>	1999 and 2008	
	<b>Base Year Taxable Value:</b>	\$	1,908,297,450
	<b>Projected Taxable Value (TY2008):</b>	\$	4,098,157,089
	<b>Current Taxable Value (TY2007):</b>	\$	3,603,531,203
	<b>Acres:</b>	1030 acres	
	<b>Administrator (Contact):</b>	John Breeding	
	<b>Contact Number:</b>	713-621-2011	

<b>N A R R A T I V E</b>	<b>Zone Purpose:</b>
	The mission of TIRZ #16 is to preserve and enhance the City of Houston's tax base through investment in mobility improvements and congestion reduction in Uptown Houston.
	<b>Accomplishments in FY08 (Projects Underway):</b>
	In fiscal year 2008, the Uptown TIRZ accomplished:
	<ul style="list-style-type: none"> <li>• Provided HISD revenue for the City of Houston of \$2,211,751 as well as City Mobility projects in the amounts of \$2,211,751</li> <li>• Provided City tax revenue for Affordable Housing projects in the amount of \$3,558,422</li> <li>• Completed the ATIS project which will assist in mitigating traffic congestion in Uptown as well improve traffic surveillance. Grant funds of approximately \$900M were leveraged to offset the cost to the Authority.</li> <li>• Completed Phase 2 of Rice/Sage intersection. This project improves traffic operations, signal coordination and removes bottleneck. It also serves the Westpark Tollway as part of a \$3MM collaboration between HCTRA and UDA.</li> <li>• Completed design for Garrettsen, an arterial street, with construction contract pending. This reconstruction will improve traffic conditions and serve San Felipe during construction..</li> <li>• Completed the San Felipe Drainage project. Additionally, the Phase 2, 3 design of San Felipe is 100% complete. Construction is expected in FY09.</li> <li>• Completed 2 intersections: Nordstrom's Pedestrian Crossing on Hidalgo and West Briar at Post Oak Lane which improve service to traffic pedestrian movement in the highly urbanized Uptown area.</li> <li>* Expanded the TIRZ boundaries and negotiated a developer agreement which leverages private funds to improve City streets.</li> </ul>

<b>P R O J E C T  P L A N</b>		<b>Cumulative Expenses</b>		
		<b>Total Plan</b>	<b>(to FY08)</b>	<b>Variance</b>
	<b>Capital Projects:</b>			
	Improve Existing Streets	\$ 67,000,000	\$ 36,625,761	\$ 30,374,239
	Create Street Grid Network	38,500,000	5,395,205	33,104,795
	Improve Intersections	26,000,000	5,841,451	20,158,549
	Parking Management Program	50,000,000	-	50,000,000
	Pedestrian Network	53,000,000	562,316	52,437,684
	<b>Total Capital Projects</b>	\$ 234,500,000	\$ 48,424,733	\$ 186,075,267
	<b>Affordable Housing</b>	270,000,000	27,064,266	242,935,734
	<b>Education Facilities</b>	129,000,000	11,496,149	117,503,851
	<b>Financing Costs</b>			
	<b>Administration Costs</b>	6,000,000	1,553,389	4,446,611
	<b>Creation Costs</b>			
	<b>Total Project Plan</b>	\$ 639,500,000	\$ 88,538,537	\$ 550,961,463

<b>D E B T</b>	<b>Additional Financial Data</b>	<b>FY2008 Budget</b>	<b>2008 Projection</b>	<b>FY2009 Budget</b>
		<b>Debt Service</b>		
	Principal	\$ 5,804,238	\$ 3,713,253	\$ 3,765,171
	Interest	\$ 3,460,000	\$ 1,460,000	\$ 1,525,000
		\$ 2,344,238	\$ 2,253,253	\$ 2,240,171
	<b>Year End Outstanding (Principal)</b>			
	Bond Debt	\$ 37,320,000	\$ 35,860,000	\$ 34,335,000
	Bank Loan	\$ 3,600,000	\$ 12,100,000	\$ 22,100,000
	Developer Agreement (HCTRA, Hudson)	\$ 1,388,191	\$ -	\$ 2,750,000
	Other	\$ -	\$ -	\$ -

**CITY OF HOUSTON  
FINANCE DEPARTMENT  
ECONOMIC DEVELOPMENT DIVISION  
FISCAL YEAR 2009 BUDGET SUMMARY  
AMENDED**

Fund Summary  
Fund Name: **Uptown Redevelopment Authority**  
TIRZ: **16**  
Fund Number: **7564/65**

<b>TIRZ Budget Line Items</b>	<b>FY2008 Budget</b>	<b>2008 Projection</b>	<b>FY2009 Budget</b>
<b>Available Resources</b>			
<b>Beginning Fund Balance</b>			
Restricted Funds - Capital Projects	\$ -	\$ 5,347,212	\$ -
Restricted Funds - Affd. Housing	\$ -	\$ 60,616	\$ 69,168
Restricted Funds - Bond Reserve	\$ 6,837,474	\$ 6,902,675	\$ 6,911,312
Unrestricted Fund Balance	\$ 3,621,497	\$ -	\$ 10,633,450
<b>Total Beginning Fund Balance</b>	<b>\$ 10,458,971</b>	<b>\$ 12,310,503</b>	<b>\$ 17,613,930</b>
<b>TIRZ Revenue</b>			
City	\$ 9,140,584	\$ 9,965,395	\$ 14,466,120
ISD	\$ 6,826,134	\$ 7,024,533	\$ 7,915,166
County	\$ -	\$ -	\$ -
Community College	\$ -	\$ -	\$ -
<b>Total Revenues</b>	<b>\$ 15,966,718</b>	<b>\$ 16,989,928</b>	<b>\$ 22,381,286</b>
<b>Bond Proceeds</b>	\$ -	\$ -	\$ -
<b>Loan Proceeds</b>	\$ 12,000,000	\$ 8,280,000	\$ 10,000,000
<b>Grant Proceeds</b>	\$ 2,758,500	\$ -	\$ 1,471,400
<b>Other</b>	\$ -	\$ 398,403	\$ 5,600,000
<b>Total Available Resources</b>	<b>\$ 41,184,189</b>	<b>\$ 37,978,834</b>	<b>\$ 57,066,616</b>
<b>Fund Transfers</b>			
<b>Affordable Housing</b>			
City of Houston	\$ 3,046,861	\$ 4,611,321	\$ 4,822,040
ISD Increment to Houston	\$ 2,275,378	\$ -	\$ 2,638,389
Harris County	\$ -	\$ -	\$ -
ISD Education Set-Aside	\$ 2,275,378	\$ 2,361,070	\$ 2,638,389
<b>Municipal Services</b>	\$ 350,000	\$ 350,000	\$ 350,000
<b>Adminstration Fee to General Fund</b>			
COH Admin Fee (5%)	\$ 457,029	\$ 524,494	\$ 723,306
Harris County Admin	\$ -	\$ -	\$ -
ISD Admin	\$ 25,000	\$ 25,000	\$ 25,000
<b>Total Fund Transfers</b>	<b>\$ 8,429,646</b>	<b>\$ 7,871,885</b>	<b>\$ 11,197,124</b>
<b>Funds Available for Projects</b>	<b>\$ 32,754,543</b>	<b>\$ 30,106,949</b>	<b>\$ 45,869,492</b>
<b>Project Costs</b>			
Administrative Staff	\$ 45,000	\$ 45,000	\$ 45,000
Administrative Consultant	\$ -	\$ -	\$ -
Legal	\$ 30,000	\$ 49,635	\$ 30,000
Accounting/ Audit	\$ 34,500	\$ 25,000	\$ 34,500
Program / Project Consulting	\$ -	\$ -	\$ -
Administrative Operating Expense	\$ 17,000	\$ 27,539	\$ 31,000
Capital Expenditures	\$ 19,262,000	\$ 8,298,545	\$ 34,080,000
Developer/ Project reimbursements	\$ 350,000	\$ 334,047	\$ 334,120
Debt Service			
Principal	\$ 3,460,000	\$ 1,460,000	\$ 1,525,000
Interest	\$ 2,344,238	\$ 2,253,253	\$ 2,240,171
Other debt items	\$ -	\$ -	\$ -
<b>Total Project Costs</b>	<b>\$ 25,542,738</b>	<b>\$ 12,493,019</b>	<b>\$ 38,319,791</b>
<b>Total Budget</b>	<b>\$ 33,972,384</b>	<b>\$ 20,364,904</b>	<b>\$ 49,516,915</b>
<b>Resources Less Transfer and Expenses</b>	<b>\$ 7,211,805</b>	<b>\$ 17,613,930</b>	<b>\$ 7,549,701</b>
<b>Planned Ending Fund Balance:</b>			
Restricted Funds - Capital Projects	\$ -	\$ -	\$ -
Restricted Funds - Affd. Housing	\$ -	\$ 69,168	\$ 69,168
Restricted Funds - Bond Reserve	\$ 6,828,476	\$ 6,911,312	\$ 6,911,312
<b>Unrestricted Fund Balance</b>	<b>\$ 383,328</b>	<b>\$ 10,633,450</b>	<b>\$ 569,221</b>

2009 - 2013 CAPITAL IMPROVEMENT PLAN  
TIRZ No. 16 - Uptown Redevelopment Authority  
CIP by Project  
AMENDED

CITY OF HOUSTON - TIRZ PROGRAM  
Finance Department  
Economic Development Division

Council District	CIP No.	Project	FY Planned Appropriations (\$ Thousands)							Total 2009-2013	Cumulative Total (To Date)		
			Through 2007	Projected 2008	2009	2010	2011	2012	2013				
G	T-1601	San Felipe - Phases 2 and 3 Reconstruction	\$ 6,354,297	\$ 4,057,184	\$ 4,700,000	\$ 9,700,000	\$ -	\$ -	\$ -	\$ -	\$ -	14,400,000	24,811,481
C	T-1602	Rice/Sage Phase I Reconstruction	\$ 1,046,063	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	1,046,063
C	T-1603	Rice/Sage Reconstruction	\$ 52,715	\$ 846,719	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	899,434
C	T-1604	West Alabama Phase II Reconstruction	\$ -	\$ -	\$ 100,000	\$ 2,500,000	\$ 4,600,000	\$ -	\$ -	\$ -	\$ -	7,200,000	7,200,000
C	T-1605	Chimney Rock Reconstruction	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
C	T-1606	Post Oak Boulevard Waterline	\$ 1,064,532	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	1,064,532
C	T-1607	Richmond Avenue - Chimney Rock to Rice	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
C	T-1608	Advance Traveler Information System	\$ 1,662,972	\$ 57,760	\$ 50,000	\$ 50,000	\$ 50,000	\$ 50,000	\$ 50,000	\$ 50,000	\$ 50,000	250,000	1,970,732
C, G	T-1609	Uptown Area Intersection and Signalization	\$ 1,372,901	\$ 1,123,546	\$ 2,969,200	\$ 2,647,800	\$ 250,000	\$ -	\$ -	\$ -	\$ -	7,867,000	10,363,447
C, G	T-1610	Uptown Area New Signals	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
C, G	T-1611	Right-of-way Acquisition	\$ -	\$ 93,964	\$ 1,000,000	\$ 1,000,000	\$ 1,000,000	\$ 1,000,000	\$ 1,000,000	\$ 1,000,000	\$ 1,000,000	5,093,964	5,093,964
G	T-1612	McCue Phase 1 Reconstruction	\$ 3,320,017	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	3,320,017
G	T-1613	South Post Oak Lane Reconstruction	\$ -	\$ 300,000	\$ 3,220,000	\$ -	\$ 1,380,000	\$ -	\$ -	\$ -	\$ -	4,600,000	4,900,000
G	T-1614	Ambassador Way Reconstruction	\$ -	\$ 200,000	\$ 2,030,000	\$ -	\$ 870,000	\$ -	\$ -	\$ -	\$ -	2,900,000	3,100,000
G	T-1615	Skylark - San Felipe to Post Oak Lane	\$ -	\$ 100,000	\$ 910,000	\$ -	\$ 390,000	\$ -	\$ -	\$ -	\$ -	1,300,000	1,400,000
G	T-1616	Secondary Roadways	\$ -	\$ 175,000	\$ 200,000	\$ 200,000	\$ 200,000	\$ 200,000	\$ 200,000	\$ 200,000	\$ 200,000	1,000,000	1,175,000
G	T-1617	Uptown Pedestrian Improvements	\$ -	\$ -	\$ -	\$ 5,000,000	\$ -	\$ -	\$ -	\$ -	\$ -	10,000,000	10,000,000
G	T-1618	Westheimer / Area-Wide Pedestrian Improvements	\$ -	\$ -	\$ 1,000,800	\$ 3,169,200	\$ 4,170,000	\$ -	\$ -	\$ -	\$ -	8,340,000	8,340,000
G	T-1619	Post Oak Boulevard Reconstruction	\$ -	\$ 50,000	\$ 2,000,000	\$ 2,000,000	\$ -	\$ -	\$ -	\$ -	\$ -	4,000,000	4,050,000
G	T-1620	Garrettson Reconstruction	\$ 150,000	\$ -	\$ 1,700,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	1,700,000	1,850,000
G	T-1621	North and South Wynden	\$ -	\$ -	\$ 5,500,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	5,500,000	5,500,000
C	T-1622	Park Project - Water Wall Acquisition and Operation	\$ -	\$ -	\$ 8,700,000	\$ 200,000	\$ 200,000	\$ 200,000	\$ 200,000	\$ 200,000	\$ 200,000	9,500,000	9,500,000
<b>Totals</b>			15,023,498	7,004,172	34,080,000	26,467,000	18,110,000	3,450,000	1,450,000	98,707,000	120,734,670		

2009 - 2013 CAPITAL IMPROVEMENT PLAN  
 TIRZ No. 16 - Uptown Redevelopment Authority  
 CIP by Source of Funds  
 AMENDED

CITY OF HOUSTON - TIRZ PROGRAM  
 Finance Department  
 Economic Development Division

Source of Funds	FY Planned Appropriations (\$ Thousands)										Cumulative Total (To Date)	
	Through 2007	Projected 2008	2009	2010	2011	2012	2013	Total 2009-2013				
<b>TIRZ No. 16</b>												
TIRZ funds	-	50,000	200,000	200,000	200,000	200,000	200,000	200,000	1,000,000	1,050,000		
Revenue bond proceeds	13,898,492	6,954,173	26,908,600	21,682,000	13,325,000	3,250,000	1,250,000	66,415,600	87,268,265			
Proceeds from bank loan	-	-	-	-	-	-	-	-	-	-		
Developer Advance/Reimbursement	-	-	-	-	-	-	-	-	-	-		
City of Houston	-	-	-	-	-	-	-	-	-	-		
Grants	1,125,000	-	6,971,400	4,585,000	4,585,000	-	-	16,141,400	17,266,400			
Other	-	-	-	-	-	-	-	-	-	-		
<b>Project Total</b>	<b>15,023,492</b>	<b>7,004,173</b>	<b>34,080,000</b>	<b>26,467,000</b>	<b>18,110,000</b>	<b>3,450,000</b>	<b>1,450,000</b>	<b>83,557,000</b>	<b>105,584,665</b>			

<b>Project:</b> San Felipe - Phases 2 and 3 Reconstruction Sage to IH 610		<b>City Council District:</b> 491		<b>Key Map:</b>		<b>WBS.:</b>		<b>T-1601</b>	
<b>Description:</b> Widening and reconstruction including concrete pavement, curb and gutter, water and sanitary sewer upgrades.		<b>Location:</b> G		<b>Geo. Ref.:</b>					
<b>Justification:</b> Project will address traffic congestion problems caused by street and traffic signal deficiencies. Additional sidewalks and signalization upgrades will benefit pedestrians.		<b>Served:</b> G		<b>Neighborhood:</b> 21					
<b>Operating and Maintenance Costs: (\$ Thousands)</b>									
		2009	2010	2011	2012	2013	<b>Total</b>		
Personnel							\$		
Supplies							\$		
Svcs. & Chgs.							\$		
Capital Outlay							\$		
<b>Total</b>		\$	\$	\$	\$	\$	\$		
FTEs							-		

**Fiscal Year Planned Expenses**

Project Allocation	Phase	Project Expenses thru 6/30/07	2008 Budget	2008 Estimate	2009	2010	2011	2012	2013	FY09 - FY13 Total	Cumulative Total (To Date)
1	Planning										\$ -
2	Acquisition	5,354,733		723,000							\$ -
3	Design	925,175	400,000	525,759	200,000						\$ 6,077,733
4	Construction	74,389	4,070,000	2,808,425	4,500,000	9,700,000					\$ 1,650,933
5	Equipment										\$ 14,200,000
6	Close-Out										\$ -
7	Other										\$ -
<b>Other Sub-Total:</b>		-	-	-	-	-	-	-	-	-	\$ -
<b>Total Allocations</b>		\$ 6,354,297	\$ 4,470,000	\$ 4,057,184	\$ 4,700,000	\$ 9,700,000	\$ -	\$ -	\$ -	\$ 14,400,000	\$ 24,811,481
<b>Source of Funds</b>											
TIRZ Increment Revenue											\$ -
TIRZ Increment Bond Funds		6,354,291	4,470,000	4,057,184	4,700,000	9,700,000				\$ 14,400,000	\$ 24,811,475
Grant Funds											\$ -
<b>Total Funds</b>		\$ 6,354,291	\$ 4,470,000	\$ 4,057,184	\$ 4,700,000	\$ 9,700,000	\$ -	\$ -	\$ -	\$ 14,400,000	\$ 24,811,475

<b>Project:</b> Rice/Sage Phase I Reconstruction Rice/Sage Intersection at US59		<b>City Council District:</b> 491		<b>Key Map:</b>		<b>WBS.:</b>		<b>T-1602</b>	
<b>Description:</b> ROW acquisition on South Rice underpass at US59 to accommodate entrance to Westpark Tollway and improve access to areas south of US59.		<b>Location:</b> C		<b>Geo. Ref.:</b>					
<b>Justification:</b> Intersection improvements including improved traffic operations, standard geometric alignments and signal coordination.		<b>Served:</b> C		<b>Neighborhood:</b> 21					
<b>Operating and Maintenance Costs: (\$ Thousands)</b>									
		2009	2010	2011	2012	2013	<b>Total</b>		
Personnel									\$
Supplies									\$
Svcs. & Chgs.									\$
Capital Outlay									\$
<b>Total</b>		\$ -	\$ -	\$ -	\$ -	\$ -			\$ -
<b>FTEs</b>									-

**Fiscal Year Planned Expenses**

Project Allocation	Phase	Project Expenses thru 6/30/07	2008 Budget	2008 Estimate	2009	2010	2011	2012	2013	FY09 - FY13 Total	Cumulative Total (To Date)
1	Planning										\$ -
2	Acquisition	615,064								\$ -	\$ 615,064
3	Design	210,116								\$ -	\$ 210,116
4	Construction	220,884								\$ -	\$ 220,884
5	Equipment									\$ -	\$ -
6	Close-Out									\$ -	\$ -
7	Other									\$ -	\$ -
<b>Other Sub-Total:</b>		-	-	-	-	-	-	-	-	\$ -	\$ -

<b>Total Allocations</b>	\$ 1,046,063	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,046,063
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Source of Funds	2009	2010	2011	2012	2013	FY09 - FY13 Total	Cumulative Total (To Date)
TIRZ Increment Revenue						\$ -	\$ -
TIRZ Increment Bond Funds						\$ -	\$ 1,046,063
Grant Funds						\$ -	\$ -
<b>Total Funds</b>	\$ 1,046,063	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,046,063

<b>Project:</b> Rice/Sage Reconstruction Rice/Sage Intersection at US59		<b>City Council District:</b> C	<b>Key Map:</b> 491	<b>WBS.:</b>	<b>T-1603</b>		
<b>Description:</b> Phase II - replacement of temporary signal and pavement into permanent facilities.		<b>Location:</b> C	<b>Geo. Ref.:</b>				
<b>Justification:</b> Improved traffic operations, standard geometric alignments and signal coordination.		<b>Served:</b> C	<b>Neighborhood:</b> 21				
<b>Operating and Maintenance Costs: (\$ Thousands)</b>							
		2009	2010	2011	2012	2013	Total
Personnel							\$ -
Supplies							\$ -
Svcs. & Chgs.							\$ -
Capital Outlay							\$ -
<b>Total</b>		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
FTEs							-

**Fiscal Year Planned Expenses**

Project Allocation	Project Expenses thru 6/30/07	2008 Budget	2008 Estimate	2009	2010	2011	2012	2013	FY09 - FY13 Total	Cumulative Total (To Date)
<b>Phase</b>										
1 Planning									\$ -	\$ -
2 Acquisition									\$ -	\$ -
3 Design	52,715		45,284						\$ -	\$ 97,999
4 Construction		400,000	801,435						\$ -	\$ 801,435
5 Equipment									\$ -	\$ -
6 Close-Out									\$ -	\$ -
7 Other									\$ -	\$ -
<b>Other Sub-Total:</b>									\$ -	\$ -
<b>Total Allocations</b>	\$ 52,715	\$ 400,000	\$ 846,719	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 899,434
<b>Source of Funds</b>										
TIRZ Increment Revenue									\$ -	\$ -
TIRZ Increment Bond Funds	52,715	400,000	846,719						\$ -	\$ 899,434
Grant Funds									\$ -	\$ -
<b>Total Funds</b>	\$ 52,715	\$ 400,000	\$ 846,719	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 899,434



<b>Project:</b> West Alabama Phase II Reconstruction Rice to Post Oak Boulevard		<b>City Council District:</b> 491	<b>Key Map:</b> T-1604				
<b>Description:</b> Roadway reconstruction including concrete pavement, curb and gutter, sidewalks, water, storm and waste water system upgrades.		<b>Location:</b> C	<b>WBS.:</b>				
<b>Justification:</b> Pavement degradation warrante replacement. Upgrades will benefit pedestrians.		<b>Served:</b> C	<b>Neighborhood:</b> 21				
<b>Operating and Maintenance Costs: (\$ Thousands)</b>							
		2009	2010	2011	2012	2013	Total
	Personnel						\$ -
	Supplies						\$ -
	Svcs. & Chgs.						\$ -
	Capital Outlay						\$ -
	<b>Total</b>	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
	FTEs						-

**Fiscal Year Planned Expenses**

Project Allocation	Phase	Project Expenses thru 6/30/07	2008 Budget	2008 Estimate	2009	2010	2011	2012	2013	FY09 - FY13 Total	Cumulative Total (To Date)
1	Planning									\$ -	\$ -
2	Acquisition									\$ -	\$ -
3	Design				100,000	300,000				\$ 400,000	\$ 400,000
4	Construction					2,200,000	4,600,000			\$ 6,800,000	\$ 6,800,000
5	Equipment									\$ -	\$ -
6	Close-Out									\$ -	\$ -
7	Other									\$ -	\$ -
	<b>Other Sub-Total:</b>	-	-	-	-	-	-	-	-	\$ -	\$ -
<b>Total Allocations</b>		\$ -	\$ -	\$ -	\$ 100,000	\$ 2,500,000	\$ 4,600,000	\$ -	\$ -	\$ 7,200,000	\$ 7,200,000

Source of Funds	2009	2010	2011	2012	2013	FY09 - FY13 Total	Cumulative Total (To Date)
TIRZ Increment Revenue							
TIRZ Increment Bond Funds	100,000	2,500,000	4,600,000			\$ 7,200,000	\$ 7,200,000
Grant Funds						\$ -	\$ -
<b>Total Funds</b>	\$ 100,000	\$ 2,500,000	\$ 4,600,000	\$ -	\$ -	\$ 7,200,000	\$ 7,200,000

<b>Project:</b> Chimney Rock Reconstruction US59 to Richmond		<b>City Council District:</b> 491	<b>Key Map:</b> 491	<b>WBS.:</b>	<b>T-1605</b>		
<b>Description:</b> Widening and reconstruction of roadway including concrete pavement, curb and gutter, water, storm and waste water system upgrades from US59 to Richmond.		<b>Location:</b> C	<b>Geo. Ref.:</b>				
<b>Justification:</b> Added capacity, reduced traffic delay, improved turning movements. Project benefits motorist and pedestrians.		<b>Served:</b> C	<b>Neighborhood:</b> 21				
<b>Operating and Maintenance Costs: (\$ Thousands)</b>							
		2009	2010	2011	2012	2013	Total
Personnel							\$ -
Supplies							\$ -
Svcs. & Chgs.							\$ -
Capital Outlay							\$ -
<b>Total</b>		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
FTEs							-

**Fiscal Year Planned Expenses**

Project Allocation	Phase	Project Expenses thru 6/30/07	2008 Budget	2008 Estimate	2009	2010	2011	2012	2013	FY09 - FY13 Total	Cumulative Total (To Date)
	1 Planning									\$ -	\$ -
	2 Acquisition									\$ -	\$ -
	3 Design									\$ -	\$ -
	4 Construction									\$ -	\$ -
	5 Equipment									\$ -	\$ -
	6 Close-Out									\$ -	\$ -
	7 Other									\$ -	\$ -
	<b>Other Sub-Total:</b>	-	-	-	-	-	-	-	-	\$ -	\$ -
<b>Total Allocations</b>		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
<b>Source of Funds</b>											
TIRZ Increment Revenue										\$ -	\$ -
TIRZ Increment Bond Funds										\$ -	\$ -
Grant Funds										\$ -	\$ -
<b>Total Funds</b>		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -

<b>Project:</b> Post Oak Boulevard Waterline IH 610 to Richmond		<b>City Council District:</b> 491	<b>Key Map:</b>		<b>WBS.:</b>		<b>T-1606</b>	
<b>Description:</b> Construction of 1.6 miles of waterline. Project includes utility relocation, new pavement, curb and gutter, sidewalks, and landscaping from IH 610 to Richmond.		<b>Location:</b> C	<b>Geo. Ref.:</b>					
<b>Justification:</b> Significant high-rise development has placed significant burden on 1950's era existing waterline. Current facility subject to frequent breaks and subsequent repairs.		<b>Served:</b> C	<b>Neighborhood:</b> 21					
<b>Operating and Maintenance Costs: (\$ Thousands)</b>								
		2009	2010	2011	2012	2013	Total	
Personnel							\$ -	
Supplies							\$ -	
Svcs. & Chgs.							\$ -	
Capital Outlay							\$ -	
<b>Total</b>		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
FTEs							-	

**Fiscal Year Planned Expenses**

Project Allocation	Project Expenses thru 6/30/07	2008 Budget	2008 Estimate	2009	2010	2011	2012	2013	FY09 - FY13 Total	Cumulative Total (To Date)
<b>Phase</b>										
1 Planning									\$ -	\$ -
2 Acquisition									\$ -	\$ -
3 Design	113,189								\$ -	\$ 113,189
4 Construction	951,343								\$ -	\$ 951,343
5 Equipment									\$ -	\$ -
6 Close-Out									\$ -	\$ -
7 Other									\$ -	\$ -
<b>Other Sub-Total:</b>									\$ -	\$ -

<b>Total Allocations</b>	\$ 1,064,532	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,064,532
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Source of Funds	2009	2010	2011	2012	2013	FY09 - FY13 Total	Cumulative Total (To Date)
TIRZ Increment Revenue							\$ -
TIRZ Increment Bond Funds							\$ -
Grant Funds							\$ -
<b>Total Funds</b>	\$ 1,064,532	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,064,532

<b>Project:</b> Richmond Avenue - Chimney Rock to Rice		<b>City Council District:</b> 491		<b>WBS.:</b> T-1607			
<b>Description:</b> Widening and reconstruction including concrete pavement, curb and gutter, water, storm and waste water system upgrades from Chimney Rock to South Rice.		<b>Location:</b> C	<b>Geo. Ref.:</b>				
<b>Justification:</b> Severe pavement degradation warrants replacement. Project benefits motorist and pedestrians.		<b>Served:</b> C	<b>Neighborhood:</b> 21				
<b>Operating and Maintenance Costs: (\$ Thousands)</b>							
		2009	2010	2011	2012	2013	Total
Personnel							\$
Supplies							\$
Svcs. & Chgs.							\$
Capital Outlay							\$
<b>Total</b>		\$	\$	\$	\$	\$	\$
FTEs							

**Fiscal Year Planned Expenses**

Project Allocation	Project Expenses thru 6/30/07	2008 Budget	2008 Estimate	2009	2010	2011	2012	2013	FY09 - FY13 Total	Cumulative Total (To Date)
<b>Phase</b>										
1 Planning									\$	\$
2 Acquisition									\$	\$
3 Design									\$	\$
4 Construction									\$	\$
5 Equipment									\$	\$
6 Close-Out									\$	\$
7 Other									\$	\$
<b>Other Sub-Total:</b>									\$	\$
<b>Total Allocations</b>	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
<b>Source of Funds</b>										
TIRZ Increment Revenue									\$	\$
TIRZ Increment Bond Funds									\$	\$
Grant Funds									\$	\$
<b>Total Funds</b>	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$

<b>Project:</b> Advance Traveler Information System		City Council District	Key Map:	491	WBS.:	T-1608
<b>Description:</b> Install new traffic surveillance and incident management program. Connect traffic signal network for use in public information system.		Location: C	Geo. Ref.:			
<b>Justification:</b> Resolve traffic congestion caused by roadway and traffic signal deficiencies through better information for real-time traffic conditions.		Served: C	Neighborhood:	21		
<b>Operating and Maintenance Costs: (\$ Thousands)</b>						
Personnel		2009	2010	2011	2012	2013
Supplies						
Svcs. & Chgs.						
Capital Outlay						
<b>Total</b>		\$ -	\$ -	\$ -	\$ -	\$ -
FTEs						

**Fiscal Year Planned Expenses**

Project Allocation	Phase	Project Expenses thru 6/30/07	2008 Budget	2008 Estimate	2009	2010	2011	2012	2013	FY09 - FY13 Total	Cumulative Total (To Date)
1	Planning										
2	Acquisition										
3	Design	219,663									\$ -
4	Construction	1,443,309		57,760	50,000	50,000	50,000	50,000	50,000	250,000	\$ 219,663
5	Equipment										\$ 1,751,069
6	Close-Out										\$ -
7	Other										\$ -
<b>Other Sub-Total:</b>											\$ -

<b>Total Allocations</b>	\$ 1,662,972	\$ -	\$ 57,760	\$ 50,000	\$ 50,000	\$ 50,000	\$ 50,000	\$ 50,000	\$ 50,000	\$ 250,000	\$ 1,970,732
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Source of Funds	2009	2010	2011	2012	2013	FY09 - FY13 Total	Cumulative Total (To Date)
TIRZ Increment Revenue							\$ -
TIRZ Increment Bond Funds	50,000	50,000	50,000	50,000	50,000	250,000	\$ 845,732
Grant Funds							\$ 1,125,000
<b>Total Funds</b>	\$ 50,000	\$ 50,000	\$ 50,000	\$ 50,000	\$ 50,000	\$ 250,000	\$ 1,970,732

<b>Project:</b> Uptown Area Intersection and Signalization Improvements	<b>City Council District</b>		<b>Key Map:</b> 491		<b>WBS.:</b> T-1609	
	<b>Location:</b> C, G		<b>Geo. Ref.:</b>			
	<b>Served:</b> C, G		<b>Neighborhood:</b> 21			
<b>Operating and Maintenance Costs: (\$ Thousands)</b>						
<b>Description:</b> Area-wide signalization and intersection improvements including lane assignments, turn bay modification, geometric modifications and revised signal timing.	2009	2010	2011	2012	2013	<b>Total</b>
<b>Justification:</b> Project will resolve congestion problems caused by street and traffic signal deficiencies.						
	Personnel					\$ -
	Supplies					\$ -
	Svcs. & Chgs.					\$ -
	Capital Outlay					\$ -
	<b>Total</b>	\$ -	\$ -	\$ -	\$ -	\$ -
	FTEs					-

**Fiscal Year Planned Expenses**

Project Allocation	Project Expenses thru 6/30/07	2008 Budget	2008 Estimate	2009	2010	2011	2012	2013	FY09 - FY13 Total	Cumulative Total (To Date)
<b>Phase</b>										
1 Planning									\$ -	\$ -
2 Acquisition									\$ -	\$ -
3 Design	520,792	350,000	86,296	369,200		250,000	2,000,000		\$ 2,619,200	\$ 3,226,288
4 Construction	852,109	300,000	233,250	2,600,000	2,647,800				\$ 5,247,800	\$ 6,333,159
5 Equipment		697,000	804,000						\$ -	\$ 804,000
6 Close-Out									\$ -	\$ -
7 Other									\$ -	\$ -
<b>Other Sub-Total:</b>									\$ -	\$ -
<b>Total Allocations</b>	\$ 1,372,901	\$ 1,347,000	\$ 1,123,546	\$ 2,969,200	\$ 2,647,800	\$ 250,000	\$ 2,000,000	\$ -	\$ 7,867,000	\$ 10,363,447

Source of Funds	2009	2010	2011	2012	2013	FY09 - FY13 Total	Cumulative Total (To Date)
TIRZ Increment Revenue							\$ -
TIRZ Increment Bond Funds	1,497,800	2,647,800	250,000	2,000,000		\$ 6,395,600	\$ 8,892,047
Grant Funds	1,471,400					\$ 1,471,400	\$ 1,471,400
<b>Total Funds</b>	\$ 2,969,200	\$ 2,647,800	\$ 250,000	\$ 2,000,000	\$ -	\$ 7,867,000	\$ 10,363,447

<b>Project:</b> Uptown Area New Signals		<b>City Council District</b> 491		<b>WBS.:</b> T-1610	
<b>Description:</b> Design and installation of new signals at warranted intersections to provide for increased mobility and pedestrian safety via protected crosswalks.		<b>Location:</b> C, G	<b>Key Map:</b>	<b>2010</b>	<b>2011</b>
<b>Justification:</b> Response to new development, changing traffic patterns/conditions and associated traffic congestion.		<b>Served:</b> C, G	<b>Geo. Ref.:</b>	<b>2012</b>	<b>2013</b>
			<b>Neighborhood:</b> 21	<b>Operating and Maintenance Costs: (\$ Thousands)</b>	
				<b>Personnel</b>	<b>Total</b>
				<b>Supplies</b>	
				<b>Svcs. &amp; Chgs.</b>	
				<b>Capital Outlay</b>	
				<b>Total</b>	
				<b>FTEs</b>	

**Fiscal Year Planned Expenses**

Project Allocation	Project Expenses thru 6/30/07	2008 Budget	2008 Estimate	2009	2010	2011	2012	2013	FY09 - FY13 Total	Cumulative Total (To Date)
<b>Phase</b>										
1 Planning									\$	\$
2 Acquisition									\$	\$
3 Design									\$	\$
4 Construction									\$	\$
5 Equipment									\$	\$
6 Close-Out									\$	\$
7 Other									\$	\$
<b>Other Sub-Total:</b>									\$	\$

<b>Total Allocations</b>	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
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<b>Source of Funds</b>										
TIRZ Increment Revenue									\$	\$
TIRZ Increment Bond Funds									\$	\$
Grant Funds									\$	\$
<b>Total Funds</b>	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$

<b>Project:</b> Right-of-way Acquisition		<b>City Council District:</b> C, G	<b>Key Map:</b> 491	<b>WBS.:</b>	<b>T-1611</b>		
<b>Description:</b> Purchase of right-of-way for mobility projects.		<b>Location:</b> C, G	<b>Geo. Ref.:</b>				
		<b>Served:</b> C, G	<b>Neighborhood:</b> 21				
<b>Operating and Maintenance Costs: (\$ Thousands)</b>							
		2009	2010	2011	2012	2013	Total
Personnel							\$ -
Supplies							\$ -
Svcs. & Chgs.							\$ -
Capital Outlay							\$ -
<b>Total</b>		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
FTEs							-

**Fiscal Year Planned Expenses**

Project Allocation	Phase	Project Expenses thru 6/30/07	2008 Budget	2008 Estimate	2009	2010	2011	2012	2013	FY09 - FY13 Total	Cumulative Total (To Date)
1	Planning										\$ -
2	Acquisition		2,000,000	93,964	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	5,000,000	\$ 5,093,964
3	Design										\$ -
4	Construction										\$ -
5	Equipment										\$ -
6	Close-Out										\$ -
7	Other										\$ -
<b>Other Sub-Total:</b>											\$ -
<b>Total Allocations</b>		\$ -	\$ 2,000,000	\$ 93,964	\$ 1,000,000	\$ 1,000,000	\$ 1,000,000	\$ 1,000,000	\$ 1,000,000	\$ 5,000,000	\$ 5,093,964
<b>Source of Funds</b>											
TIRZ Increment Revenue											\$ -
TIRZ Increment Bond Funds			2,000,000	93,964	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	5,000,000	\$ 5,093,964
Grant Funds											\$ -
<b>Total Funds</b>		\$ -	\$ 2,000,000	\$ 93,964	\$ 1,000,000	\$ 1,000,000	\$ 1,000,000	\$ 1,000,000	\$ 1,000,000	\$ 5,000,000	\$ 5,093,964



<b>Project:</b> McCue Phase 1 Reconstruction Westheimer to Guilford		<b>City Council District:</b> 491		<b>Key Map:</b>		<b>WBS.:</b>		<b>T-1612</b>	
<b>Description:</b> Widening and reconstruction of roadway including curb, gutters, sidewalks, water, storm, and waste water system upgrades.		<b>Location:</b> G		<b>Geo. Ref.:</b>					
<b>Justification:</b> Safer on street parking, added roadway capacity, increased pedestrian safety, relieves congestion attributable to street and traffic signal deficiencies.		<b>Served:</b> G		<b>Neighborhood:</b> 21					
<b>Operating and Maintenance Costs: (\$ Thousands)</b>									
		2009	2010	2011	2012	2013	<b>Total</b>		
Personnel									
Supplies									
Svcs. & Chgs.									
Capital Outlay									
<b>Total</b>		\$ -	\$ -	\$ -	\$ -	\$ -			
<b>FTEs</b>									

**Fiscal Year Planned Expenses**

Project Allocation	Phase	Project Expenses thru 6/30/07	2008 Budget	2008 Estimate	2009	2010	2011	2012	2013	FY09 - FY13 Total	Cumulative Total (To Date)
1	Planning									\$ -	\$ -
2	Acquisition									\$ -	\$ -
3	Design	334,175								\$ -	\$ 334,175
4	Construction	2,985,842								\$ -	\$ 2,985,842
5	Equipment									\$ -	\$ -
6	Close-Out									\$ -	\$ -
7	Other									\$ -	\$ -
<b>Other Sub-Total:</b>		-	-	-	-	-	-	-	-	\$ -	\$ -
<b>Total Allocations</b>		\$ 3,320,017	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 3,320,017
<b>Source of Funds</b>											
TIRZ Increment Revenue											\$ -
TIRZ Increment Bond Funds		3,320,017								\$ -	\$ 3,320,017
Grant Funds										\$ -	\$ -
<b>Total Funds</b>		\$ 3,320,017	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 3,320,017

<b>Project:</b> South Post Oak Lane Reconstruction Ambassador Way to San Felipe		<b>City Council District:</b> G	<b>Key Map:</b> 491	<b>WBS.:</b> T-1613			
<b>Description:</b> Widening and reconstruction of roadway, including concrete pavement, curb and gutter, storm and waste water system upgrades.		<b>Location:</b> G	<b>Geo. Ref.:</b>				
<b>Justification:</b> Relieves traffic congestions through added capacity and improved signalization. Promotes internal circulation in Uptown area.		<b>Served:</b> G	<b>Neighborhood:</b> 21				
<b>Operating and Maintenance Costs: (\$ Thousands)</b>							
		2009	2010	2011	2012	2013	Total
Personnel							\$ -
Supplies							\$ -
Svcs. & Chgs.							\$ -
Capital Outlay							\$ -
<b>Total</b>		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
<b>FTEs</b>							-

**Fiscal Year Planned Expenses**

Project Allocation	Phase	Project Expenses thru 6/30/07	2008 Budget	2008 Estimate	2009	2010	2011	2012	2013	FY09 - FY13 Total	Cumulative Total (To Date)
1	Planning									\$ -	\$ -
2	Acquisition									\$ -	\$ -
3	Design			300,000						\$ -	\$ -
4	Construction		3,475,000	-	3,220,000		1,380,000			\$ 4,600,000	\$ 300,000
5	Equipment									\$ -	\$ 4,600,000
6	Close-Out									\$ -	\$ -
7	Other									\$ -	\$ -
<b>Other Sub-Total:</b>										\$ -	\$ -

<b>Total Allocations</b>	\$ -	\$ 3,475,000	\$ 300,000	\$ 3,220,000	\$ -	\$ 1,380,000	\$ -	\$ -	\$ -	\$ 4,600,000	\$ 4,900,000
<b>Source of Funds</b>											
TIRZ Increment Revenue											
TIRZ Increment Bond Funds		3,475,000	300,000	3,220,000		1,380,000				\$ 4,600,000	\$ 4,900,000
Grant Funds										\$ -	\$ -
<b>Total Funds</b>	\$ -	\$ 3,475,000	\$ 300,000	\$ 3,220,000	\$ -	\$ 1,380,000	\$ -	\$ -	\$ -	\$ 4,600,000	\$ 4,900,000

<b>Project:</b> Ambassador Way Reconstruction South Post Oak Lane to Post Oak Boulevard	<b>City Council District</b>	<b>Key Map:</b> 491	<b>WBS.:</b>		T-1614		
	<b>Location:</b> G	<b>Geo. Ref.:</b>					
<b>Description:</b> Reconstruction and widening of roadway, including concrete pavement, curb, gutter, water, storm and waste water system upgrades.	<b>Served:</b> G	<b>Neighborhood:</b> 21					
	<b>Operating and Maintenance Costs: (\$ Thousands)</b>						
<b>Justification:</b> Address traffic congestion caused by street and traffic signal deficiencies. Project benefits motorist and pedestrians.	Personnel	2009	2010	2011	2012	2013	Total
	Supplies						\$
	Svcs. & Chgs.						\$
	Capital Outlay						\$
	<b>Total</b>	\$	\$	\$	\$	\$	\$
<b>FTEs</b>							

**Fiscal Year Planned Expenses**

Project Allocation	Project Expenses thru 6/30/07	2008 Budget	2008 Estimate	2009	2010	2011	2012	2013	FY09 - FY13 Total	Cumulative Total (To Date)
<b>Phase</b>										
1 Planning									\$	\$
2 Acquisition									\$	\$
3 Design			200,000						\$	\$
4 Construction		2,100,000		2,030,000	870,000				\$ 2,900,000	\$ 2,900,000
5 Equipment									\$	\$
6 Close-Out									\$	\$
7 Other									\$	\$
<b>Other Sub-Total:</b>									\$	\$
<b>Total Allocations</b>	\$	\$ 2,100,000	\$ 200,000	\$ 2,030,000	\$ 870,000	\$	\$	\$	\$ 2,900,000	\$ 3,100,000
<b>Source of Funds</b>										
TIRZ Increment Revenue									\$	\$
TIRZ Increment Bond Funds		2,100,000	200,000	2,030,000	870,000				\$ 2,900,000	\$ 3,100,000
Grant Funds									\$	\$
<b>Total Funds</b>	\$	\$ 2,100,000	\$ 200,000	\$ 2,030,000	\$ 870,000	\$	\$	\$	\$ 2,900,000	\$ 3,100,000

<b>Project:</b> Skylark - San Felipe to Post Oak Lane		<b>City Council District:</b> 491		<b>Key Map:</b> 491		<b>WBS.:</b>		<b>T-1615</b>	
<b>Description:</b> Construction and extension of Skylark between San Felipe and Post Oak Lane, dedication of additional right-of-way, replacement of public utilities, pedestrian amenities.		<b>Location:</b> G		<b>Geo. Ref.:</b>					
<b>Justification:</b> Extended roadway will allow eastbound traffic to avoid intersection of South Post Oak Lane and Post Oak Boulevard.		<b>Served:</b> G		<b>Neighborhood:</b> 21					
<b>Operating and Maintenance Costs: (\$ Thousands)</b>									
		2009	2010	2011	2012	2013	<b>Total</b>		
Personnel									\$
Supplies									\$
Svcs. & Chgs.									\$
Capital Outlay									\$
<b>Total</b>		\$	\$	\$	\$	\$			\$
FTEs									

**Fiscal Year Planned Expenses**

Project Allocation	Project Expenses thru 6/30/07	2008 Budget	2008 Estimate	2009	2010	2011	2012	2013	FY09 - FY13 Total	Cumulative Total (To Date)
<b>Phase</b>										
1 Planning									\$	\$
2 Acquisition									\$	\$
3 Design			100,000						\$	\$
4 Construction		1,100,000		910,000		390,000			\$ 1,300,000	\$ 100,000
5 Equipment									\$	\$
6 Close-Out									\$	\$
7 Other									\$	\$
<b>Other Sub-Total:</b>									\$	\$

<b>Total Allocations</b>	\$	\$ 1,100,000	\$ 100,000	\$ 910,000	\$	\$ 390,000	\$	\$	\$ 1,300,000	\$ 1,400,000
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Source of Funds	2009	2010	2011	2012	2013	FY09 - FY13 Total	Cumulative Total (To Date)
TIRZ Increment Revenue							\$
TIRZ Increment Bond Funds		1,100,000				\$ 1,100,000	\$ 1,400,000
Grant Funds						\$	\$
<b>Total Funds</b>	\$	\$ 1,100,000	\$ 100,000	\$ 910,000	\$	\$ 1,300,000	\$ 1,400,000

<b>Project:</b> Secondary Roadways		<b>City Council District</b>	<b>Key Map:</b> 491	<b>WBS.:</b>		T-1616
<b>Description:</b> Design and preliminary engineering for secondary roadway system including dedication of right-of-way.		<b>Location:</b> G	<b>Geo. Ref.:</b>			
<b>Justification:</b> Project will address traffic congestion caused by street and traffic signal deficiencies. Provide relief to primary roadway network.		<b>Served:</b> G	<b>Neighborhood:</b> 21			
<b>Operating and Maintenance Costs: (\$ Thousands)</b>						
		2009	2010	2011	2012	2013
Personnel						Total
Supplies						\$
Svcs. & Chgs.						\$
Capital Outlay						\$
<b>Total</b>		\$	\$	\$	\$	\$
<b>FTEs</b>						

**Fiscal Year Planned Expenses**

Project Allocation	Phase	Project Expenses thru 6/30/07	2008 Budget	2008 Estimate	2009	2010	2011	2012	2013	FY09 - FY13 Total	Cumulative Total (To Date)
	1 Planning									\$	\$
	2 Acquisition									\$	\$
	3 Design		200,000	175,000	200,000	200,000	200,000	200,000	200,000	\$ 1,000,000	\$ 1,175,000
	4 Construction									\$	\$
	5 Equipment									\$	\$
	6 Close-Out									\$	\$
	7 Other									\$	\$
<b>Other Sub-Total:</b>										\$	\$
<b>Total Allocations</b>		\$	\$ 200,000	\$ 175,000	\$ 200,000	\$ 200,000	\$ 200,000	\$ 200,000	\$ 200,000	\$ 1,000,000	\$ 1,175,000
<b>Source of Funds</b>											
	TIRZ Increment Revenue									\$	\$
	TIRZ Increment Bond Funds	200,000		175,000	200,000	200,000	200,000	200,000	200,000	\$ 1,000,000	\$ 1,175,000
	Grant Funds									\$	\$
<b>Total Funds</b>		\$	\$ 200,000	\$ 175,000	\$ 200,000	\$ 200,000	\$ 200,000	\$ 200,000	\$ 200,000	\$ 1,000,000	\$ 1,175,000



<b>Project:</b> Westheimer / Area-Wide Pedestrian		<b>City Council District:</b> 491	<b>Key Map:</b> T-1618			
<b>Location:</b> G	<b>Geo. Ref.:</b>	<b>WBS.:</b>				
<b>Served:</b> G	<b>Neighborhood:</b> 21					
<b>Description:</b> Safe sidewalks and lighting program.						
<b>Justification:</b> Provides safe and illuminated pathways for pedestrian and transit patrons.						
<b>Operating and Maintenance Costs: (\$ Thousands)</b>						
	2009	2010	2011	2012	2013	Total
Personnel						\$ -
Supplies						\$ -
Svcs. & Chgs.						\$ -
Capital Outlay						\$ -
<b>Total</b>	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
FTEs						-

**Fiscal Year Planned Expenses**

Project Allocation	Project Expenses thru 6/30/07	2008 Budget	2008 Estimate	2009	2010	2011	2012	2013	FY09 - FY13 Total	Cumulative Total (To Date)
<b>Phase</b>										
1 Planning									\$ -	\$ -
2 Acquisition									\$ -	\$ -
3 Design		500,400		1,000,800					\$ 1,000,800	\$ 1,000,800
4 Construction		3,669,600		-	3,169,200	4,170,000			\$ 7,339,200	\$ 7,339,200
5 Equipment									\$ -	\$ -
6 Close-Out									\$ -	\$ -
7 Other									\$ -	\$ -
<b>Other Sub-Total:</b>									\$ -	\$ -

<b>Total Allocations</b>	\$ -	\$ 4,170,000	\$ -	\$ 1,000,800	\$ 3,169,200	\$ 4,170,000	\$ -	\$ -	\$ 8,340,000	\$ 8,340,000
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<b>Source of Funds</b>										
TIRZ Increment Revenue									\$ -	\$ -
TIRZ Increment Bond Funds		2,085,000		1,000,800	1,084,200	2,085,000			\$ 4,170,000	\$ 4,170,000
Grant Funds		2,085,000		-	2,085,000	2,085,000			\$ 4,170,000	\$ 4,170,000
<b>Total Funds</b>	\$ -	\$ 4,170,000	\$ -	\$ 1,000,800	\$ 3,169,200	\$ 4,170,000	\$ -	\$ -	\$ 8,340,000	\$ 8,340,000

<b>Project:</b>		<b>Post Oak Boulevard Reconstruction</b>		<b>City Council District</b>		<b>Key Map:</b>		<b>WBS.:</b>		<b>T-1619</b>	
				<b>Location:</b>		<b>Geo. Ref.:</b>					
				<b>Served:</b>		<b>Neighborhood:</b>					
				2009		2010		2011		2012	
				2013		2014		2015		2016	
<b>Description:</b>		Reconstruction of a six-lane roadway, all utilities, sidewalks and amenities. Approximately 10,000 LF of major thoroughfare serving the core development of the Uptown District.									
<b>Justification:</b>		Pavement and utilities are at the end of their life cycle. This boulevard provides the spine of the distribution of Uptown 100,000 trips per day from the west Loop, Westpark Tollway and the major east/west thoroughfare.									
		Personnel								Total	
		Supplies								Total	
		Svcs. & Chgs.								Total	
		Capital Outlay								Total	
		FTEs								Total	

**Fiscal Year Planned Expenses**

Project Allocation	Project Expenses thru 6/30/07	2008 Budget	2008 Estimate	2009	2010	2011	2012	2013	FY09 - FY13 Total	Cumulative Total (To Date)
1 Planning									\$ -	\$ -
2 Acquisition									\$ -	\$ -
3 Design			50,000						\$ -	\$ 50,000
4 Construction				2,000,000	2,000,000				\$ 4,000,000	\$ 4,050,000
5 Equipment									\$ -	\$ -
6 Close-Out									\$ -	\$ -
7 Other									\$ -	\$ -
<b>Other Sub-Total:</b>									\$ -	\$ -

<b>Total Allocations</b>	\$ -	\$ -	\$ 50,000	\$ 2,000,000	\$ 2,000,000	\$ -	\$ -	\$ -	\$ 4,000,000	\$ 4,050,000
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Source of Funds	2009	2010	2011	2012	2013	FY09 - FY13 Total	Cumulative Total (To Date)
TIRZ Increment Revenue						\$ -	\$ -
TIRZ Increment Bond Funds						\$ -	\$ -
Grant Funds						\$ -	\$ -
<b>Total Funds</b>	\$ -	\$ -	\$ 50,000	\$ 2,000,000	\$ 2,000,000	\$ 4,000,000	\$ 4,050,000



<b>Project:</b>		<b>Garretson Reconstruction</b>		<b>City Council District</b>		<b>Key Map:</b>		<b>WBS.:</b>		<b>T-1620</b>					
		<b>Post Oak Boulevard to San Felipe</b>		<b>Location:</b>		<b>Geo. Ref.:</b>									
				<b>Served:</b>		<b>Neighborhood:</b>		<b>21</b>							
<b>Description:</b>		Widening of a current two-lane asphalt roadway with open ditches to a four-lane, undivided concrete roadway with storm sewer and other utilities. This will include new sidewalks which are currently not continuous.													
<b>Justification:</b>		Currently Garretson Lane connects Post Oak Boulevard with a traffic signal, and San Felipe with a tow-lane roadway. Current and proposed developments requires the widening of this secondary roadway. Further this project will serve as a detour in the construction of San Felipe at Post Oak Blvd intersection.													
				<b>2009</b>		<b>2010</b>		<b>2011</b>		<b>2012</b>		<b>2013</b>		<b>Total</b>	
				Personnel										\$ -	
				Supplies										\$ -	
				Svcs. & Chgs.										\$ -	
				Capital Outlay										\$ -	
				<b>Total</b>		\$ -		\$ -		\$ -		\$ -		\$ -	
				FTEs											

**Fiscal Year Planned Expenses**

Project Allocation		Project Expenses thru 6/30/07	2008 Budget	2008 Estimate	2009	2010	2011	2012	2013	FY09 - FY13 Total	Cumulative Total (To Date)
1	Planning									\$ -	\$ -
2	Acquisition									\$ -	\$ -
3	Design	150,000								\$ -	\$ -
4	Construction				1,700,000					\$ 1,700,000	\$ 150,000
5	Equipment									\$ -	\$ 1,700,000
6	Close-Out									\$ -	\$ -
7	Other									\$ -	\$ -
<b>Other Sub-Total:</b>										\$ -	\$ -
<b>Total Allocations</b>		\$ 150,000	\$ -	\$ -	\$ 1,700,000	\$ -	\$ -	\$ -	\$ -	\$ 1,700,000	\$ 1,850,000

Source of Funds		2009	2010	2011	2012	2013	FY09 - FY13 Total	Cumulative Total (To Date)
TIRZ Increment Revenue								
TIRZ Increment Bond Funds	150,000						\$ 1,700,000	\$ 1,850,000
Grant Funds							\$ -	\$ -
<b>Total Funds</b>	\$ 150,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,700,000	\$ 1,850,000

<b>Project:</b>	<b>North and South Wynden</b>		<b>City Council District</b>		<b>Key Map:</b>		<b>WBS.:</b>		<b>T-1621</b>
	<b>South Post Oak Lane to Uptown Park Boulevard</b>		<b>Location:</b>		<b>Geo. Ref.:</b>				
<b>Description:</b>	Reconstruct Wynden circle as a two-lane roadway with new storm sewers and sidewalks; and its connection to Uptown Park Boulevard eastbound via Huntley Road.		<b>Served:</b>		<b>Neighborhood:</b>		<b>21</b>		
<b>Justification:</b>	The reconstruction will provide pavement improvements, new sidewalks, street parking, and access to Uptown Park Boulevard.		<b>Operating and Maintenance Costs: (\$ Thousands)</b>						
			<b>2009</b>	<b>2010</b>	<b>2011</b>	<b>2012</b>	<b>2013</b>	<b>Total</b>	
	Personnel							\$	-
	Supplies							\$	-
	Svcs. & Chgs.							\$	-
	Capital Outlay							\$	-
	<b>Total</b>		\$	-	\$	-	\$	-	\$
	FTEs								-

**Fiscal Year Planned Expenses**

<b>Project Allocation</b>	<b>Project Expenses thru 6/30/07</b>	<b>2008 Budget</b>	<b>2008 Estimate</b>	<b>2009</b>	<b>2010</b>	<b>2011</b>	<b>2012</b>	<b>2013</b>	<b>FY09 - FY13 Total</b>	<b>Cumulative Total (To Date)</b>
<b>Phase</b>										
1 Planning									\$	\$
2 Acquisition									\$	\$
3 Design				500,000					\$	\$
4 Construction				5,000,000					\$	\$
5 Equipment									\$	\$
6 Close-Out									\$	\$
7 Other									\$	\$
<b>Other Sub-Total:</b>									\$	\$

<b>Total Allocations</b>	\$	-	\$	-	\$	-	\$	-	\$	5,500,000	\$	5,500,000
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<b>Source of Funds</b>	<b>2009</b>	<b>2010</b>	<b>2011</b>	<b>2012</b>	<b>2013</b>	<b>FY09 - FY13 Total</b>	<b>Cumulative Total (To Date)</b>
TIRZ Increment Revenue							\$
TIRZ Increment Bond Funds							\$
Grant Funds	5,500,000					\$	\$
<b>Total Funds</b>	\$	-	\$	-	\$	-	\$

<b>Project:</b>	Park Project - Water Wall Acquisition and Operation		Key Map: 491Y		WBS.: T-1622	
<b>Description:</b>	Pursue of Water Wall and provision for facility operation and capital maintenance.		City Council District: C		Geo. Ref.: Neighborhood: 21	
<b>Justification:</b>	Acquisition of Water Wall by a public entity will preserve the landmark feature as a public park.		Operating and Maintenance Costs: (\$ Thousands)		Total	
	2009	2010	2011	2012	2013	Total
Personnel						
Supplies	200,000	200,000	200,000	200,000	200,000	\$ 1,000,000
Svcs. & Chgs.						
Capital Outlay						
<b>Total</b>	\$ 200,000	\$ 200,000	\$ 200,000	\$ 200,000	\$ 200,000	\$ 1,000,000
FTEs						

**Fiscal Year Planned Expenses**

Project Allocation	Project Expenses thru 6/30/07	2008 Budget	2008 Estimate	2009	2010	2011	2012	2013	FY09 - FY13 Total	Cumulative Total (To Date)
<b>Phase</b>										
1 Planning										
2 Acquisition				8,500,000					\$ 8,500,000	\$ 8,500,000
3 Design										
4 Construction										
5 Equipment										
6 Close-Out										
7 Other				200,000	200,000	200,000	200,000	200,000	\$ 1,000,000	\$ 1,000,000
<b>Other Sub-Total:</b>				200,000	200,000	200,000	200,000	200,000	\$ 1,000,000	\$ 1,000,000
<b>Total Allocations</b>	\$	\$	\$	\$ 8,700,000	\$ 200,000	\$ 200,000	\$ 200,000	\$ 200,000	\$ 9,500,000	\$ 9,500,000
<b>Source of Funds</b>										
TIRZ Increment Revenue				200,000	200,000	200,000	200,000	200,000	\$ 1,000,000	\$ 1,000,000
TIRZ Increment Bond Funds				8,500,000					\$ 8,500,000	\$ 8,500,000
Grant Funds									\$	\$
<b>Total Funds</b>	\$	\$	\$	\$ 8,700,000	\$ 200,000	\$ 200,000	\$ 200,000	\$ 200,000	\$ 9,500,000	\$ 9,500,000

**REQUEST FOR COUNCIL ACTION**

**TO: Mayor via City Secretary**

**RCA #**

**SUBJECT:** Approval of an ordinance to adopting a Final Zone Project and Reinvestment Zone Financing Plan for Tax Increment Reinvestment Zone No. Twenty-One (Hardy Yard Zone).

**Category #**

**Page**  
1 of 1

**Agenda Item#**

**38**

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

Michelle Mitchell, Director  
Finance Department

**Origination Date**  
December 18, 2008

**Agenda Date**  
DEC 30 2008

**DIRECTOR'S SIGNATURE:**

*J. Loch*  
Finance Department

**Council Districts affected:**  
H

**For additional information contact:**

Robert Fiederlein Phone: (832)393-8091

**Date and identification of prior authorizing Council Action:** Ord. 2003-1258, December 17, 2003

**RECOMMENDATION: (Summary)**

That City Council approve an ordinance to adopt a Final Zone Project and Reinvestment Zone Financing Plan for Tax Increment Reinvestment Zone No. Twenty-One (Hardy Yard Zone).

**Amount of Funding:** No Funding Required

**Finance Budget:**

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

**SPECIFIC EXPLANATION:**

On December 17, 2003, City Council approved the creation of Tax Increment Reinvestment Zone No. Twenty-One (Hardy Yard Zone). At that time City Council was presented with a Preliminary Zone Project and Reinvestment Zone Financing Plan. On December 18, 2008, the board of directors of the Zone approved for City Council consideration a Final Zone Project and Reinvestment Zone Financing Plan (the "Final Plan").

The Final Plan details two projects that will be implemented by the Zone. The first project will be affordable housing in the city of Houston. The Final Plan designates one-third of Zone revenues for affordable housing. These funds will be annually transmitted to the Housing and Community Development Department to aid the Department in its objective of providing the citizens of Houston affordable housing. The second project detailed in the Final Plan is the proposed extension of San Jacinto north to the southern terminus of Fulton St. Presently, mobility between the Near Northside community and Downtown is limited by the small number of streets that connect the two adjacent areas. The citizens of the Near Northside, through the *Northside Village Economic Revitalization Plan* (2001), identified this as a beneficial project for the Near Northside. Because of the existence of active rail lines through the Hardy Yards, a grade-separated design will likely be required. The balance of the funds after the one-third set-aside for affordable housing is designated for this project.

The Economic Development Division of the Finance Department recommends City Council adopt the Final Plan as presented herein.

Attachment: Final Zone Project and Reinvestment Zone Financing Plan

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

**REQUIRED AUTHORIZATION**

**Finance Director:**

*J. Loch*

**Other Authorization:**

*[Signature]*

**Other Authorization:**

*[Signature]*

38  
DEC 30 2008

# **CITY OF HOUSTON**

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## **TAX INCREMENT REINVESTMENT ZONE NUMBER TWENTY-ONE**

### **FINAL PROJECT PLAN & REINVESTMENT ZONE FINANCING PLAN**

**December 15, 2008**

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# CITY OF HOUSTON HARDY PLACE TIRZ

## I. EXECUTIVE SUMMARY

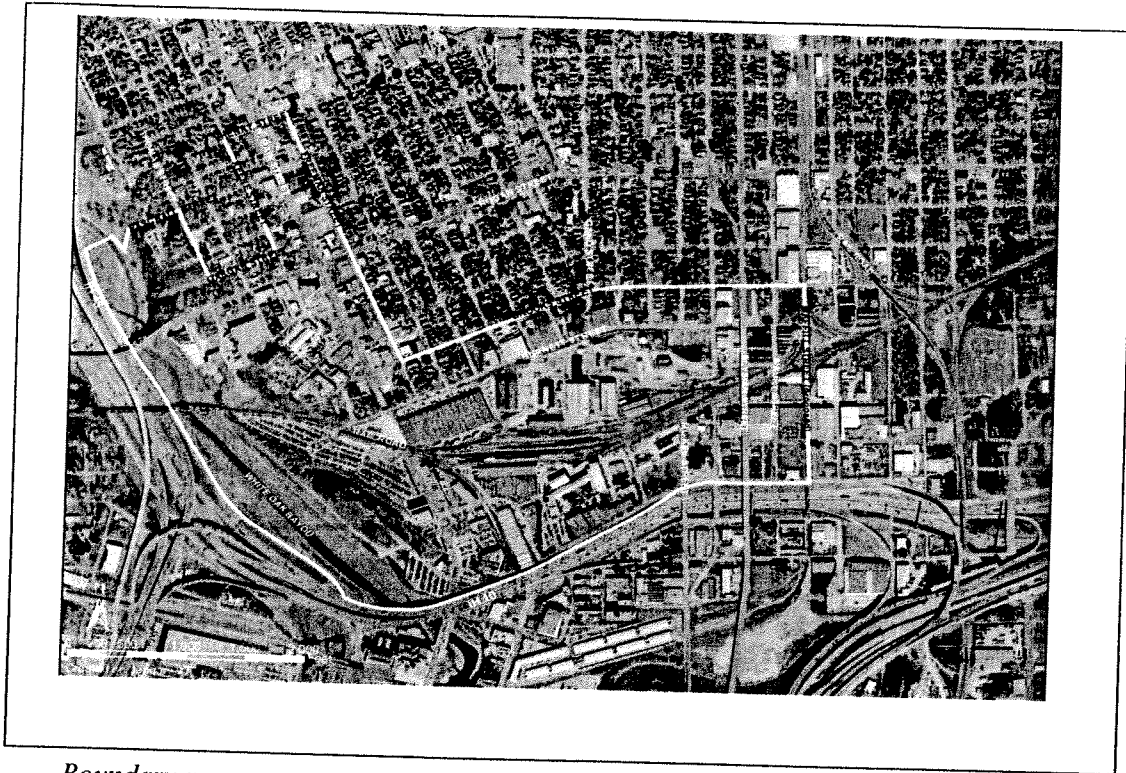
City Council created Tax Increment Reinvestment Zone Number Twenty-One (Hardy/Near Northside Zone – the “Zone”) by Ordinance No. 2003-1258 on December 17, 2003 pursuant to a public hearing held on November 19, 2003. The City proposes to modify the preliminary plan by adopting this Final Project Plan & Reinvestment Zone Financing Plan (the “Final Plan”). The Final Plan reflects new project financing priorities that will include the following: 1) affordable housing development; and 2) mobility improvements.

The basis for the creation of the Zone in 2003 was to facilitate the redevelopment of the former 43-acre Union Pacific rail yard site and the general North Main St. area to promote mixed-use and affordable housing development within the overall 242-acre zone. The revitalization of this 242-acre area (gross acres inclusive of ROW and public properties) was initially intended to be led by the transition of the rail yard site into a new inner-city neighborhood (“Hardy Place”) characterized by a dynamic mix of uses, high residential densities, a pleasant and walkable street environment and a transit-friendly design. However, the original developer behind the Hardy Place redevelopment concept subsequently sold the property on which it was centered and subsequent owners have not pursued significant redevelopment activity.

The Houston-Galveston Area Council projects that approximately one million new residents will move to the Houston area in the next 10 years, and that the metropolitan area will continue to grow from its current population of 4.8 to 7.5 million by 2025. CDS Market Research estimates that these new residents will require approximately 589,000 new dwelling units and that 62,000 dwelling units are likely to be purchased or rented downtown, provided housing can be made available to meet their needs (see Appendix A, pg. 12).

The Zone, shown as Exhibit 1, is strategically located within an area generally bounded by the north right-of-way line of Interstate 10 on the South, the far western boundary of White Oak Bayou on the west, the north right-of-way lines of Paschall, Gargan, Henry and Brooks Streets in stair-step fashion on the north, the east right-of-way line of Maffitt Street on the east, including the Main Street corridor and properties fronting both sides of N. Main Street to Henry Street.

## Exhibit 1



*Boundary map*

At the time of the Zone's creation in 2003, the Houston-Galveston Area Council projected that approximately one million new residents would move to the Houston area in the next 10 years, and that the metropolitan area will continue to grow from its current population of 4.8 to 7.5 million by 2025. CDS Market Research estimates that these new residents will require approximately 589,000 new dwelling units and that 62,000 dwelling units are likely to be purchased or rented downtown, provided housing can be made available to meet their needs (see Appendix A, pg. 12).

## II. PROJECT PLAN

This document constitutes the Final Plan for the Zone and has been prepared in accordance with the requirements of Chapter 311.011 of the Texas Tax Code. The Final Plan describes the project costs to be funded by the Zone along with the methods of financing and sources of funding available to the Zone.

### A. Existing Conditions and Proposed Uses §311.011(b)(1)

#### Existing Conditions -

The Zone is located immediately north of downtown Houston. It is an industrial area once dominated by a 100-year-old long discontinued Union Pacific (UP) rail yard recently sold for non-rail use. The rail yard area requires significant environmental remediation beyond that done by UP prior to sale, and that cleanup is critical to the revitalization of the 43-acre catalyst project that is the linchpin to the rejuvenation of the entire area. These remediation costs will be borne by the current owners of the former



Union Pacific rail yard site.

With the purchase of the site, the owners of the 43-acre Hardy Yard joined the Voluntary Cleanup Program (VCP) with the Texas Commission on Environmental Quality (TCEQ) in order to ultimately obtain a residential environmental closure for the site. Environmental work at the site has been completed to the point that the owners of the site obtained a Conditional Closure Certificate from the TCEQ on April 14, 2008.

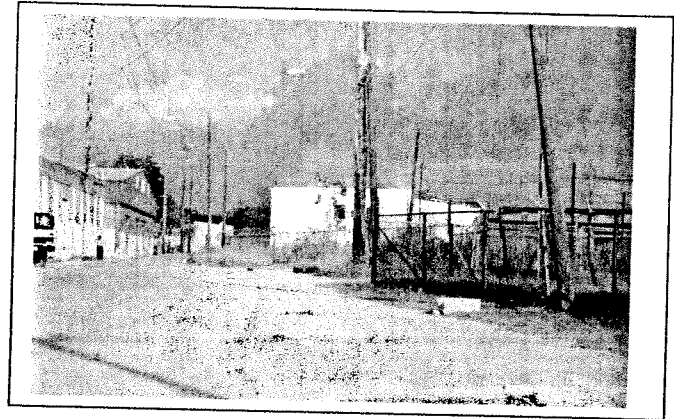
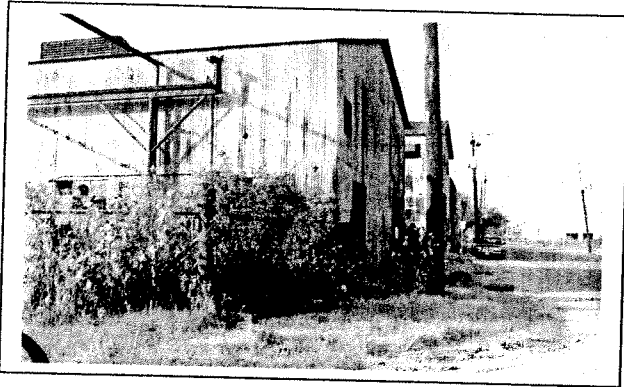
This is a very old area of Houston and suffers from declining and limited infrastructure. Because of the existing land uses, the 43-acre rail site has typical road patterns and water and sewer systems of an aging industrial area and most of the area's infrastructure was installed before storm water systems were constructed. Therefore extensive infrastructure improvements, including roads, are needed. The lack of a roadway network has made it difficult to access Near Northside neighborhoods from Downtown. Improving access and circulation in Hardy Yard will improve access to the Near Northside and help residents and property owners grow their community.

Moreover, the necessity to retain a certain number of railroad tracks will require some of the mobility projects to be grade separated. Creating an access corridor is vital to opening the area and allowing circulatory patterns open to the Central Business District (CBD).

The proposed Hardy Toll Road Connector is to extend into the CBD and will be constructed along the eastern boundary of the Zone. Improving east/west, north/south, and freeway access to the site will provide a means of stimulating redevelopment, improving existing conditions, and addressing the mobility needs of the entire Near Northside community.

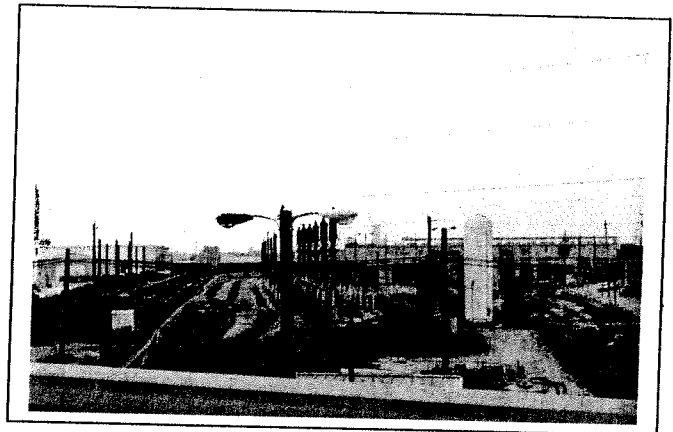
The area between the rail line and I-10 was developed originally as Houston's warehouse district, serving as the link between the original port at Allen's Landing and the railroad network. As Houston grew, the port moved downstream to the Turning Basin on the Ship Channel, and the area lost importance as a warehouse center. However, oilfield service companies and other industrial users remain in the area and constitute a significant percentage of the current land mix. The photos below reflect the current conditions in the area.

- ❖ Areas devoid of infrastructure
- ❖ Lack of drainage
- ❖ Lack of sidewalk



- ❖ Vacant and decaying structures
- ❖ Environmentally impacted properties

- ❖ Obsolete platting
- ❖ Flood Plain Issues
- ❖ Crisscrossed easements and rights-of-way, hindering continuous access and impacting development opportunities
- ❖ Inadequate internal circulation
- ❖ Limited Access
- ❖ Minimal continuous east/west access
- ❖ Crumbling and failing infrastructure



Much of the west and southwest portions of the Zone are located in the floodway and floodplain and are privately owned.

The proximity of incompatible land uses is shown in the land use map identified as Exhibit 3. This map reflects the current land use mix in the Zone boundaries, as contained in Harris County Appraisal District records in 2002.

**Proposed Uses** - Through creation of the Zone, the City has an opportunity to influence the delivery of affordable housing in the Zone and the Near Northside generally. Additionally, the Zone may capitalize on recent development trends that will promote transit-oriented, mixed-use development. For example, some of the warehouse structures located in the general area have been converted to artists' studios and loft apartments. The presence of the University of Houston's Downtown campus at One Main could serve as a catalyst for turning this area into a busy student district. The resurgence in new housing in the inner city or close to Downtown demonstrates that a significant residential market component is attracted to living closer to the workplace and the social and





**B. Municipal Ordinances §311.011(b)(2)**

There are no proposed changes to any building codes or other municipal ordinances of the city as a result of the projects proposed herein.

**C. Non-Project Costs §311.011(b)(3)**

Non-Project Costs represent costs and expenditures for projected private and public investments that will not be funded by the Zone. Exhibit 5 shows the non-Project Costs contemplated.

**Exhibit 5**

<b>Project Description</b>	<b>Estimated Non-Project Cost</b>
North Light Rail Line	\$677,000,000
<b>Total Estimated Non Project Costs</b>	<b>\$677,000,000</b>

**D. Relocation §311.011(b)(4)**

It is not contemplated that either residential or commercial relocation will be required.

**III. FINANCING PLAN**

In addition to the proposed projects (Non-Project Costs) listed in Exhibit 5, the Zone is intended to provide funding for affordable housing development and municipal services costs associated with increased development projected for the Zone. Successful implementation of the Final Plan should result in an increase in the tax base of the Zone and for the surrounding areas.

**A. Estimated Project Costs Description §311.011(c)(1)**

It is estimated that the total project costs for the entire 242 acres will be approximately \$24.9 million defined in Exhibit 6.

The Project Costs in Exhibit 6 track the categories of eligible project costs established in Section 311.02 of the Texas Tax Code. The dollar amounts are approximate and may be amended subject to the Zone Board and City Council approval. The financing costs are a function of project financing needs and market conditions and may vary significantly from what is shown. Zone operation costs include both city and Zone administration costs.

**Exhibit 6**

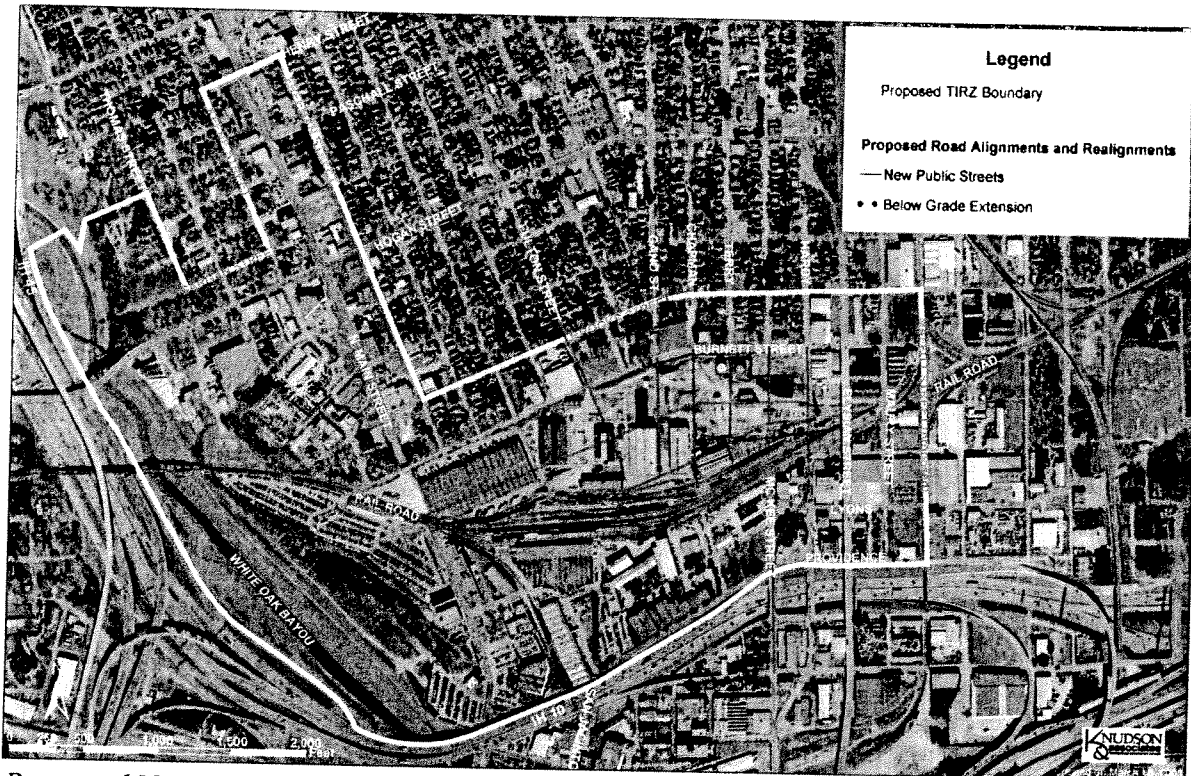
<b>PROJECT DESCRIPTIONS</b>	<b>ESTIMATED COSTS</b>
<b>Estimated Total Capital Costs and Professional Fees</b>	
<b>Affordable Housing Development -</b> Pursuant to Chapter 311, TIRZ increment revenue may finance affordable housing development either inside or outside the TIRZ boundaries.	\$5,000,000
<b>Mobility Improvements -</b> Extension of San Jacinto north to southern terminus of Fulton, potentially grade-separated.	\$16,000,000
<b>Financing Costs</b>	\$1,700,000
<b>Zone Creation and Operations for the 30-Year Duration of the Zone</b>	\$2,200,000
<b>TOTAL ESTIMATE OF PROJECT COSTS</b>	<b>\$24,900,000</b>

**B. Kind, Number, and Location of Public Works or Improvements §311.011(c)(2)**

Chapter 311 of the Texas Tax Code allows a municipality to expend affordable housing project costs either inside or outside a zone’s boundaries. One-third of the revenue net of city and Zone administrative costs will be designated for affordable housing.

The extension of San Jacinto north to the southern terminus of Fulton is depicted in Exhibit 7. This will provide a much needed additional link between Downtown and the Near Northside. This project was identified as a high priority project by the *Northside Village Economic Revitalization Plan* conducted by the city’s Planning Department with community input in 2001. Partnerships for the design and construction of this new roadway will be pursued.

## Exhibit 7



*Proposed Non-Project Cost Road Alignments and*

### **C. Economic Feasibility Study §311.011(c)(3)**

In accordance with the provisions of Chapter 311.011(c)(3), the market research firm CDS Market Research was retained to perform an economic feasibility study (the "Study"). The Study suggests that a strong demand for housing in and near Downtown will prevail during the 30-year life of the Zone based on projected population growth for Harris County and the 1999 CDS Survey of Housing Demand. The Study notes the dwindling supply of large acreage sites suitable in location and price range for redevelopment, which should position the Zone to fill a portion of the growing demand for near town housing.

As previously stated, CDS Market Research estimates that these new residents will require approximately 589,000 new dwelling units and that 62,000 are likely to be purchased or rented downtown, provided housing can be made available to meet their needs (see Appendix A, pg. 12). With regard to the commercial and office development plans projected for the Zone, the Study indicates that these uses comprise only a small fraction of the total demand projected for Harris County during the life of the Zone indicating a likely positive absorption rate within the Zone for these uses. The Zone's projected shares of the total 30-year Harris County demand are 0.7% Residential Housing, 1.2% General Purpose office, 0.6% Multi-Tenant Retail, and 2.6% Office / Service space.

CDS summarizes “that there appears to be sizable market potentials in multiple land uses available to many present and future TIRZs and other real estate developments throughout the Houston area. The Hardy/Near Northside TIRZ offers Houston’s extended downtown area and Near Northside the opportunity to participate along with these projects in the substantial market represented by these potentials.” A copy of the Study is included as Appendix A.

**D. Estimated Bonded Indebtedness to be Incurred §311.011(c)(4)**

With City Council approval, the Zone may issue bonds, notes, or other obligations secured by tax increment revenues, at the time the Zone generates sufficient tax increment revenues to pay principal and interest on such obligations, the proceeds of which could be used to pay for project costs as defined in Texas Tax Code Sec. 311.002(1) (“project Costs”). However, the Zone may elect to pay for Project Costs directly from tax increment proceeds as they become available, without the sale of bonds or notes.

**E. Estimated Date When Monetary Obligations Are to be Incurred §311.011(c)(5)**

The Zone will incur monetary obligations as the stream of tax increment revenues allow. Administrative costs and costs related to the creation and organization of the Zone may be paid from the issuance of bonds or notes or directly from tax increment revenue.

**F. Methods of Financing and Sources of Revenue §311.011(c)(6)**

To ensure timely construction of public improvements, both “pay-as-you-go” and various methods of financing may be utilized. These include:

**Tax Increment Bonds or Notes.** As allowed by annual incremental increases in Zone assessed value, tax-exempt tax increment bonds or notes may be issued to fund improvements.

**Other private financing.** Some projects may be financed on a short-term basis through private financial institutions.

The primary source of revenue will be the tax increment, which is ad valorem real property tax revenue generated on the captured appraised value. The City will participate in the Zone at the city’s current tax rate (\$0.63875 per \$100 of assessed value). Should other jurisdictions wish to participate, this Final Plan will allow such participation now or at a later date. In accordance with the provisions of Texas Tax Code Chapter 311, if a jurisdiction chooses to participate in the Zone, its participation will be evidenced by an Interlocal Agreement with the City and the Zone stating the share of property taxes that



will be deposited in the tax increment fund on an annual basis. The current participation levels are shown in Exhibit 8, with tax rates given per \$100 of assessed value:

**Exhibit 8**

<b>Jurisdiction</b>	<b>2008 Tax Rate</b>	<b>Anticipated Participation</b>
City of Houston	\$0.63875/\$100	100%

**G. Current Appraised Value of Taxable Real Property §311.011(c)(7)**

The total assessed taxable value of real property within the Zone in 2003 (Base Year Value) is \$40,313,080 based upon the 2003 Harris County Certified Tax Roll. The ad valorem tax revenue generated on the Base Year Value will be paid to the participating jurisdictions over the life of the Zone. The Tax Year 2008 taxable value of real property within the Zone is \$86,190,810.

**H. Estimated Captured Appraised Value of the Zone During Each Year of Its Existence §311.011(c)(8)**

The Zone Project Costs will be funded through capture of incremental ad valorem tax revenue above the Base Year Value, or the “Captured Appraised Value.” Exhibit 9 reflects the projected annual Captured Appraised Value and the incremental revenue generated by each jurisdiction’s participation.

**I. Duration of the Zone §311.011(c)(9)**

The Zone has a duration of thirty (30) years and expires of December 31, 2033. However, in the event the Zone improvements are completed and fully repaid, the Zone may be terminated sooner.

Exhibit 9: Estimated Revenues Hardy Yard Zone Tax Years 2004 to 2033

Tax Year (1)	Fiscal Year	Base Value	Projected Value (2)	Captured Appraised Value	Collection Rate	Tax Rate	Increment Revenue	City Admin (5%)	Zone Administration	Affordable Housing	Balance
2004	2005	\$ 40,313,080	\$ 43,481,080	\$ 3,168,000	99.01%	0.650001	\$ 20,388	\$ 1,019	\$ -	\$ 6,796	\$ 13,692
2005	2006	\$ 40,313,080	\$ 47,401,073	\$ 7,087,993	95.77%	0.64750	\$ 43,953	\$ 2,198	\$ -	\$ 14,651	\$ 29,302
2006	2007	\$ 40,313,080	\$ 65,138,505	\$ 24,825,425	95.73%	0.64500	\$ 153,287	\$ 7,684	\$ -	\$ 51,096	\$ 102,191
2007	2008	\$ 40,313,080	\$ 82,885,722	\$ 42,572,642	85.47%	0.64375	\$ 234,240	\$ 11,712	\$ -	\$ 78,080	\$ 156,150
2008	2009	\$ 40,313,080	\$ 86,190,810	\$ 45,877,730	95.00%	0.63875	\$ 278,392	\$ 13,920	\$ -	\$ 79,824	\$ 159,648
2009	2010	\$ 40,313,080	\$ 90,089,396	\$ 49,756,316	95.00%	0.63875	\$ 301,928	\$ 15,096	\$ -	\$ 79,824	\$ 157,887
2010	2011	\$ 40,313,080	\$ 94,122,519	\$ 53,809,439	95.00%	0.63875	\$ 326,822	\$ 16,326	\$ -	\$ 79,824	\$ 173,464
2011	2012	\$ 40,313,080	\$ 98,358,033	\$ 58,044,953	95.00%	0.63875	\$ 352,224	\$ 17,611	\$ -	\$ 79,824	\$ 189,742
2012	2013	\$ 40,313,080	\$ 102,784,144	\$ 62,471,084	95.00%	0.63875	\$ 379,082	\$ 18,954	\$ -	\$ 79,824	\$ 206,752
2013	2014	\$ 40,313,080	\$ 107,409,431	\$ 67,096,351	95.00%	0.63875	\$ 407,149	\$ 20,357	\$ -	\$ 79,824	\$ 224,528
2014	2015	\$ 40,313,080	\$ 112,242,855	\$ 71,929,775	95.00%	0.63875	\$ 436,479	\$ 21,824	\$ -	\$ 79,824	\$ 243,103
2015	2016	\$ 40,313,080	\$ 117,293,783	\$ 76,980,703	95.00%	0.63875	\$ 467,129	\$ 23,356	\$ -	\$ 79,824	\$ 262,515
2016	2017	\$ 40,313,080	\$ 122,572,004	\$ 82,258,924	95.00%	0.63875	\$ 499,157	\$ 24,958	\$ -	\$ 79,824	\$ 282,900
2017	2018	\$ 40,313,080	\$ 128,087,744	\$ 87,774,664	95.00%	0.63875	\$ 532,628	\$ 26,631	\$ -	\$ 79,824	\$ 303,998
2018	2019	\$ 40,313,080	\$ 133,851,692	\$ 93,538,612	95.00%	0.63875	\$ 567,604	\$ 28,380	\$ -	\$ 79,824	\$ 325,149
2019	2020	\$ 40,313,080	\$ 139,875,019	\$ 99,561,939	95.00%	0.63875	\$ 604,154	\$ 30,208	\$ -	\$ 79,824	\$ 346,298
2020	2021	\$ 40,313,080	\$ 146,169,394	\$ 105,856,314	95.00%	0.63875	\$ 642,349	\$ 32,117	\$ -	\$ 79,824	\$ 367,447
2021	2022	\$ 40,313,080	\$ 152,747,017	\$ 112,433,837	95.00%	0.63875	\$ 682,263	\$ 34,113	\$ -	\$ 79,824	\$ 388,596
2022	2023	\$ 40,313,080	\$ 159,820,633	\$ 119,307,553	95.00%	0.63875	\$ 723,973	\$ 36,199	\$ -	\$ 79,824	\$ 409,745
2023	2024	\$ 40,313,080	\$ 166,803,561	\$ 126,490,481	95.00%	0.63875	\$ 767,560	\$ 38,378	\$ -	\$ 79,824	\$ 430,894
2024	2025	\$ 40,313,080	\$ 174,309,722	\$ 133,996,642	95.00%	0.63875	\$ 813,108	\$ 40,655	\$ -	\$ 79,824	\$ 452,043
2025	2026	\$ 40,313,080	\$ 182,153,659	\$ 141,840,579	95.00%	0.63875	\$ 860,706	\$ 43,035	\$ -	\$ 79,824	\$ 473,192
2026	2027	\$ 40,313,080	\$ 190,350,574	\$ 150,037,494	95.00%	0.63875	\$ 910,446	\$ 45,522	\$ -	\$ 79,824	\$ 494,341
2027	2028	\$ 40,313,080	\$ 198,916,350	\$ 158,603,270	95.00%	0.63875	\$ 962,424	\$ 48,121	\$ -	\$ 79,824	\$ 515,490
2028	2029	\$ 40,313,080	\$ 207,867,585	\$ 167,554,505	95.00%	0.63875	\$ 1,016,742	\$ 50,837	\$ -	\$ 79,824	\$ 536,639
2029	2030	\$ 40,313,080	\$ 217,221,927	\$ 176,908,547	95.00%	0.63875	\$ 1,073,503	\$ 53,675	\$ -	\$ 79,824	\$ 557,788
2030	2031	\$ 40,313,080	\$ 226,996,600	\$ 186,683,520	95.00%	0.63875	\$ 1,132,819	\$ 56,641	\$ -	\$ 79,824	\$ 578,937
2031	2032	\$ 40,313,080	\$ 237,211,447	\$ 196,898,367	95.00%	0.63875	\$ 1,194,804	\$ 59,740	\$ -	\$ 79,824	\$ 600,086
2032	2033	\$ 40,313,080	\$ 247,885,962	\$ 207,572,882	95.00%	0.63875	\$ 1,259,578	\$ 62,979	\$ -	\$ 79,824	\$ 621,235
2033	2034	\$ 40,313,080	\$ 258,999,999	\$ 218,700,000	95.00%	0.63875	\$ 1,327,700	\$ 66,367	\$ -	\$ 79,824	\$ 642,384

Notes:  
 (1) Where applicable, values for the column headings are actual for Tax Years 2004 to 2008.  
 (2) For Tax Years 2009 to 2033 an annual rate of growth of 4.5% is assumed.

②

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 8122

Subject: Approve an Amending Ordinance to Increase the Maximum Contract Amount and Authorize Approval of a First Amendment to Contract No. C53094 for the Consolidated Dispatching System (CDS) for the Houston Emergency Center

Category #  
5

Page 1 of 1

Agenda Item

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FROM (Department or other point of origin):

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

Origination Date

December 18, 2008

Agenda Date

DEC 30 2008

DIRECTOR'S SIGNATURE

*Calvin D. Wells*

Council District(s) affected

All

For additional information contact:

Jonathan Titus Phone: (713) 884-4505  
Douglas Moore Phone: (832) 393-8724

Date and Identification of prior authorizing Council Action:

01-818,8/01;03-897,7/03;03-1167,10/03;06-087,1/06

RECOMMENDATION: (Summary)

Approve an amending ordinance to increase the maximum contract amount from \$20,481,560.96 to \$23,431,560.96 and authorize approval of a first amendment to the contract between the City of Houston and Northrop Grumman Information Technology, Inc. (NGIT) to extend the term from January 2, 2009 to January 1, 2012 for maintenance and operational support of the consolidated dispatching system at the Houston Emergency Center.

Maximum Contract Amount Increased by: \$2,950,000.00

Finance Budget

\$2,950,000.00 - Houston Emergency Center Fund (2205) - 3 years

SPECIFIC EXPLANATION:

The City Purchasing Agent recommends that City Council approve an amending ordinance to increase the maximum contract amount for a contract between the City of Houston and Northrop Grumman Information Technology (NGIT) from \$20,481,560.96 to \$23,431,560.96 for the consolidated dispatching system (CDS) at the Houston Emergency Center. The additional spending authority will allow NGIT to continue to provide basic software maintenance, preventative maintenance and the Operational Support Services (OSS) maintenance for the CDS through January 1, 2012. The City Purchasing Agent may terminate this contract at any time upon 30-days written notice.

This contract was originally awarded by Council on August 28, 2001, per Ordinance No. 2001-0818, in the original amount of \$12,363,291.00, with a contingency reserve of \$1,612,603.00 set aside for increases in scope of services, statutory mandates, and hardware reconfigurations due to technology changes. Council Motion No. 2003-0897, passed on July 16, 2003, in the amount of \$903,530.16, approved Change Order No. 1 to the contract. Council Motion No. 2003-1167, was passed on October 1, 2003, in the amount of \$664,000.00, to approve funds for the provision of basic software, preventive maintenance and OSS maintenance, which had not been provided for in the maintenance component of the original five-year contract. On January 25, 2006, per Ordinance No. 2006-087, City Council approved additional funding of \$4,938,136.80 for NGIT maintenance support for the CDS and records management system through January 2, 2009. The CDS went live in September, 2003 and the system availability has improved dramatically. All other terms and conditions remain as originally approved by City Council.

The subject contract is sole source, as NGIT retains the patent and copyright for their computer assisted design software which has maintained 100% availability in the last calendar year (2008).

Buyer: Joyce Hays

Estimated Spending Authority

DEPARTMENT	FY2009	OUT YEARS	TOTAL
Houston Emergency Center	\$750,000.00	\$2,200,000.00	\$2,950,000.00

REQUIRED AUTHORIZATION

Finance Department:

Other Authorization:

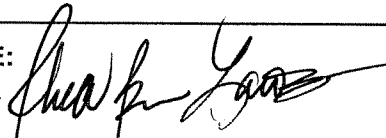
Other Authorization:

NDT

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

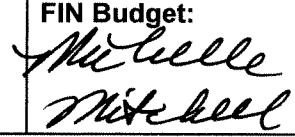
<b>SUBJECT:</b> Appropriation of Public Library Consolidated Construction Funds for equipment at the new Morris Frank Library an HPL Express Location. WBS No. E-000033-0001-5	<b>Category</b>	<b>Page</b> 1 of 1	<b>Agenda Item</b> <b>40</b>
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<b>FROM (Department or other point of origin):</b> Library Department	<b>Origination Date</b> 12-18-08	<b>Agenda Date</b> DEC 30 2008
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<b>DIRECTOR'S SIGNATURE:</b> Rhea Brown Lawson, Ph.D. 	<b>Council District affected:</b> C
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<b>For additional information contact:</b> Greg Simpson Phone: 832-393-1333	<b>Date and identification of prior authorizing council action:</b>
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**RECOMMENDATION:** Appropriate funds for Morris Frank Library, an HPL Express Location

<b>Amount and Source of Funding:</b> \$ 400,000.00 Public Library Consolidated Construction Fund (4507)	<b>FIN Budget:</b> 
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**SPECIFIC EXPLANATION:** The Library Department recommends that City Council appropriate \$400,000 to purchase equipment for Morris Frank Library, an HPL Express Location currently under construction. The expanded HPLXpress is located in a 10,409 square feet lease space located at 10103 Fondren. Substantial completion of the facility is expected in the Winter of 2008.

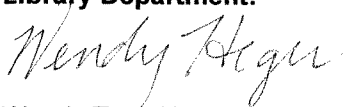
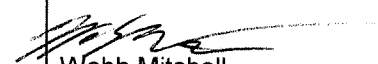
The appropriation will allow the Library to purchase information technology equipment, materials security systems, and self-check machines that will allow customers to check out their own materials. IT Equipment will be purchased using the Texas DIR contract, with purchases coming from various vendors using purchase orders of \$50,000 or less. The remaining funds will be used to purchase miscellaneous equipment and furniture by purchase order in small dollar amounts.

The following is a breakout of expected expenditures:

Information Technology Equipment	\$ 325,000
Miscellaneous Equipment	\$ 75,000
Total Appropriation	\$ 400,000

**PROJECT LOCATION:** 10103 Fondren (530U)

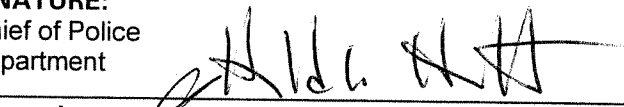
**REQUIRED AUTHORIZATION**

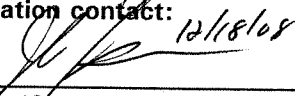
<b>Library Department:</b>  Wendy Teas Heger, AIA Assistant Director	<b>Finance Department:</b>  Webb Mitchell CIP Manager
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TO: Mayor via City Secretary **REQUEST FOR COUNCIL ACTION**

<b>SUBJECT:</b> Ordinance authorizing a contract between the City of Houston and Ron Smith & Associates to provide a specialized technical audit of, and management consulting for HPD's Identification Division. S22-Q23056	<b>Category #</b> 1	<b>Page</b> 1 of 1	<b>Agenda Item #</b> <b>41</b>
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<b>FROM (Department or other point of origin):</b> Houston Police Department	<b>Origination Date</b> December 18, 2008	<b>Agenda Date</b> December 31, 2008 DEC 30 2008
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<b>DIRECTOR'S SIGNATURE:</b> Harold L. Hurtt, Chief of Police Houston Police Department 	<b>Council District affected:</b> ALL
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<b>For additional information contact:</b> Joseph A. Fenninger  Phone: (713) 308-1708	<b>Date and identification of prior authorizing Council action:</b>
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**RECOMMENDATION: (Summary)**  
Approve an ordinance authorizing a contract between the City of Houston and Ron Smith & Associates in an amount not to exceed \$570,000.00 to perform a specialized technical audit of, and management consulting for the Latent Print Unit within HPD's Identification Division.

<b>Amount and Source of Funding:</b> General Fund 1000      \$570,000.00	<b>Finance Department:</b>
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**SPECIFIC EXPLANATION:**  
The Chief of Police recommends that City Council approve an ordinance authorizing a two year contract between the City of Houston and Ron Smith & Associates to perform a specialized technical audit of, and management consulting for the HPD's Identification Division with particular attention on the Latent Print Processing/Comparison Units.

The scope of work requires the firm to perform on-site collection and analysis of forensics data to determine how well the unit's current staff are performing; how existing processes can be improved so compliance with industry standards can be strengthened; and if the existing operational and management structure is consistent with the needs of a forensic services division of its size and complexity.

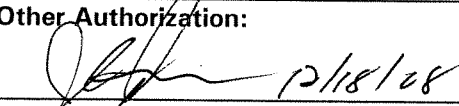
The firm will examine administrative functions of forensic units within the Division, inclusive of: evidence receiving, storage, tracking, disposal, research, reporting, quality assurance and quality control procedures. The results of this effort will provide a basis for implementing improved accountability protocols, which will improve responsiveness.

The firm shall conduct, evaluate and recommend a work-flow chart for each forensic unit to prescribe optimum management hierarchies, staffing levels, and shall revise the HPD standard operating procedures, as appropriate. Both on and off site training will be provided to all forensic related positions within the Division.

Two firms responded to the RFP issued by the Houston Police Department. This is a highly specialized field with a limited number of qualified organizations. The bids were evaluated by qualified staff in HPD, and only Ron Smith Associates demonstrated the ability to meet required specifications.

Pending the outcome of this evaluation, HPD may seek additional approval for an expansion of scope should the results warrant such action. Any additional funding will require future Council approval.

**REQUIRED AUTHORIZATION**

<b>Finance Director:</b>	<b>Other Authorization:</b> 	<b>Other Authorization:</b>
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REQUEST FOR COUNCIL ACTION

SUBJECT: AN ORDINANCE APPROVING AND AUTHORIZING A CONTRACT BETWEEN THE CITY OF HOUSTON AND MARSHALL & LEWIS, LLP, FOR LEGAL SERVICES TO INCLUDE REPRESENTATION OF THE CITY OF HOUSTON IN LITIGATION RELATING TO CITY'S CLAIM FOR ACCESS LINE COMPENSATION	Category #	Page 1 of 1	Agenda Item #
			42

FROM (Department or other point of origin): Legal Department	Origination Date	Agenda Date
	12/17/08	DEC 30 2008

DIRECTOR'S SIGNATURE:	Council District affected:
	

For additional information contact: Melba T. Pourteau Phone: 832.393.6320	Date and identification of prior authorizing Council action: April 5, 2006 Ord. No. 2006-320
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**RECOMMENDATION: (Summary)**  
 The City Attorney recommends that City Council adopt an ordinance approving and authorizing a contract between the City of Houston and Marshall & Lewis, LLP, for legal services to include representation of the City of Houston in litigation relating to City's claim for access line compensation.

Amount of Funding: \$200,000.	FIN Budget:
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**SOURCE OF FUNDING:**       General Fund (1000)       Grant Fund       Enterprise Fund  
 Other (Specify)

**SPECIFIC EXPLANATION:**

The proposed ordinance approves a contract between the City and Marshall & Lewis, LLP for legal services.

Cbeyond Communications, LLC, (Cbeyond) provides facilities-based data and resold telecommunications service within the City of Houston under authority of a Certificate issued by the Public Utility Commission of Texas (PUC). Under Ch. 283 of the Local Government Code (Ch. 283), Certificated Telecommunications Providers (CTPs), such as Cbeyond, are required to report to the PUC the number and type of access lines they provide on a quarterly basis; the CTPs must also remit to each city they serve the appropriate access line fee payment on a quarterly basis. Municipalities, such as the City of Houston routinely access the PUC's database to monitor the reports and reconcile the data to the access line fee payments received.

Chapter 283 also authorizes municipalities to conduct periodic reviews of the payments owed and payments received from each CTP. The City of Houston conducted a review of Cbeyond's reports and payments. The City's review indicated that Cbeyond had misreported its access line counts and underpaid access line fees due the City by approximately \$1.3 million. Mediation at the PUC did not result in a resolution of issues concerning the access line count reports or the City's access line fee compensation claim. The City Attorney initiated suit against Cbeyond to collect the City's claim. The firm of Marshall and Lewis, LLP has represented the City of Houston successfully in similar matters and it is the opinion of the City Attorney that engaging the firm to prosecute this matter would be the most cost effective and efficient means of handling it. The City Attorney recommends the adoption of the proposed ordinance approving a contract between the City and Marshall & Lewis, LLP.

**REQUIRED AUTHORIZATION**


FIN Director:	Other Authorization:	Other Authorization:

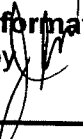
TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

<b>SUBJECT:</b> Appropriate Funds BL Technology, Inc. for CCTV and Access Control Equipment and Installation for the Municipal Courts Phase II Renovations WBS No. D-000105-0004-5	<b>Page</b> 1 of 1	<b>Agenda Item</b>  <div style="text-align: right; font-size: 2em; font-weight: bold;">43</div>
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<b>FROM (Department or other point of origin):</b> General Services Department	<b>Origination Date</b> 12-15-08	<b>Agenda Date</b> DEC 30 2008
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<b>DIRECTOR'S SIGNATURE</b> Issa Z. Dadoush, P.E.  12/15/08	<b>Council District(s) affected:</b> All
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<b>For additional information contact:</b> Jacquelyn L. Nisby  Phone: (832) 393-8023	<b>Date and identification of prior authorizing Council action:</b> Ordinance No. 2007-0972; August 29, 2007
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**RECOMMENDATION:** Appropriate funds for the project.

<b>Amount and Source Of Funding:</b> \$150,000.00 General Improvement Consolidated Construction Fund (4509)	<b>Finance Budget:</b> 
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**SPECIFIC EXPLANATION:** The General Services Department recommends that City Council appropriate \$150,000.00 to the existing citywide contract with BL Technology, Inc. to furnish and install CCTV and access control security equipment for the Municipal Courts Phase II Renovations.

**PROJECT LOCATION:** 1400 Lubbock (493L)

**PROJECT DESCRIPTION:** The project consists of the purchase and installation of CCTV and access control equipment to provide security for the Municipal Courts.

**PREVIOUS HISTORY AND PROJECT SCOPE:** On August 29, 2007, Ordinance No. 2007-972, City Council awarded a five-year work-order contract to BL Technology, Inc., in an amount not to exceed \$16,259,339, for the installation and repair of security systems citywide. The contract is funded through various appropriations/allocation for security system installation and repair services. To date, \$1,274,332.00 has been expended on the contract.

**M/WBE INFORMATION:** The contract contains an 11% M/WBE goal. Currently, BL Technology, Inc. has achieved 8.93% M/WBE participation.

IZD:JLN:TLE:KTH:kth


c: Marty Stein, Webb Mitchell, Thomas L. Edwards, Jacquelyn L. Nisby, File

REQUIRED AUTHORIZATION

25MSCL19


NOT

**General Services Department:**



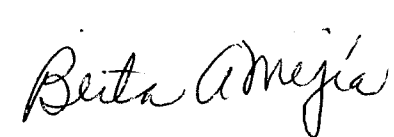
Thomas L. Edwards  
 Chief of Security Management Division

**Municipal Courts Administration:**

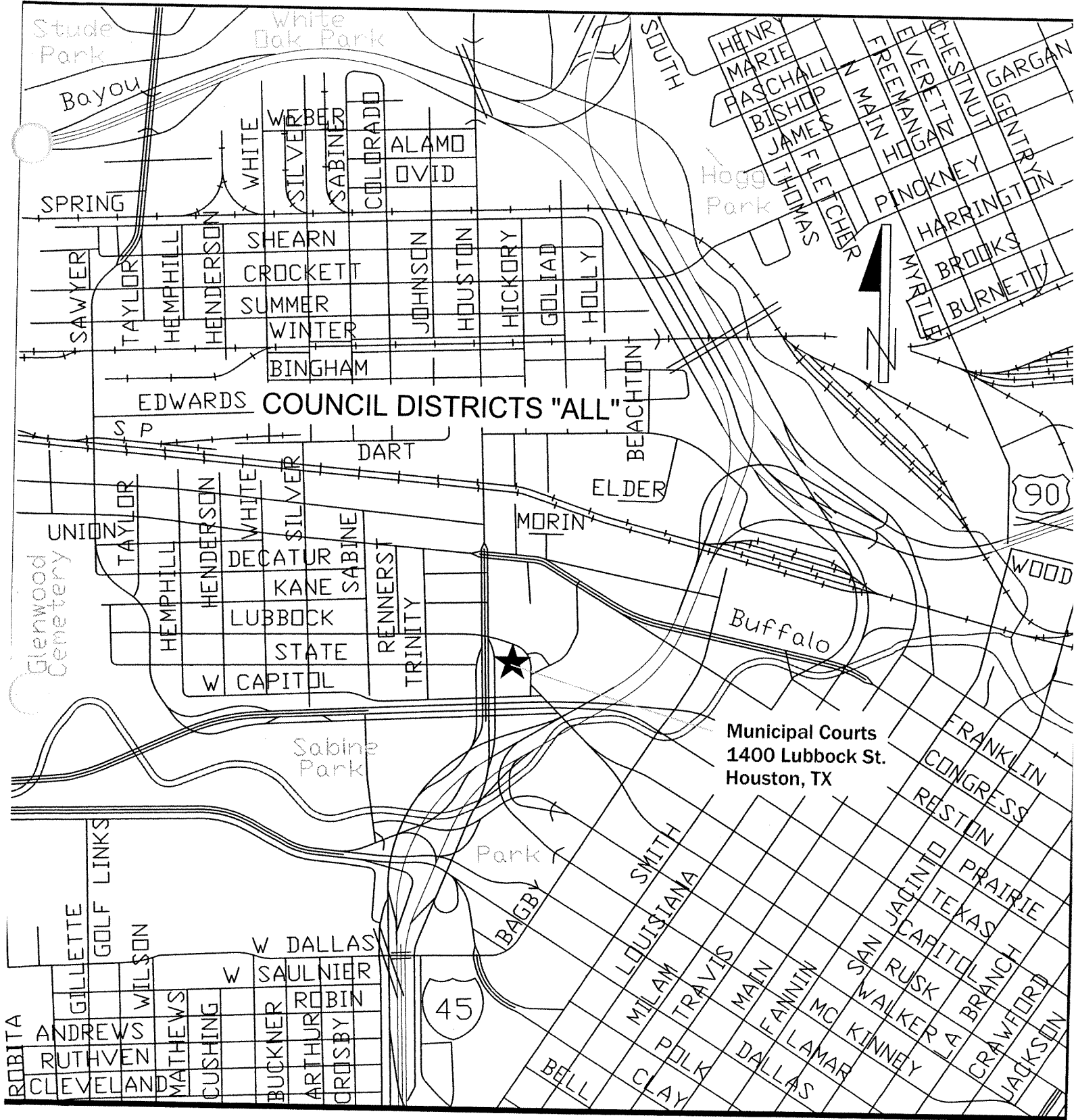


Sahira Abdool  
 Director and Chief Clerk

**Municipal Courts Judicial:**



Berta A. Mejia  
 Director and Presiding Judge



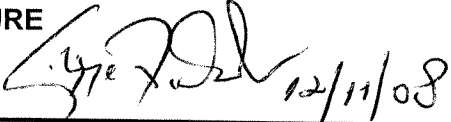
Municipal Courts  
 1400 Lubbock St.  
 Houston, TX


**Municipal Courts Phase 2**  
**1400 Lubbock St.**  
**Houston, TX**




<b>SUBJECT:</b> Appropriate Funds for Issuance of a Purchase Order to Bailey Architects, Inc. Stella Link Library Renovation WBS No. E-000183-0001-3	<b>Page</b> 1 of 1	<b>Agenda Item</b>  44
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<b>FROM (Department or other point of origin):</b> General Services Department	<b>Origination Date</b> 12-18-08	<b>Agenda Date</b> DEC 30 2008
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<b>DIRECTOR'S SIGNATURE</b> Issa Z. Dadoush, P.E.  12/11/08	<b>Council District(s) affected:</b> C
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<b>For additional information contact:</b> Jacquelyn L. Nisby  Phone: 832-393-8023	<b>Date and identification of prior authorizing Council action:</b>
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**RECOMMENDATION:** Appropriate funds for renovation of the Stella Link Library.

<b>Amount and Source Of Funding:</b> \$ 30,000.00 Public Library Consolidated Construction Fund (4507)	<b>Finance Budget:</b> 
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**SPECIFIC EXPLANATION:** The General Services Department recommends that City Council appropriate \$30,000 out of the Public Library Consolidated Construction Fund to fund the issuance of a purchase order to Bailey Architects, Inc. for design services for renovation of the Stella Link Library. Bailey Architects, Inc. was selected because they originally designed the facility in 2004.

**OBJECT LOCATION:** 7405 Stella Link Rd (532J)

**PROJECT DESCRIPTION:** This project will provide for a sunscreen to reduce glare; glass and drywall partitions to provide a quiet reading room for adults; durable wall surface at the main entry hallway; a fixed wall to replace the movable partition in the meeting room; and furniture. The scope of services includes pre-design, design, estimate of construction costs, preparation of construction documents, and construction contract administration.

These items were incorporated in the original design but were deleted to keep the project within budget.

  
IZD:HB:RAV:JLN:VTN:vtn

c: Marty Stein, Wendy Teas Heger, Webb Mitchell, File E-000183-0001-3

**REQUIRED AUTHORIZATION**

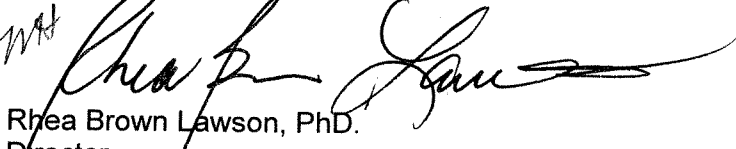
CUIC#25DSGN32

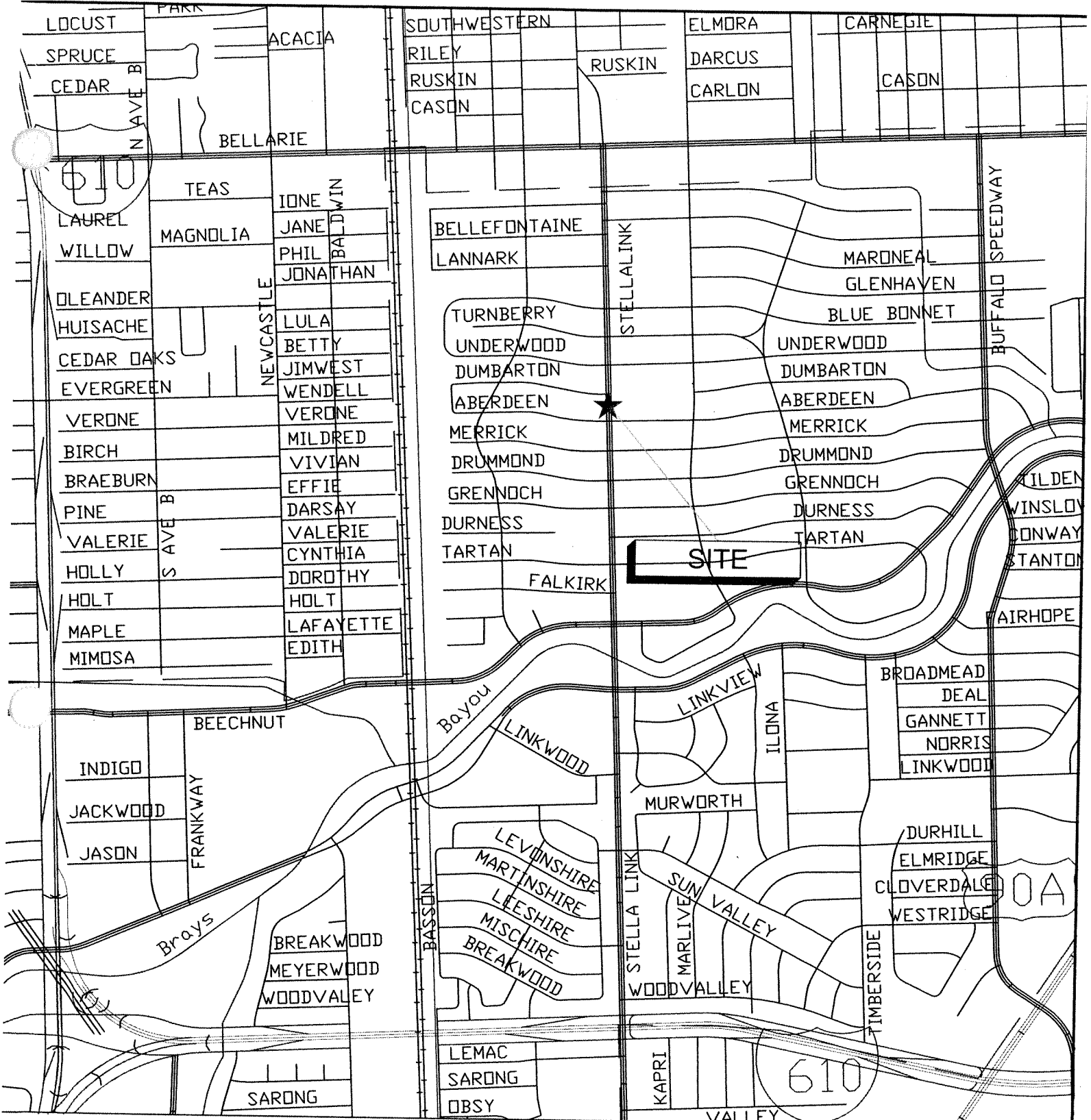
**General Services Department:**

**Houston Public Library:**

NOT

  
Humberto Bautista  
Chief of Design & Construction Division

  
Rhea Brown Lawson, PhD.  
Director



**STELLA LINK LIBRARY RENOVATION**  
 7405 STELLA LINK RD.  
 HOUSTON, TX 77025

**REQUEST FOR COUNCIL ACTION**

**TO:** Mayor via City Secretary

**RCA# 8069**

**Subject:** Approve an Amending Ordinance to Increase the Spending Authority for Contract No. C58955 for Communication Technician Services for the Information Technology Department  
LC-5-5995-019-20751-A1

Category #  
4

Page 1 of 1

Agenda Item

**45**

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

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

**Origination Date**

December 11, 2008

**Agenda Date**

**DIRECTOR'S SIGNATURE**

*Calvin D. Wells*

**Council District(s) affected**

All

**For additional information contact:**

Janis Benton Phone: (832) 393-0004  
Douglas Moore Phone: (832) 393-8724

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

Ord. No. 2005-1184; passed 10/26/05

**RECOMMENDATION: (Summary)**

Approve an amending ordinance to increase the spending authority for the contract between the City of Houston and DC Services, LLC from \$3,643,625.00 to \$4,554,531.25 for communication technician services for the Information Technology Department.

Maximum Contract Amount Increased by: \$910.906.25

**Finance Budget**

\$910.906.25 - Central Services Revolving Fund (1002)

**SPECIFIC EXPLANATION:**

The City Purchasing Agent recommends that City Council approve an amending ordinance to increase the spending authority for the contract between the City of Houston and DC Services, LLC from \$3,643,625.00 to \$4,554,531.25 for communication technician services for the Information Technology Department (ITD). This contract was awarded on October 26, 2005, by Ordinance No. 2005-1184 for a three-year term, with two one-year options, for a total five-year term in the amount of \$3,643,625.00. Expenditures as of December 9, 2008 totaled \$2,909,338.00.

The scope of work requires the contractor to provide all technical expertise, supervision, labor, tools, testing equipment, specialized equipment and incidental parts and materials for the repair, installation and/or replacement of cabling, voice and data communications equipment. The additional spending authority is required to provide sufficient funds through the remaining term of the contract. ITD is in the process of completing the third and final phase of the Network Implementation Project (NIP). During the implementation of NIP it was discovered that multiple City facilities did not meet the cabling standards required to upgrade the network infrastructure. This has generated the increase in cabling services.

This contract was awarded with a 24% M/WBE participation goal and DC Services, LLC is currently not achieving the goal. The original M/WBE subcontractor withdrew from the contract because they were unable to perform at the contracted rates. However, DC Services, LLC has been actively working with the Affirmative Action Division (AAD) towards meeting their good faith effort on this contract and have recently added two additional vendors to increase the participation level.

The competitive low rate structure of this contract has limited the opportunity for M/WBE subcontracting. Additionally, ITD and AAD will re-evaluate the M/WBE goal the next time this contract is placed out for bid.

Buyer: Joyce Hays

**REQUIRED AUTHORIZATION**

Finance Department:

Other Authorization:

Other Authorization:

**NOT**

*MS*

*3*

**REQUEST FOR COUNCIL ACTION**

**TO:** Mayor via City Secretary

**RCA# 8042**

**Subject:** Approve a Contract to the Best Respondent for Active Directory and Exchange Implementation for the Information Technology Department  
S17-T22297

Category #  
4 & 5

Page 1 of 2

Agenda Item

**46**

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

MS Calvin D. Wells  
City Purchasing Agent *for Kim M. Edman*  
Administration & Regulatory Affairs Department

**Origination Date**

December 18, 2008

**Agenda Date**

DEC 30 2008

**DIRECTOR'S SIGNATURE**

**Council District(s) affected**  
All

**For additional information contact:**

Janis Benton Phone: (832) 393-0004  
Ray DuRousseau Phone: (832) 393-8726

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

**RECOMMENDATION: (Summary)**

Approve an ordinance appropriating the sum of \$4,677,423.00 out the Equipment Acquisition Consolidated Fund (Fund 1800) and approve a contract between the City of Houston and Dyonyx, L.P. in the maximum contract amount of \$4,568,421.00 for professional services and related hardware and software to implement Windows Server 2003, or 2008 at the Director's discretion, Active Directory and Exchange Server 2007 for the City's computer Network.

Maximum Contract Amount: \$4,568,421.00

**Finance Budget**

\$3,595,256.00 - Initial Contract Allocation  
\$1,082,167.00 - Salary Recovery and Support Cost

**\$4,677,423.00 - Total Appropriation - Equipment Acquisition Consolidated Fund (1800)**

**SPECIFIC EXPLANATION:**

The City Purchasing Agent recommends that City Council approve an ordinance appropriating the sum of \$4,677,423.00 out of the Equipment Acquisition Consolidated Fund (Fund 1800) and approve a three year contract, with two one-year options to Dyonyx, L.P. in the maximum contract amount of \$4,568,421.00 for professional services and related hardware and software to implement Windows Server 2003, or 2008 at the Director's discretion, Active Directory and Exchange Server 2007 for the City's computer network. The requested appropriation will provide initial contract funding in the amount of \$3,595,256.00, plus \$1,082,167.00 for salary recovery and support costs. The remaining contract funding (\$973,165.00) and additional salary recovery and support costs (\$1,192,833.00) will be appropriated by future Council action. The total program cost for this implementation of the active directory framework and the City's new email systems will be \$6,843,421.00.

The scope of work requires the contractor to provide all labor, equipment, supplies, supervision, training and all ancillary services necessary to implement Windows Server 2003, or 2008 at the Director's discretion, Active Directory and Exchange Server 2007 on the City's computer network. Additionally, the contract has a special services option for the management, storage and archival of electronic documents, which the City can exercise.

**Background**

The purpose of this contract is to (1) implement Enterprise Microsoft Active Directory, (2) upgrade the outdated citywide Microsoft Exchange (email) system, and (3) upgrade the existing Microsoft Office desktop software. The current Exchange system (Microsoft Exchange 5.5) is no longer supported by Microsoft.

The benefits of the Enterprise Microsoft Active Directory infrastructure include:

**REQUIRED AUTHORIZATION**

Finance Department:

Other Authorization:

Other Authorization:

**NOT**

Date: 12/18/2008	Subject: Approve a Contract to the Best Respondent for Active Directory and Exchange Implementation for the Information Technology Department S17-T22297	Originator's Initials FR	Page 2 of 2
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- An enterprise-scale authentication and authorization mechanism for ensuring that City employees have single sign-on access to the resources they need.
- A foundation for employee self-help websites that can be used to distribute information in real-time.
- Ability to better manage personnel information (phone, e-mail), computer resources, and printers.
- Capability to provide a common directory schema that can be leveraged by department Web applications to ensure that the most accurate and relevant information is provided to end-users.
- Ability to simplify management tasks, strengthen network security and make use of existing systems through interoperability.
- Capability to consolidate resources (human and machine) and improve organizational scalability – employees can move beyond repetitive tasks and specialize.
- Opportunity to reduce overall technology support costs.

**Implementation**

The Active Directory and Exchange implementation includes an Assessment, Design, Planning, Testing, Implementation, Training and Support phase. The scope of work includes building the new Active Directory data structure and migrating all 14,000 users from the legacy platform to the new AD/EX infrastructure. The scope of work also includes migrating 4,000 HPD users from their current Novell GroupWise and Netware environment to the new Microsoft based infrastructure. This will provide significant improvement for securing and efficiently sharing information, data, calendaring, etc. across all 23 departments. A Governance Committee made up of the department Chief Technology Officers, chaired by the Chief Technology Officer, will be used to vet the final architecture design and implementation plan. Designated IT professionals from each department will also be involved to ensure unique departmental requirements are assessed and addressed in the final design, implementation and training phases.

A Request for Proposal (RFP) was advertised in accordance with the requirements of the State bid laws and, as a result, proposals were received from ten firms: Perficient, Dyonyx, L.P., IBM, Hewlett-Packard, Idea Integration, Unisys, GTSI, Dell, MTI Technology Corporation and SHI Government Solutions. Evaluation of the proposals was performed by technical and operations personnel from the Information Technology, Police, Public Works and Engineering, Municipal Courts Administration, Library, Fire Departments and the Houston Airport System based upon the following criteria:

- A. Contractor Competence
- B. Conformance to Requirements of the Scope of Work
- C. Pricing
- D. M/WBE Capacity

Dyonyx, L.P. received the highest overall score.

**M/WBE Subcontracting**

The contract requires that the contractor make a good faith effort to award M/WBE subcontracts or supply agreements in at least 35% of the value of services and 10% of the value of hardware/software procured under this agreement.

**Estimated Spending Authority**

Departments	FY08 - FY09	Out Years	Total
Various	\$3,595,256.00	\$973,165.00	\$4,568,421.00

R

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 8158

Subject: Formal Bids Received for Tree Planting and Maintenance Service for the Parks & Recreation Department S50-L23060

Category # 4

Page 1 of 2

Agenda Item

47

FROM (Department or other point of origin):

Calvin D. Wells  
City Purchasing Agent *for Kevin M. Coleman*  
Administration & Regulatory Affairs Department

Origination Date

December 16, 2008

Agenda Date

DEC 30 2008

DIRECTOR'S SIGNATURE

Council District(s) affected  
All

For additional information contact:

Daniel Pederson Phone: (713) 865-4507  
Ray DuRousseau Phone: (832) 393-8726

Date and Identification of prior authorizing Council Action:

RECOMMENDATION: (Summary)

Approve an ordinance awarding a contract to LandPRO, Inc. on its low complete bid in an amount not to exceed \$1,295,296.70 for tree planting and maintenance services for the Parks & Recreation Department.

Maximum Contract Amount: \$1,295,296.70

Finance Budget

\$ 750,000.00 - General Fund (Initial allocation)  
\$ 545,296.70 - Parks Planting Trees Fund  
\$1,295,296.70 - Total

SPECIFIC EXPLANATION:

The Houston Parks and Recreation Department, along with Trees for Houston, Texas Department of Transportation, Houston's Quality of Life Coalition, the Greater Houston Partnership and numerous corporations and green advocacy organizations have joined in an effort known as "Million Trees + Houston" in the next four to five years. This campaign seeks to plant 1,000,000 new trees. The initiative will add valuable forest canopy that will clean our air, reduce pollutants and cool us during the Houston summer. Our corporate partners in this venture recognize that a greener city will help attract business and residents and encourage neighborhood revitalization, both key to Houston's continued economic vitality. A website has been established for more information - [www.milliontreesplushouston.org](http://www.milliontreesplushouston.org).

The City of Houston has taken a leadership role in this endeavor. Council approved funds for tree planting in the FY2009 Parks and Recreation Department budget in the amount of \$750,000. The administration now requests approval of an ordinance awarding a three-year contract with two one-year options to LandPRO, Inc. on its low complete bid in an amount not to exceed \$1,295,296.70 for tree planting and maintenance services. The balance of contract funding will be provided by private donations and sponsorships with public agencies, which will be deposited into the newly created Parks Planting Trees Fund.

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

	<u>Company</u>	<u>Total Amount</u>
1.	Halls Trees & Service, Inc.	\$ 779,740.00 (Incomplete)
2.	LandPRO, Inc.	\$ 1,295,296.70
3.	Landscape Professionals of Texas	\$ 1,461,058.35
4.	Statewide Services, Inc.	\$ 1,540,431.25

REQUIRED AUTHORIZATION

NOT

Finance Department:

Other Authorization:

Other Authorization:

Date: 12/16/2008	Subject: Formal Bids Received for Tree Planting and Maintenance Service for the Parks & Recreation Department S50-L23060	Originator's Initials RM	Page 2 of 2
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- 5. Bio Landscape & Maintenance, Inc. \$ 1,642,124.88
- 6. Baham Nursery & Landscape Co. LLC \$26,910,943.75

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

Nearly 20,000 trees will be planted in the medians of four thoroughfares and in parks and areas proposed in Super Neighborhood Action Plans (SNAP). A detailed list is attached. The intent of the program is to plant trees in concentrations that will make a clearly visible impact on the surrounding neighborhood. The Parks and Recreation Department Urban Forestry section will determine the specific locations of the trees planted for each job order issued under the program.

**M/WBE Subcontracting:**

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

<u>Name</u>	<u>Type of Work</u>	<u>Dollar Amount</u>
TNL Inc.	Fuel & Lubricants	\$142,482.68

The Affirmative Action Division will monitor this contract.

Buyer: Arturo Lopez

Attachment: List of Locations

Median Locations	Species	Number	Median Totals
Wayside, Little York to Claiborne (B)	Loblolly Pine	514	2,567
	Winged Elm	514	
	Crape Myrtle	513	
	Green Ash	513	
	Redbud	513	
Wayside, Tidwell to Ley Road (B)	Loblolly Pine	460	2,300
	Winged Elm	460	
	Crape Myrtle	460	
	Green Ash	460	
	Redbud	460	
Wayside, I-610 to I-10 (B)	Loblolly Pine	697	3,483
	Winged Elm	697	
	Crape Myrtle	697	
	Green Ash	696	
	Redbud	696	
Wayside, Mykawa to Glenhurst (B)	Bur Oak	495	2,475
	Winged Elm	495	
	Crape Myrtle	495	
	Green Ash	495	
	Bald Cypress	495	
Clay Road, Eldridge to Addicks Dam (A)	Bald Cypress	4,089	4,089
S. Dairy Ashford, Whittington to Westheimer (G)	Bur Oak	598	1,792
	Winged Elm	597	
	Crape Myrtle	597	
Bellfort, Mykawa to Telephone (I)	Bur Oak	467	2,334
	Cedar Elm	467	
	Crape Myrtle	467	
	Bald Cypress	467	
	Green Ash	466	

SNAP Locations	Species	Number	SNAP Total
Railroad ROW, Kansas to Rawls (A)	Numerous varieties	150	941
West Gray ROW, Montrose to Taft (D)	Live Oak	30	
Burnett Bayland Park (F)	Bur Oak	100	
Hagar Park (C)	Bur Oak	34	
	Crape Myrtle	33	
	Cedar Elm	33	
Westbury Park (C)	Bur Oak	17	
	Winged Elm	17	
	Crape Myrtle	16	
Chimney Rock Park (C)	Crape Myrtle	11	
Willowbend area medians(C)	Numerous varieties	500	
a. Hillcroft, Willowbend to Hwy. 90			
b. W. Airport, Chimney Rock to Fondren			
c. Chimney Rock, Willowbend to W. Airport			
d. W. Bellfort, Willowbend to Hillcroft			



TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

**SUBJECT:** Additional Appropriation to the Agreement between the City of Houston (City) and Texas Department of Transportation (TxDOT) for the reconstruction of Little York from East of Hardy Road to US 59; WBS No. N-000611-0017-2.

Page 1 of 2

Agenda Item #

48

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

Department of Public Works and Engineering

**Origination Date**

12-18-08

**Agenda Date**

DEC 30 2008

**DIRECTOR'S SIGNATURE:**

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

**Council District affected:**

B  
See

**For additional information contact:**

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

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

Ordinances: 96-592, 06/19/96  
2006-990, 09/27/2006  
Resolution: 88-103, 10/19/88

**RECOMMENDATION: (Summary)**

Adopt an ordinance approving an additional appropriation to TxDOT for the City's cost participation and appropriating funds.

**Amount and Source of Funding:** \$55,650.00 from the Street & Bridge Consolidated Construction Fund No. 4506.

Previous (original) funding of \$1,755,000.00 from Street and Bridge Consolidated Construction Fund No. 437 and \$3,068,840.26 from Water and Sewer Consolidated Construction Fund No. 8500. *Walker 11/25/08*

**PROJECT NOTICE/JUSTIFICATION:** This project has been a part of the Principal Arterial Street System (PASS) Program. Under this program, the City would be responsible for 50% of the cost of the right-of-way acquisition and 100% cost of utility adjustments. On October 19, 1988 the City approved TxDOT Minute Order No. 87523, which set forth the commitment among the participants for the reconstruction of Little York Road from the east of Hardy Road to US 59.

**DESCRIPTION/SCOPE:** This project provides for the construction of a four-lane concrete roadway including storm sewers, signing and pavement markings, traffic signals, bridges, and necessary underground utility adjustments.

**LOCATION:** The project is located on Little York Road from east of Hardy Road to US 59. This project is located in Key Map Grid Nos. 413 U, V and 414 S, T.

**SCOPE OF THIS AGREEMENT:** On June 19, 1996, City Council approved an Agreement to Contribute Funds for the right-of-way acquisition for the improvements of this project. According to the Agreement, the City was responsible for fifty percent (50%) of the total cost of the right-of-way to be acquired by TxDOT for this project. On September 27, 2006, the City entered an Advance Funding Agreement with TxDOT for the relocation of the water and sanitary sewer facilities in conflict with the project. Under the terms of this Agreement, the City funded one hundred percent (100%) of the costs associated with the relocation and adjustments to the water and sanitary sewer facilities within the limits of the proposed roadway improvements. TxDOT managed the design and construction of the overall project including the relocation and adjustments of the City utilities.

Previously, the City made a payment to TxDOT in the amount of \$1,755,000.00 for the right-of-way acquisition in accordance with Ordinance 96-592 approved by City Council on June 19, 1996. TxDOT had acquired the required right-of-way and City's

**REQUIRED AUTHORIZATION**

CUIC ID # 20TAA27

**Finance Department:**

*Michelle Marshall*

**Other Authorization:**

**Other Authorization:**

*Daniel R. Menendez*  
Daniel R. Menendez, P.E. Deputy Director  
Engineering and Construction Division

Date	<b>SUBJECT:</b> Additional Appropriation to the Agreement between the City of Houston (City) and Texas Department of Transportation (TxDOT) for the Reconstruction of Little York from East of Hardy Road to US 59; WBS No. N-000611-0017-2.	Originator's Initials TAA <i>TAA</i>	Page <u>2</u> of <u>2</u>
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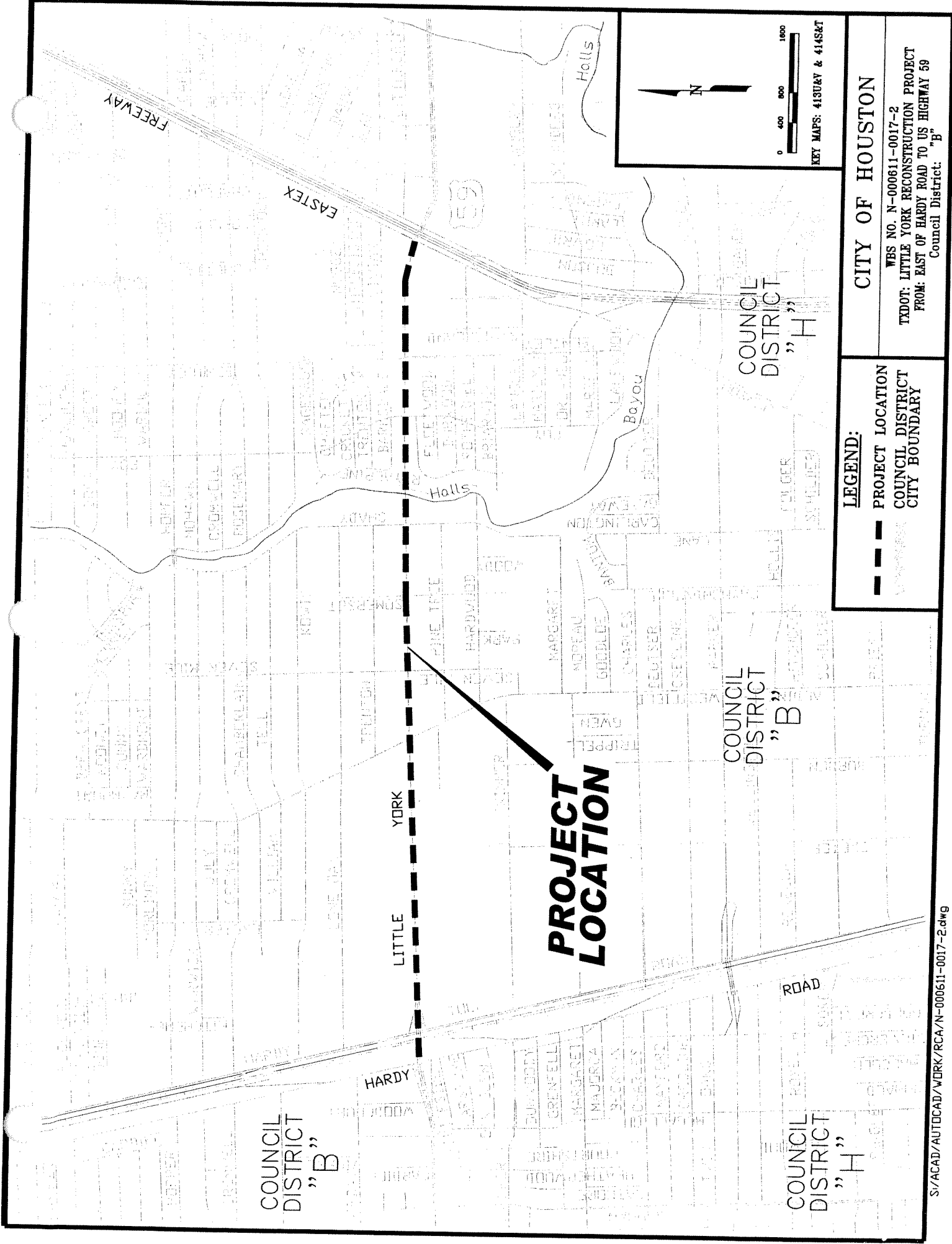
final share for the right-of-way acquisition was \$1,807,991.34. TxDOT is currently requesting payment for the remaining in the amount of \$52,991.34. Therefore, it is necessary to appropriate additional funds in the amount of \$55,650.00 which includes \$2,658.66 for City's salary recovery.

**ACTION RECOMMENDED:** It is recommended that the City Council adopt an ordinance approving an additional appropriation in the amount of \$55,650.00 for the City's cost participation.

*[Handwritten initials]*  
MSM:DRM:RKM:TAA:kdt

S:\constr\A-SB-DIV\Design\TxDOT\Projects\800412003 Little York\RCA\RCA 20TAA27.DOC

- C: Marty Stein
  - Susan Bandy
  - Velma Laws
  - Craig Foster
- File – TxDOT - Little York from East of Hardy Road to US 59.

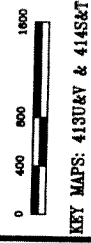
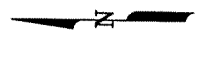


**PROJECT  
LOCATION**

- LEGEND:**
- PROJECT LOCATION
  - COUNCIL DISTRICT BOUNDARY
  - CITY BOUNDARY

**CITY OF HOUSTON**

WBS NO. N-000611-0017-2  
 TxDOT: LITTLE YORK RECONSTRUCTION PROJECT  
 FROM: EAST OF HARDY ROAD TO US HIGHWAY 59  
 Council District: "B"



KEY MAPS: 4130&Y & 414&T

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Contract Award for Proposed Water Lines along Tidewater, S. Post Oak, W. Orem, Croquet, and Existing Easements From Candleshade to Sims Bayou Pump Station, and Westheimer Rd.  
W.B.S. No. S-000900-00B7-4

Page 1 of 2

Agenda Item #

49

FROM: (Department or other point of origin):

Department of Public Works and Engineering

Origination Date:

12/17/08

Agenda Date:

DEC 30 2008

DIRECTOR'S SIGNATURE:

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

Council District affected:

C, D, G JP

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) Reject low bid as non-responsible, authorize the City Secretary to return the bid bond, accept lowest responsible bid, award construction contract and appropriate funds.

Amount and Source of Funding: \$10,551,500.00 from the Water and Sewer System Consolidated Construction Fund No. 8500. *reject 12/02/08*

PROJECT NOTICE/JUSTIFICATION: This project is part of the Surface Water Transmission Program and is required to increase circulation and availability of water in the Sims Bayou Pump Station (SBPS) service area.

DESCRIPTION/SCOPE: This project consists of approximately 9,057 linear feet of 42-inch, 36-inch, and 30-inch water line by a combination of open-cut and tunneling, valves, connections, and appurtenances. The project also includes 1,210 linear feet of 30-inch steel water line by open-cut inside SBPS including metering station, valves, appurtenances, tank connections, as well as ammonia, chlorine, electrical and control systems. Additionally, 4,300 linear feet of 16-inch water line with valves and appurtenances are to be installed along Westheimer Road.

The contract duration for this project is 365 calendar days. This project was designed by Lockwood, Andrews and Newnam, Inc.

LOCATION: The project area containing the proposed 42-inch, 36-inch, and 30-inch water lines is generally bound by Tidewater Drive on the north, Candleshade Lane on the east, and Sims Bayou Pump Station on the south and west. The project is located in Key Map Grids 571 K, L, M, and P.

The portion of the project containing the proposed 16-inch water line is located on Westheimer Road bound by Midlane on the west and Timmons Lane on the east. This project area is located in Key Map Grids 491 V and 492 S.

BIDS: Bids were received on July 24, 2008. The eight (8) bids are as follows:

Bidder	Bid Amount
1. SER Construction Partners, Ltd. (reject)	\$8,438,756.90 (non-responsible)
2. Texas Sterling Construction Co.	\$8,920,488.00
3. George Construction, Inc	\$9,279,542.95
4. Huff & Mitchell, Inc.	\$9,586,722.50
5. Calco Contracting, Ltd.	\$9,649,596.00
6. D.L. Elliott Enterprises, Inc.	\$10,641,215.75
7. BRH - Garver Construction L.P.	\$10,748,605.50
8. Triple B Services, L.L.P.	\$10,890,674.65

REQUIRED AUTHORIZATION

CUIC#20BLL22

Finance Department:

Other Authorization:

Other Authorization:

*Michelle Mitchell*

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

*Daniel R. Menendez*  
Daniel R. Menendez, P.E., Deputy Director  
Engineering and Construction Division

NOT

**WARD:** The low bidder, SER Construction Partners, Ltd., failed to comply with requirements stated in the bid documents that the bidder submit documentation of prior successful experience in this type of waterline project. These requirements were made part of the project documents due to the complexity and magnitude of the project, and also the critical nature of the referenced project to meet the specific project schedules. Potential delays in meeting the project schedule due to work involving the tank connections, SBPS discharge line, and 16-inch water line along Westheimer will pose a hardship on the City and its water customers. These setbacks may also cause delays for other projects throughout the City. The Assistant City Attorney has rendered a legal opinion that SER Construction Partners, Ltd. is a "non-responsible" bidder. Therefore, it is recommended that this construction contract be awarded to the lowest responsible bidder, Texas Sterling Construction Co., with a bid of \$8,920,488.00, and that Addendum Number 1 be made a part of this contract.

**PROJECT COST:** The total cost of this project is \$10,551,500.00 to be appropriated as follows:

• Bid Amount	\$8,920,488.00
• Contingencies	\$446,024.40
• Engineering and Testing Services	\$295,000.00
• Project Management	\$178,457.60
• Construction Management	\$711,530.00

Engineering and Testing Services will be provided by ATSER, L.P. under a previously approved contract.  
 Construction Management Services will be provided by Lockwood, Andrews & Newnam, Inc. under a previously approved contract.

The maximum bonus of early completion allotted is \$30,000.00. This represents the number of days between the contract substantial completion date and the early completion date, 20 calendar days maximum, multiplied by \$1,500.00 per day. The actual amount, if applicable, will be based upon the early completion date.

The maximum bonus of interim completion for the 42-inch/30-inch transmission line work allotted is \$30,000.00. This represents a number of days between the contract interim completion date and the early interim completion date, 20 calendar days maximum, multiplied by \$1,500.00 per day. The actual amount, if applicable, will be based upon the early interim completion date.

The maximum bonus of interim completion for the 16-inch water line along Westheimer allotted is \$21,000.00. This represents the number of days between the contract interim completion date and the early interim completion date, 14 calendar days maximum, multiplied by \$1,500.00 per day. The actual amount, if applicable, will be based upon the early interim completion date.

**M/WBE PARTICIPATION:** The low bidder has submitted the following proposed program to satisfy the 14% MBE goal, 5% WBE goal, 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. Choctaw Pipe & Equipment, Inc.	Pipe Supplier	\$624,434.16	7.00%
2. Two Way Barricade Equipment Sale & Rental	Traffic Control	\$124,000.16	1.39%
3. Maintenance To Go, Inc.	Tree Protection & Planting	\$76,574.00	0.86%
4. GMJ Paving Company General Partnership	Concrete Flat Work	<u>\$423,860.00</u>	<u>4.75%</u>
<b>TOTAL</b>		<b>\$1,248,868.32</b>	<b>14.00%</b>

<u>WBE - Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
1. El Dorado Paving Company, Inc.	HMAC & Concrete Work	<u>\$464,024.00</u>	<u>5.20%</u>
<b>TOTAL</b>		<b>\$464,024.00</b>	<b>5.20%</b>

<u>SBE - Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
1. Earth Material Services, LLC	Trucking	<u>\$267,614.64</u>	<u>3.00%</u>
<b>TOTAL</b>		<b>\$267,614.64</b>	<b>3.00%</b>

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

MSM:DRM:RKM:HH:BLL:JP



# CITY OF HOUSTON

Legal Department

## Interoffice

Correspondence

**To:** Reid K. Mrsny, P.E.  
Senior Assistant Director  
Department of Public Works  
and Engineering,  
Engineering Branch

**From:** Martin Buzak  
Assistant City Attorney

**Attorney-Client Communication  
Privileged and Confidential**

**Date:** October 7, 2008

**Subject:** "Responsibility" of SER  
Construction Partners, Ltd.  
42-Inch Water Line from  
Candleshade to Sims Bayou Pump  
Station  
WBS No. S-000900-00B7-4

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### BID OPINION NO. B2008002

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By your memorandum dated August 7, 2008, you have asked the Bid Irregularity Committee whether you may bypass award of a construction contract for large diameter potable water line interconnections and facility connections at the Sims Bayou Pump Station (Solicitation No. S30-L22511) (the "Project") to low bidder SER Construction Partners, Ltd. ("SER") because SER does not meet minimal experience qualifications for the Project. After the Committee's meeting on September 23, 2008, you provided the Legal Department with additional evidence to support your position.

The City must accept SER's low bid unless it is a "nonresponsible" bidder. While the bid laws do not define "nonresponsible", case law and Attorney General Opinions identify factors the City can use to determine responsibility. Contracting authorities have wide discretion to reject a bid, as long as the decision is not arbitrary or unreasonable and as long as they have "an objective reason, supported by facts fairly known to them, that a particular bidder cannot perform responsibly because of some objective impediment." Op. Tex. Att'y Gen. No. JM-881 (1988). This objective impediment may relate to a bidder's experience, equipment, number of employees, or need for supervision. *Corbin v. Collin County Commissioners' Court*, 651 S.W.2d 55, 56 (Tex. App.--Dallas 1983, no writ). The City may also consider factors such as a bidder's "financial resources, business judgment, ability, efficiency, reliability, reputation, facilities, and capacity to perform the work required", provided that such factors have a "definite and objective relationship to matters of quality and competence." Op. Tex. Att'y Gen. No. DM-113 (1992).

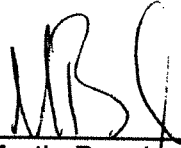
In your Summary of Two Low Bidder Qualifications attached to your memorandum, you mention several factors that, in your opinion, indicate SER does not meet minimal experience requirements for the Project. In particular, you mention that SER has not constructed a potable water line of sufficient diameter and is behind schedule on several current projects.

Section 4.0, paragraph G.c. of Document 00495 (Post Bid Procedures) requires the low bidder to "demonstrate the following: Completion of at least one (1) water line project that was at least 48-inches in diameter or greater within the past five (5) years." SER did not provide you evidence that it ever worked on or completed at least one such water line project. But SER did acquire Ramos Industries, Inc. in 2007, and Ramos completed a 60-inch raw water line for the City of Corpus Christi. Two factors affect SER's responsibility with regard to the Sims Bayou Project. First, Ramos finished the Corpus Christi project significantly behind schedule. Second, the 60-inch line Ramos completed was a raw – not potable – water line. Raw water is water taken from the environment and then treated to produce potable water. In your opinion, construction of a potable water line requires a contractor to have expertise beyond that needed to construct a raw water line.

Section 4.0, Paragraph G.a of the Post Bid Procedures requires the low bidder to demonstrate a "(r)ecord of completing projects on schedule." SER has nine projects currently under construction. As of July 25, 2008, SER was behind schedule on seven of these nine projects, including two for the City of Houston.

You stress in your memorandum that the Project is of critical importance to the City. The Sims Bayou Pump Station will play a significant role in meeting the drinking water needs of citizens while the 66-inch line along Richmond Avenue is out of service for condition assessment in connection with the construction of a light rail line along Richmond Avenue by the Metropolitan Transit Authority of Harris County, Texas ("METRO"). METRO intends to begin construction of the line soon and time is of the essence in this Project.

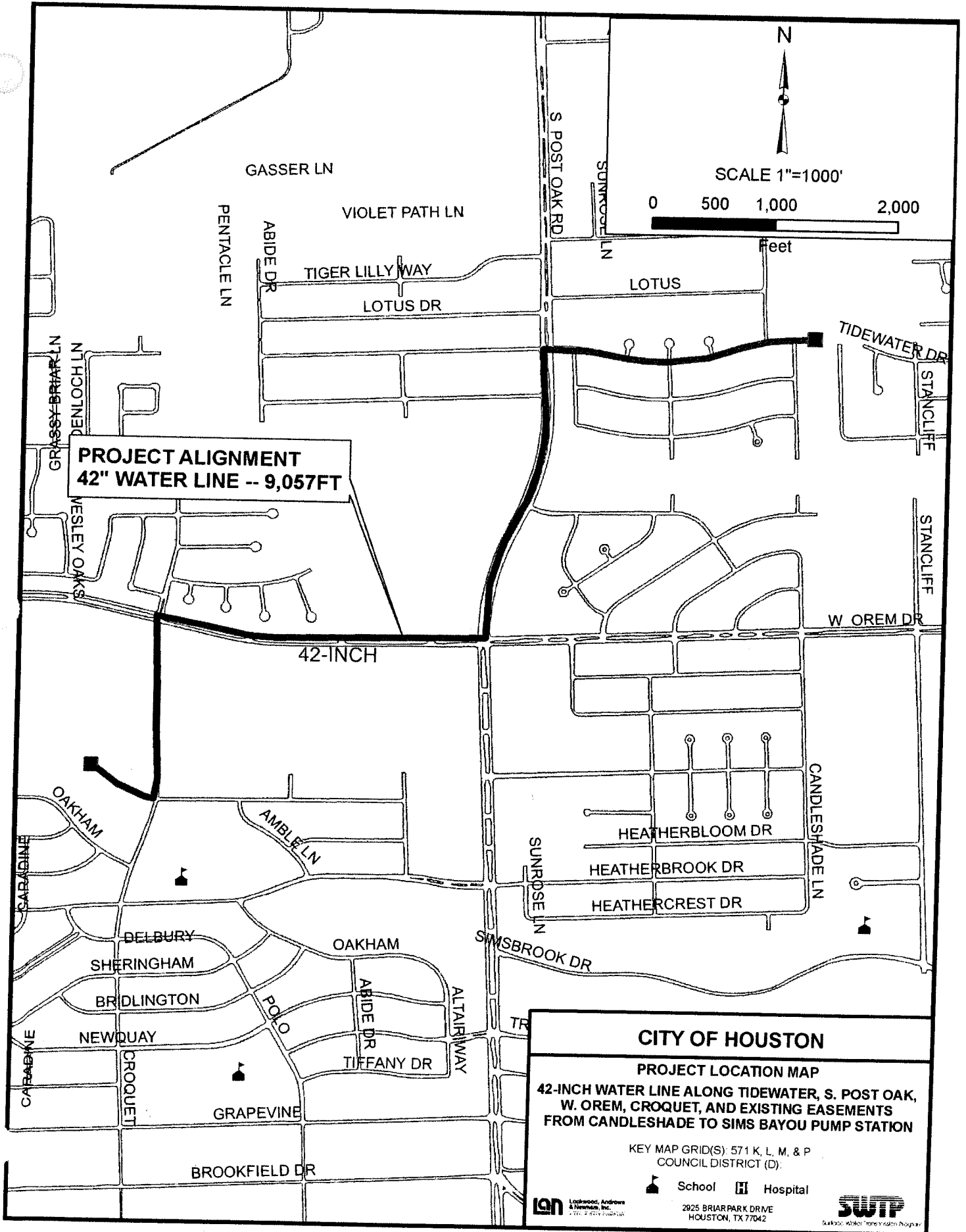
The facts as you have presented them support a finding that SER is a nonresponsible bidder. If SER qualified as the low bidder and entered into a contract with the City, it would be reasonable for the City to believe that SER's inexperience with large-diameter potable water line projects and its history of falling behind schedule are objective impediments making it likely that it could not perform the contract satisfactorily. Section 15-46(b) of the City Code of Ordinances delegates to the Director of the Department of Public Works and Engineering the authority to reject any or all bids pursuant to section 252.043 of the Texas Local Government Code and recommend award of the contract to the next low bidder that is also a responsible bidder.

  
\_\_\_\_\_  
Martin Buzak  
Assistant City Attorney

MPB:pw

Approved: Bid Irregularity Committee

Susan Taylor, Deputy City Attorney  
Jo Wiginton, Sr. Assistant City Attorney  
Randal N. Rivin, Sr. Assistant City Attorney  
Martin Buzak, Assistant City Attorney  
April Greenhouse, Assistant City Attorney



SCALE 1"=1000'

0 500 1,000 2,000

feet

**PROJECT ALIGNMENT  
42" WATER LINE -- 9,057FT**



42-INCH


**CITY OF HOUSTON**


**PROJECT LOCATION MAP**

**42-INCH WATER LINE ALONG TIDEWATER, S. POST OAK, W. OREM, CROQUET, AND EXISTING EASEMENTS FROM CANDLESHADE TO SIMS BAYOU PUMP STATION**

KEY MAP GRID(S): 571 K, L, M, & P  
COUNCIL DISTRICT (D)

 School
  Hospital


 2025 BRIARPARK DRIVE  
HOUSTON, TX 77042


 S.W.T.P.





TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

<b>SUBJECT:</b> Contract Award for Sanitary Sewer Rehabilitation by Sliplining and Pipe Bursting Methods WBS# R-000266-0122-4	<b>Page</b> 1 of 2	<b>Agenda Item #</b> <b>50</b>
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<b>FROM (Department or other point of origin):</b> Department of Public Works and Engineering	<b>Origination Date</b> 12-4-08	<b>Agenda Date</b> DEC 30 2008
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<b>DIRECTOR'S SIGNATURE</b> <i>Michael S. Marcotte</i> Michael S. Marcotte, P.E., D.WRE, BCEE, Director	<b>Council District affected:</b> All
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<b>For additional information contact:</b> Joseph G. Majdalani, P.E. Senior Assistant Director <i>Joseph G. Majdalani</i> Phone: (713) 641-9182	<b>Date and identification of prior authorizing Council action:</b> N/A
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**RECOMMENDATION: (Summary)**  
Accept low bid, award construction contract, and appropriate funds.

**Amount and Source of Funding:** \$3,488,362.00 from Water and Sewer System Consolidated Construction Fund No. 8500. This project is eligible for low interest funding through the State Revolving Fund (SRF), Tier III. *Paolo 10/1/08*

**SPECIFIC EXPLANATION:** This project is part of the Neighborhood Sewer Rehabilitation Program and is required to new/replace various deteriorated neighborhood collection systems on an emergency basis throughout the City.

**DESCRIPTION/SCOPE:** This project consists of sanitary sewer rehabilitation by sliplining and pipe bursting methods. The contract duration for this project is 540 calendar days.

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

**BIDS:** Five (5) bids were received on July 17, 2008 for this project as follows:

Bidder	Bid Amount
1. PM Construction & Rehab, L.P.	\$3,223,813.69
2. Spiniello Companies	\$3,287,731.85
3. North Houston Pole Line, L.P.	\$3,347,255.64
4. Troy Construction, LLC	\$3,647,271.50
5. Underground Technologies, Inc.	\$4,046,760.00

**File/Project No. WW 4257-96** **REQUIRED AUTHORIZATION** **CUIC# 20JGM254** **NO**

Finance Department <i>Michelle Mitchell</i>	<b>Other Authorization:</b>	<b>Other Authorization:</b> <i>Jun Chang</i> Jun Chang, P.E. Interim Deputy Director Public Utilities Division
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**AWARD:** It is recommended that this construction contract be awarded to PM Construction & Rehab, L.P. with a low bid of \$3,223,813.69.

**PROJECT COST:** The total cost of this project is \$3,488,362.00 to be appropriated as follows:

- Bid Amount \$3,223,813.69
- Contingencies \$161,190.68
- Project Management \$48,357.63
- Engineering Testing Services \$55,000.00

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

**M/WSBE PARTICIPATION:** The low bidder has demonstrated a good faith effort to comply with the M/WBE goals of the Texas Water Development Board and the SBE goals of the City of Houston. The bidder has proposed an MBE participation of 14.00%, WBE participation of 5.00%, and SBE participation of 3.00%.

<u>MBE - Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
CBL Industries, LLC	Asphalt/Paving	\$193,428.82	6.00%
Chief Solutions, Inc.	Clean & TV Sewer Lines	\$128,952.55	4.00%
T. Gray Utility & Rehab, Co.	Manhole Rehab	\$128,952.55	4.00%
	<b>TOTAL</b>	<b>\$451,333.92</b>	<b>14.00%</b>

<u>BE - Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
Deanie Hayes, Inc.	Supplies	\$161,190.68	5.00%
	<b>TOTAL</b>	<b>\$161,190.68</b>	<b>5.00%</b>

<u>SBE - Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
5M Rope & Supply, LLC	Supplies	\$96,714.41	3.00%
	<b>TOTAL</b>	<b>\$96,714.41</b>	<b>3.00%</b>

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

*JMP*  
MSM:JC:JGM:RK:JI:MF:aa

- cc: Marty Stein  
Susan Bandy, CPA  
Velma Laws  
Reid Mrsny, P.E  
File No. WW 4257-96

**REQUEST FOR COUNCIL ACTION**

**TO:** Mayor via City Secretary

**RCA# 8147**

**Subject:** Purchase of Roof Restoration Services for the George R. Brown Convention Center from the State of Texas Procurement and Support Services Contract for the Convention & Entertainment Facilities Department S30-C23112

Category # 1 & 4	Page 1 of 1	Agenda Item
<div style="border: 2px solid black; padding: 5px; display: inline-block;"> <b>51-51A</b> </div> <del>8-8A</del>		

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

**Origination Date**  
 November 25, 2008

**Agenda Date**  
~~DEC 17 2008~~  
 DEC 30 2008

**DIRECTOR'S SIGNATURE**  


**Council District(s) affected**  
 1

**For additional information contact:**  
 Stephen Lewis                      Phone: (713) 853-8888  
 Ray DuRousseau                      Phone: (832) 393-8726

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

**RECOMMENDATION: (Summary)**

Approve an ordinance authorizing the appropriation of \$2,198,870.00 out of the C & E Construction Fund (Fund 8611) and approve the purchase of roof restoration services for the George R. Brown Convention Center in the total amount of \$2,198,870.00 from the State of Texas Procurement and Support Services Contract for the Convention & Entertainment Facilities Department.

Award Amount: \$2,198,870.00

**Finance Budget**

\$2,198,870.00 C & E Construction Fund (8611) WBS B-000132-0001-4-01

**SPECIFIC EXPLANATION:**

The City Purchasing Agent recommends that City Council approve an ordinance authorizing the appropriation of \$2,198,870.00 out of the C & E Construction Fund (Fund 8611). It is further recommended that City Council approve the purchase of roof restoration services for the George R. Brown Convention Center (GRBCC) in the total amount of \$2,198,870.00 from the State of Texas Procurement and Support Services Contract through the State of Texas Cooperative Purchasing Program for the Convention & Entertainment Facilities Department and that authorization be given to issue a purchase order to the State Contract supplier, Design-Build Solutions, Inc. This project is necessary to restore and re-coat the ten-year-old roofing material on the original portion of the GRBCC and five-year-old roofing on the expansion portions of the GRBCC and extend the overall life of the entire roof, while also extending the manufacturer's warranty for an additional 18 years.

The scope of work requires the contractor to provide all labor, materials, equipment, permits, insurance, supervision and transportation necessary to restore the entire roof at the George R. Brown Convention Center (approximately 700,000 square feet). The contractor will also be required to repair all blisters and blemishes on the entire roof, perform all required drain and flashing maintenance, power broom and power wash the surface, apply a base coating of up to five-gallons per square, and install a white polyurethane coating of 1-1/2-gallons per square. Materials and workmanship for this project are warranted for 18 years and will have a life expectancy of 20 years. The contractor will have 150 days to complete the work on this project upon receipt of the notice-to-proceed.

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: Richard Morris

**REQUIRED AUTHORIZATION**

Finance Department:

Other Authorization:

Other Authorization:

*M*  
*of*

**REQUEST FOR COUNCIL ACTION**

**TO:** Mayor via City Secretary

**RCA# 8072**

**Subject:** Purchase of Cabs & Chassis and Refuse Bodies Through the Texas Local Government Purchasing Cooperative and the Houston-Galveston Area Council for the Solid Waste Management Department S34-N23048-B&H

Category #  
1 & 4

Page 1 of 2

Agenda Item

52/15

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

**Origination Date**  
November 19, 2008

**Agenda Date**  
DEC 30 2008  
~~DEC 17 2008~~

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

**Council District(s) affected**  
All

**For additional information contact:**  
Harry Hayes Phone: (713) 837-9103  
Ray DuRousseau Phone: (832) 393-8726

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

**RECOMMENDATION: (Summary)**

Approve an ordinance authorizing the appropriation of \$3,213,511.00 out of the Equipment Acquisition Consolidated Fund (Fund 1800) and \$1,349,843.00 out of the Reimbursement of Equipment/Projects Fund (Fund 1850), and approve the purchase of cabs & chassis and refuse bodies through the Texas Local Government Purchasing Cooperative (BuyBoard) and the Houston-Galveston Area Council (H-GAC) in the amount of \$4,563,354.00 for the Solid Waste Management Department.

*Ord. Adopted 12-10-08*

Award Amount - \$4,563,354.00

**Finance Budget**

\$3,213,511.00 - Equipment Acquisition Consolidated Fund (1800)  
\$1,349,843.00 - Reimbursement of Equipment/Projects Fund (1850)  
\$4,563,354.00 - Total Funding

**SPECIFIC EXPLANATION:**

The City Purchasing Agent recommends that City Council approve an ordinance authorizing the appropriation of \$3,213,511.00 out of the Equipment Acquisition Consolidated Fund (Fund 1800) and \$1,349,843.00 out of the Reimbursement of Equipment/Projects Fund (Fund 1850). It is further recommended that City Council approve the purchase of cabs & chassis and refuse bodies through the Interlocal Agreements for Cooperative Purchasing with the BuyBoard and H-GAC in the total amount of \$4,563,354.00 for the Solid Waste Management Department, and that authorization be given to issue purchase orders to the cooperative purchasing agencies contractors as shown below. The cabs & chassis, when mounted with the refuse bodies and associated equipment, will be used citywide by the Department to pickup, transport and dispose of residential garbage, heavy trash and other refuse.

**H-GAC Contractors:**

- ✓ **Houston Freightliner, Inc.:** Approve the purchase of three 62,000-lb Gross Vehicle Weight Rating (GVWR), conventional cab, diesel-powered, cabs & chassis mounted with roll-off tilt frames and winch hoist mechanisms; two 45,000-lb GVWR, conventional cab, diesel-powered, cabs & chassis mounted with 14-cubic yard capacity, automatic side-loader, refuse collection bodies; five 35,000-lb GVWR, conventional cab, diesel-powered cabs & chassis mounted with fifth wheel attachments; a 33,000-lb GVWR, conventional cab, diesel-powered, cab & chassis; and seven 62,000-lb GVWR, conventional cab, diesel-powered, cabs & chassis in the amount of \$1,723,853.00.
- ✓ **Duncan Freightliner, L.P.:** Approve the purchase of four 62,000-lb GVWR, cab-over, diesel-powered, cabs & chassis in the amount of \$528,200.00.

**REQUIRED AUTHORIZATION**

Finance Department:

Other Authorization:

Other Authorization:

*NOT*  
*D*

Date: 11/19/2008	Subject: Purchase of Cabs & Chassis and Refuse Bodies Through the Texas Local Government Purchasing Cooperative and the Houston-Galveston Area Council for the Solid Waste Management Department S34-N23048-B&H	Originator's Initials LB	Page 2 of 2
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✓ **Santex Truck Center, LTD:** Approve the purchase of six 31,000-lb GVWR, conventional cab, diesel-powered, cabs & chassis in the amount of \$378,300.00.

✓ **McNeilus Financial d/b/a McNeilus Truck and Manufacturing, Inc.:** Approve the purchase of seven 25-cubic yard capacity, rear-loader, refuse collection bodies and six 31-cubic yard capacity, automated side-loader, refuse collection bodies in the amount of \$1,086,755.00.

**BuyBoard Contractors:**

✓ **Chastang's Bayou City Ford:** Approve the purchase of two 62,000-lb GVWR, cab-over, diesel-powered, cabs & chassis in the amount of \$255,612.00

✓ **Texan Waste Equipment, Inc. d/b/a Heil of Texas:** Approve the purchase of six rear-steer loader bodies, and an open cargo body mounted with a knuckle boom loader in the amount of \$590,634.00.

The cabs & chassis will meet the current EPA's emission standards for vehicles with diesel engines. They will come with full warranties of three years/300,000 miles on the cabs & chassis, three years/150,000 miles on the engine, and two years on the transmission. The side and rear loader bodies will come with full warranties of one year on the complete unit and five years on the major structural components. The rear-steer loader bodies and the open cargo body with knuckle boom loader will come with full warranties of one year on the complete unit and three years on the structural components. The life expectancy of these refuse trucks is seven years or 100,000 miles. As detailed in the attached Equipment Usage Summary, except for the two cabs & chassis mounted with 14-cubic yard capacity, automatic side-loader, refuse collection bodies, these new trucks will replace existing units that have exceeded their life expectancy and will be sent to auction for disposition.

This equipment is in the adopted FY09 Equipment Acquisition Plan.

Buyer: Larry Benka

Attachment: Equipment Usage Summary

**EQUIPMENT USAGE SUMMARY**  
**RCA 8072**  
**REFUSE TRUCKS**  
**FOR**  
**SOLID WASTE MANAGEMENT DEPARTMENT**  
**S34-N23048-B&H**

Requisition No.	Qty	Description	Department Fleet Usage	Equipment Replacement		
				Shop No.	Age(yrs)	Mileage
10058838	3	Cab & Chassis, 62,000-lb GVWR tilt roll-off frame with winch hoist mechanism	These trucks will be used citywide by the Department to transport loaded 30-cubic yard containers to disposal sites.	22068 26207 23672	14 12 13	270,465 181,845 127,744
10059433	2	Cab & Chassis, 45,000-GVWR mounted with a 14-cubic yard capacity, automatic side-loader, refuse collection body	These trucks will be used by the Department in the new alley service program to collect and dispose of residential garbage from residents that require alley way pickup service.	Additions to the Department's Fleet  In FY2008 City Council amended ordinances concerning public alleys that now require City refuse collection services. Currently, the Department does not have equipment that will accomplish this task.		
10058653	5	Cab & Chassis, 35,000-lb GVWR, conventional cab mounted with fifth wheel attachment	These tractor trucks will be used citywide by the Department to transport 57-cubic yard open trailers loaded with heavy trash to disposal sites.	23791 23792 23793 23799 23800	13 13 13 13 13	133,149 115,653 129,489 98,899 169,198
10059393	1  1	Cab & Chassis, 33,000-lb GVWR  Open cargo body with a knuckle boom loader	This truck will be used citywide by the Department to collect, transport and dispose of large dead animals.	22062	14	96,301
10058718	7  7	Cab & Chassis, 62,000 lb GVWR  25-cubic yard capacity, rear-loader, refuse collection bodies	These trucks will be used citywide by the Department to collect and dispose of residential yard waste on a weekly basis.	26784 26786 26788 27615 27635 27636 28099	11 11 11 11 11 11 10	122,283 107,498 97,929 113,602 84,125 53,432 65,528
10058657	6  6	Cab & Chassis, 62,000-lb GVWR  31-cubic yard automated side-loader, refuse bodies	These trucks will be used citywide by the Department to collect and dispose of residential garbage.	30608 30610 30611 30735 31544 31563	8 8 8 8 8 7	98,749 96,104 68,322 74,020 89,754 86,076
10059192	6  6	Cab & Chassis, 31,000 lb GVWR  Rear-steer loader bodies	These rear-steer loader trucks will be used citywide by the Department to pickup and load heavy trash into trucks with 57 cubic yard trailers for transportation to disposal sites.	31899 31900 31942 31943 32137 31088	7 7 7 7 7 7	58,104 39,099 48,161 68,208 39,156 44,195

<b>SUBJECT:</b> Approval of an ordinance amending Chapter 47 of the Code of Ordinances, Houston Texas, relating to transportation and treatment of certain wastes.		<b>Category #</b>	<b>Page</b> 1	<b>Agenda Item #</b> 5378
<b>FROM (Department or other point of origin):</b> Houston Department of Health and Human Services		<b>Origination Date</b> 12/10/08	<b>Agenda Date</b> DEC 30 2008 <del>DEC 17 2008</del>	
<b>DIRECTOR'S SIGNATURE:</b> <i>Stephen Williams</i>		<b>Council District affected:</b> ALL		
<b>For additional information contact:</b> Kathy Barton (713) 794-9998		<b>Date and identification of prior authorizing Council action:</b> 10/20/04; 04-1089		
<b>RECOMMENDATION: (Summary)</b>  Approval of an ordinance amending Chapter 47 of the Code of Ordinances, Houston Texas, relating to transportation and treatment of certain wastes.				
<b>Amount of Funding: None Required</b>			<b>FIN Budget:</b>	
<b>SOURCE OF FUNDING:</b> [ ] General Fund [ ] Grant Fund [ ] Enterprise Fund [ ] Other ( Specify )				
<p>Article XI Chapter 47, of the City of Houston Ordinance, controls generation, management and disposal of liquid waste within the city limits. This action protects the health and safety of citizens and employees of waste water treatment facilities; it protects the environment from potential danger of mismanagement of such wastes; and ultimately it protects the infrastructure of the Publicly Owned Treatment Works, including the collection system. Currently, the Code of Ordinances classifies liquid waste into three categories. Class A waste is domestic septic tank waste, generated by single family residences. Class B is grease trap waste ("FOG"), sewage sludge and portable toilet waste. Class C waste comes from lint traps and grit traps, and includes wastes from industrial processes.</p> <p>Currently, the Code allows a transporter of Class A waste to use either a septic tank control ticket or a solid waste manifest. A solid waste manifest is used for hauling Class B and C waste. Transporters appear to be confused about which document is appropriate. Further, because the current system requires transporters to use separate designated vehicles for each type of waste, this is an additional cost to transporters.</p> <p>In conjunction with streamlining the waste manifest, staff recommends eliminating the three waste classifications. Instead, all liquid waste will be handled as "city regulated waste," which should enable transporters to use one vehicle for all types of waste and maximize their capital investment. This will also yield versatility of route designations for transporters.</p> <p>The Houston Department of Health and Human Services (HDHHS) requests City Council to approve amendments to Article XI of Chapter 47 of the Code of Ordinances. These amendments are consistent and in conformation with TCEQ's Manifest standard and support the City's efforts to streamline the transportation and treatment of certain waste. Thus, reducing fuel cost and air pollution.</p>				
<b>REQUIRED AUTHORIZATION</b>				
<b>FIN Director</b>		<b>Other Authorization:</b>		<b>Other Authorization:</b>



18

DEC 17 2008

## ARTICLE XI. TRANSPORTATION AND TREATMENT OF CERTAIN WASTES

### DIVISION 1. GENERALLY

#### Sec. 47-411. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Biological pretreatment service* means the application of any additive or enzyme, including approved bioremediation media, or the use of any other biological means to digest waste in a grit trap/lint trap or grease trap that discharges into a public sewer system within the city.

*Biological pretreatment service permit* means a current and valid permit issued pursuant to this article authorizing the performance of biological pretreatment service.

*Bioremediation media* means enzymes or microbes injected into an interceptor for the purpose of biodegrading fat, oil, and grease. This term does not include any additives that will saponify or emulsify fat, oil and grease.

*City official* means the director of the department of health and human services or the director of the department of public works and engineering or their designees.

~~*Class A site operator* means a person having ownership or control of a site where Class A waste is generated.~~

*City-regulated waste* means liquid, semi-liquid and solid wastes and wastewater removed from septic tanks used by single-family or multiple residential units, institutions or commercial establishments that primarily generate waste of a type associated with domestic use. It includes oily water, FOG, grease trap waste, sewage sludge, and portable toilet waste; as well as any materials collected in a septic tank, grit trap, lint trap, retention pond, utility service vault or any similar device, which materials result from or are incidental to any process of industrial, manufacturing, institutional or commercial operations including, but not limited to, mobile or stationary car or truck washing, pavement washing, environmental testing facilities and commercial laundries or laundromats.

~~*Class A waste* means wastes and wastewater removed from domestic septic tanks used by single or multiple residential units, schools, hotels/motels, restaurants, and similar establishments that primarily generate waste of a type associated with domestic/residential uses. Class A waste does not include waste removed from a septic tank that receives non-domestic types of commercial~~

~~wastewater or receives industrial wastewater, nor does the term include grease removed from a grease trap or grit trap/lint trap waste.~~

~~Class B waste means oily water, FOG, grease trap waste, sewage sludge, and portable toilet waste.~~

~~Class C waste means any materials collected in a septic tank, grit trap, lint trap, retention pond, utility service vault or any similar device, which materials result from or are incidental to any process of industrial, manufacturing, institutional or commercial operations including, but not limited to, mobile or stationary car or truck washing, pavement washing, environmental testing facilities and commercial laundries or laundromats. However, this term shall not include domestic septic tank waste.~~

*Container* means any portable device in which material is stored, transported, processed, disposed of or otherwise handled.

*Department or HDHHS* means the department of health and human services.

*Discharge or indirect discharge* means the introduction of pollutants into the sanitary sewer system.

*Disposal* means the act of disposing.

*Disposal site* means a state-permitted or state-registered fixed facility to which waste is delivered for disposal.

*Dispose* means deposit, release, inject, dump, spill, leak or place any waste (whether or not contained) into or on any land or water so that the waste or any constituent thereof may enter the environment, including disposal into the air or discharge into any waters, including groundwater or sanitary or storm sewer systems.

*Disposer* means a person who operates a disposal site.

*Drying bed* means a structure intended for the drying of grit trap waste.

*EPA* means the United States Environmental Protection Agency.

*Fats, oils and greases (FOG)* means petroleum-based or mineral-based oils and greases or animal and vegetable-based fats. All are sometimes referred to herein as "grease" or "greases." These substances are detectable and measurable using analytical procedures established in 40 CFR 136, as may be amended from time to time.

*Food service establishment* has the meaning ascribed in section 20-18 of this Code, but shall not include mobile food units.

*Generator* means any person whose activities or processes generate city-regulated Class B or C waste within the city or who stores city-regulated Class B or C waste within the city.

*Generator permit* means a current and valid permit issued pursuant to this article.

*Generator permit number* means the unique identification number on the generator permit.

*Generator registration certificate* means a current and valid certificate issued to a food service establishment pursuant to division 2 of this article.

*Grease trap waste* means that material accumulated in an interceptor in the sewer system at a food service establishment or any operation requiring a food dealer's permit pursuant to section 20-36 of this Code.

*Grit trap/lint trap waste* means waste collected in an interceptor at any maintenance and repair shop, automobile service station, car wash, laundry, beauty salon or other similar establishment.

*Incompatible wastes* means wastes that have different processing, storage or disposal requirements, or wastes that if mixed may cause a dangerous chemical or physical reaction.

*Interceptor* means a device designed to use differences in specific gravities to separate and retain FOG and settleable solids prior to the wastewater entering the sanitary sewer system. Interceptors may also be referred to as "grease traps".

*Interference* means a discharge that alone or in conjunction with a discharge or discharges from other sources inhibits or disrupts the sanitary sewer system, its treatment processes or operations or its sludge processes, use or disposal, or is a cause of a violation of any city TPDES permit, as defined in Article XII.

*Manifest* means a form approved by the health officer to document the collection, transportationtransfer, and disposal of city-regulated Class B or C waste.

*Permit year* means a permit period which runs from the 1st of February through the 31st of January of the following year.

*Registered vehicle* means a vehicle that is in compliance with all the requirements of division 4 of this article.

*Sample well* means a physical connection on a generator's sewer that is constructed to allow access for sampling and inspection of its interceptor.

*Sanitary sewer system* means the city's devices and systems used in the storage, recycling, and reclamation of municipal sewage or industrial wastes of a liquid or semi-liquid nature, including all sewers, pipes and other conveyances that convey wastewater to a sewage treatment plant. For purposes of this article, the terms public sewer system, "sewer system" and "POTW" as defined in Article XII, may be construed to have the same meaning as "sanitary sewer system."

~~*Septic tank control ticket* means a form issued by the health officer to document the collection, transfer and disposal of Class A waste.~~

*Sewage sludge* means the residual material generated from the treatment of wastewater by a sewage treatment plant or pretreatment plant or material resulting from the cleaning of sanitary sewer lines.

*Site* means a contiguous tract or parcel of land under common ownership.

*Spill* means the loss or unauthorized release of waste.

*Temporary transporter permit* means a one month permit issued pursuant to division 3 of this article.

*Transporter (primary or secondary)* means a person who accepts waste that originates from a location within the city and who uses public rights-of-way for transportation of the waste. A generator or disposer who transfers its own waste over city streets for off-site disposal is also a transporter.

*Transporter's manager* means the individual having the primary responsibility for compliance with this article as identified on the transporter permit application form.

*Transporter permit* means a permit other than a temporary transporter permit issued pursuant to division 3 of this article.

*Vehicle registration certificate* means a certificate issued pursuant to division 4 of this article.

Waste means any type of Class A waste, Class B waste, Class C city-regulated waste or any mixture thereof of those wastes.

Waste load means the volume of waste that is transported from any specific site.

**Sec. 47-412. Scope; interceptor requirement.**

The purpose of this article is to protect the citizens and the environment from the potential hazard that may result from unauthorized waste releases and to deter illegal introduction of pollutants into the sanitary sewer system, storm sewers, street rights-of-way and other unauthorized places. It is not the intent of this article to address transportation of hazardous material in commerce or to regulate hazardous wastes that are subject to federal manifest requirements.

**Sec. 47-413. Defenses.**

(a) It is a defense to prosecution under this article that:

- (1) The act or action complained of was the subject of regulation by the United States Secretary of Transportation under Chapter 51 of Title 49 of the United States Code; or
- (2) The act or action complained of related to the generation, transportation, or disposal of waste that was subject to federal manifest requirements.

(b) With respect to sewage sludge, it is an affirmative defense to prosecution under this article that the sewage sludge meets the requirements of state regulations for land application for beneficial use.

**Sec. 47-414. Mixing of wastes prohibited.**

(a) No person shall mix incompatible wastes in the same container. It is a defense to prosecution under this section that a transporter mixed wastes as authorized in section 47-544 of this Code.

(b) No city-regulated Class B waste or Class C waste may be directly disposed into the sanitary sewer.

**Sec. 47-415. Penalty.**

Except as may otherwise be provided, whenever in this article an act is prohibited or is made or declared to be unlawful or an offense or misdemeanor, or whenever in this article the doing of any thing or act is required or the failure to do any thing or act is prohibited, the violation of the provision shall be and constitute a

misdemeanor punishable, upon conviction, by a fine of not less than \$250.00 nor more than \$2,000.00. Each day that any violation continues shall constitute and be punishable as a separate offense. Any offense under this article that also constitutes a violation of any state penal law shall be punishable as provided in the applicable state law.

**Sec. 47-416. Enforcement; legal actions.**

(a) Any or all of the following remedies may be employed by the city to abate and prevent further violations of the provisions of this article:

- (1) The department may discontinue city water service.
- (2) The department may disconnect and seal the sanitary sewer connection.

(b) The city official is authorized to issue citations charging the violation of any of the provisions of this article.

(c) Consistent with applicable provisions of state and federal laws and regulations, the city attorney is hereby authorized to file and maintain civil legal actions to:

- (1) Enjoin any violations of this article; and
- (2) Enforce the state solid waste and water quality laws relating to matters addressed by this article.

**Sec. 47-417. Responsibilities of agents and employees.**

The responsibilities created under this article for ~~Class A site operators,~~ biological pretreatment service providers, disposers, generators and transporters shall extend to the owners and other persons having possession and control of the site, facilities or equipment as well as to their officers, agents and employees having responsibilities for their operations.

**Sec. 47-418. Hearings.**

Applicants for permits or registrations under this article who are denied original or renewal permits or registrations or who are subject to revocation or suspension proceedings shall be afforded a right to a hearing. The hearings shall be conducted by a person designated by the director of the department in accordance with regulations issued for that purpose by the director. The regulations shall be submitted to the city attorney for approval prior to promulgation. If any of the grounds relate to section 1-10 of this Code, then a hearing shall be conducted under section 1-9 of this Code regarding those grounds.

**Sec. 47-419. Regulations.**

The health officer is authorized to promulgate such regulations as are necessary to implement the provisions of this article. a copy of the regulations shall be maintained in the HDHHS offices for inspection by the public, and copies shall be made available for purchase at the fees prescribed by law.

**Sec. 47-420. Reserved.**

DIVISION 2. PERMITTING AND REGISTRATION OF GENERATORS

**Sec. 47-421. Permit or registration required.**

(a) It shall be unlawful for any person, other than one operating a food service establishment, to act as a generator at any site for which a current and valid generator permit has not been issued under this division.

(b) It shall be unlawful for any person operating a food service establishment to act as a generator at any site for which a current and valid generator registration certificate has not been issued under this division.

(c) It is an affirmative defense to prosecution under this section that the waste generated at the site contains no Class B or C city-regulated waste.

**Sec. 47-422. Application.**

In order to obtain a generator permit, a person shall complete a form provided by the health officer and pay the applicable fee. The applicant shall certify the holding capacity of the interceptor and provide evidence of any waste permits issued by the state to the applicant. If a site has more than one interceptor, a separate application must be completed for each interceptor.

**Sec. 47-423. Fees; issuance of permit or registration certificate.**

(a) The applicant shall submit a nonrefundable annual fee of ~~\$50.00~~ for each interceptor with each original and renewal application for a generator permit or registration certificate. The fee shall be payable in the form prescribed in the application. There shall be no fee to amend a generator permit or registration certificate; provided, however, that a fee of ~~\$25.00~~ shall be required to reissue a lost generator permit or registration certificate.

(b) The health officer shall either issue or deny the generator permit or registration certificate within 30 days after receipt of a completed application. If the generator permit or registration certificate is denied, the health officer shall provide written notice of the reasons to applicant, and the applicant shall be afforded

opportunity to respond. The health officer shall issue the generator permit or registration certificate unless:

- (1) The applicant provided incomplete or inaccurate information; or
- (2) The applicant did not file an affidavit certifying the holding capacity of the interceptor; or
- (3) The applicant did not pay any required fee.

(c) —(e) The health officer shall, from time to time, prepare and submit for approval by motion of the city council a schedule of fees that shall be paid by an applicant for a permit or a registration certificate. Payment of any applicable fees when due is a condition of the processing of any application under this article.

(d) All fees collected pursuant to this division shall be deposited in the special waste transportation and inspection fund account established by the city council. Funds from this account may be expended only for the costs of permitting, inspecting, monitoring, controlling, educating and enforcing any violation pertaining to the management and disposal of Class A, B, or C city-regulated waste.

**Sec. 47-424. Term; revocation.**

(a) Subject to continuing compliance with applicable provisions of this article, a generator permit or registration certificate shall be valid for a period of 12 months from the date it is issued.

(b) Following notice of the grounds and an opportunity for a hearing, the health officer may revoke a generator permit or registration certificate.

**Sec. 47-425. Amendment.**

A holder of a generator permit or registration certificate shall have a continuing duty to apply for an amended permit or registration certificate within 15 days after the occurrence of an event that causes a change in any information for which a representation was made in its application. Failure to timely submit an application for an amendment shall cause the generator permit or registration certificate to become void. Applications for amendments shall be processed, and amended permits and registration certificates shall be issued, subject to the same criteria as original applications, no later than 15 days following the occurrence of the event making the amendment necessary.

**Sec. 47-426. Assignment or transfer prohibited.**



A generator permit or registration certificate is personal to the holder to whom it is issued and is valid only for the site and interceptor specified on the permit or certificate. A generator permit or registration certificate may not be conveyed or assigned to another person.

**Sec. 47-427. Posting required; fee for lost permit or certificate.**

Each generator shall cause its generator permit or registration certificate to be conspicuously posted at the site for which it is issued. Upon request of a transporter or the health officer, the generator shall specify the location at which the generator permit or registration certificate is posted and shall make the generator permit or registration certificate available for inspection. If upon inspection the health officer cannot readily determine that the generator permit or registration certificate is available for inspection, the permit or certificate will be deemed lost. A fee of ~~\$25.00~~ shall be imposed for reissuing a lost generator permit or registration certificate ~~as provided in section 47-423 of this Code.~~

**Secs. 47-428--47-430. Reserved.**

DIVISION 3. PERMITTING OF TRANSPORTERS

**Sec. 47-431. Permit required.**

It shall be unlawful for any person to act as a transporter unless the person holds a current and valid transporter permit or temporary transporter permit or is acting as the agent or employee of a person who holds a current and valid transporter permit or temporary transporter permit.

**Sec. 47-432. Types of waste covered.**

Each transporter permit or temporary transporter permit shall specify the type or types of waste for which it is applicable. A transporter permit or temporary transporter permit is valid only for the classification or classifications of waste specified thereon.

**Sec. 47-433. Application.**

The health officer shall promulgate forms for original and renewal transporter permit or temporary transporter permit applications, which shall request the following information:

- (1) Name, street address, mailing address and telephone number of the applicant. The "applicant" shall be deemed to include the proprietorship, each partner if a partnership and each officer, director or holder of ten percent or more of the outstanding shares if a corporation.

- (2) Name, street address and mailing address of the applicant's manager.
- (3) A photocopy of the driver's license of each person, including the applicant's transporter manager, who will be authorized to operate any of the applicant's vehicles for the transportation of wastes under the permit.
- (4) The nature and classification of any waste that originates within the city that the applicant intends to transport.
- (5) For each motor vehicle and motor vehicle trailer that the applicant desires to register under division 4 of this article, the following information:
  - a. The make, model and year of manufacture.
  - b. The current state vehicle license plate number.
  - c. The vehicle identification number.
  - d. The vehicle's waste hauling capacity certification.
  - e. A photocopy of the vehicle's registration papers.
- (6) Whether the applicant or the applicant's manager or any vehicle driver has been convicted of any violation for which a transporter permit or temporary transporter permit is subject to denial, refusal to renew, or revocation under section 1-10 of this Code.
- (7) The address of the physical location where each vehicle will be parked or garaged when not in use, if different from the addresses identified in items (1) and (2).
- (8) Evidence of financial responsibility for each vehicle and trailer in amounts of not less than the minimum required by the state financial responsibility law. If the proof of financial responsibility is in the form of an insurance policy, then the insurance policy must contain an endorsement requiring 30 days' advance written notice of cancellation to the health officer.
- (9) Texas Commission on Environmental Quality transportation registration number.

**Sec. 47-434. Fee.**

A nonrefundable permit application review fee of ~~\$90.00~~ shall be submitted with each original and renewal application for a transporter permit. A nonrefundable permit application fee of ~~\$30.00~~ shall be submitted with each original and renewal application for a temporary transporter permit. The fee shall be payable in such form as specified

by the health officer on the application. There shall be no application review fee payable for the filing of an application for an amendment.

**Sec. 47-435. Review.**

(a) Unless a hearing is required under section 1-9 of this Code, the health officer shall either grant or deny the permit within five days following the receipt of a completed application for a temporary transporter permit or within 30 days following the receipt of a completed application for a transporter permit. If the transporter permit or temporary transporter permit is denied, written notice of the reasons shall be provided to applicant, and the applicant shall be afforded an opportunity for a hearing. The health officer shall grant the transporter permit or temporary transporter permit unless one or more of the following applies:

- (1) The applicant provided incomplete or inaccurate information in the application.
- (2) The applicant did not file any required bond or pay any required fee.
- (3) A transporter permit or temporary transporter permit held by the applicant is currently under suspension.
- (4) A transporter permit or temporary transporter permit held by the applicant has been revoked or refused for renewal for cause within one calendar year of the date of filing of an application form.
- (5) The applicant failed to submit any required information or documents regarding any vehicle to be registered under the permit.
- (6) The applicant failed to submit proof that it holds any required state registration, license or permit for the services to be provided.

(b) If it appears that the applicant, the applicant's manager, or any vehicle driver has been convicted of any violation for which a transporter permit or temporary transporter permit is subject to denial, refusal to renew, or revocation under section 1-10 of this Code, then the permit application may also be denied on that grounds, provided that the applicant shall be given notice and an opportunity for a hearing under section 1-9 of this Code.

**Sec. 47-436. Permit bond.**

The applicant shall submit a City of Houston waste transportation permit bond to the department prior to the being issued a transporter permit or temporary transporter permit. ~~The amount of the bond required shall be determined by the highest waste classification of the transporter permit or temporary transporter permit:~~

PERMIT	AMOUNT
Class A	\$10,000.00 per spill occurrence
Class B	20,000.00 per spill occurrence
Class C	30,000.00 per spill occurrence

For a transporter permit, the aggregate penal amount of the bond shall not be less than ~~\$150,000~~ ~~five times the applicable per occurrence amount specified above~~. For a temporary transporter permit, the aggregate penal amount of the bond shall not be less than ~~\$30,000~~ ~~than one times the applicable per occurrence amount, as specified above~~. The bond shall be issued by the applicant as principal and a corporate surety authorized to transact business in Texas as surety upon the penal condition that the principal and surety will reimburse the city for the cleanup costs of any spill that may arise as a result of operations conducted under the permit within 30 days following demand. The bond shall expressly waive any requirement of notice to the principal or surety prior to the commencement of cleanup operations or the incurring of costs therefor. The bond shall be in a form approved by the city attorney. The bond shall be in effect at all times during the transporter permit or temporary transporter permit term and shall not be subject to cancellation.

**Sec. 47-437. Term; renewal.**

A transporter permit shall expire on January 31 of the year following the calendar year during which it was issued. A temporary transporter permit shall expire on the date specified on the registration certificate. A transporter may not be issued more than three one-month permits during any permit year.

**Sec. 47-438. Assignment or transfer prohibited.**

(a) A transporter permit or temporary transporter permit is personal to the holder to whom it is issued and is valid only for the transporter named on the permit. A transporter permit or temporary transporter permit may not be conveyed or assigned to another person.

(b) Each transporter permit or temporary transporter permit shall specify the names of the transporter's manager and each vehicle driver authorized thereunder. The permit shall not authorize any person not designated as the transporter's manager thereon to act as the transporter's manager, nor shall it authorize any person not designated as a driver thereon to operate any vehicle for the transportation of waste under the permit.

**Sec. 47-439. Amendment.**

(a) The holder of a transporter permit or temporary transporter permit shall have a continuing duty to apply for an amended permit within 15 days after the occurrence of an event that causes a change in any information for which a representation or response was made in its permit application. Failure to timely submit an application for an amendment shall cause the transporter permit or temporary transporter permit to become void. Applications for permit amendments shall be processed and amended permits shall be issued subject to the same criteria as original applications.

(b) The 15-day period allowed in subsection (a) for the filing of an application for a permit amendment shall not apply to the addition of drivers or vehicles or to the changing of the transporter's manager. A person may not act as the transporter's manager or operate a vehicle for the transportation of waste under the transporter permit or temporary transporter permit unless and until so designated on such permit or an amendment thereto. Nor may a vehicle not designated on the transporter permit or temporary transporter permit be utilized under such permit unless and until so designated on such permit or an amendment thereto.

**Sec. 47-440. Revocation or suspension.**

(a) The health officer may revoke or suspend a transporter permit or temporary transporter permit following written notice and an opportunity for a hearing, if one or more of the following apply:

- (1) The applicant provided incomplete or inaccurate information in the application;
- (2) The permit was issued in error;
- (3) The transporter or the transporter's manager or any of the transporter's drivers has been convicted of any offense or offenses that constitute grounds for denial, refusal to renew or revocation under section 1-10 of this Code;
- (4) The transporter has failed to timely pay a bill for disposal or clean-up services rendered by or for the city under this article or a claim against the transporter's bond has been dishonored;
- (5) The transporter or the transporter's manager or any of the transporter's drivers has committed any violation of this article or of any city, state or federal law or regulation that applies to the rendition of services hereunder;
- (6) The transporter has failed to maintain evidence of financial responsibility required hereunder and provide the required proof to the health officer; or

- (7) The transporter or its manager or any of its drivers has failed to timely, completely and accurately provide any notice, report or other document that is required to be filed with the city under this article.

(b) The health officer shall consider the seriousness of the matter involved, whether the violation was intentional, whether effective measures have been taken to prevent recurrence of the violation and the likelihood of repeated violations of this article or any solid waste, hazardous waste, or water quality law by the transporter, the transporter's manager and/or the transporter's drivers when deciding whether to suspend or revoke a transporter permit or temporary transporter permit; however, revocation shall be mandatory and continue until the end of the permit term whenever the transporter permit or temporary transporter permit has already been suspended once during the transporter permit or temporary transporter permit term.

(c) Within seven days following the effective date of any revocation of a transporter permit or temporary transporter permit as authorized under this section, the transporter shall surrender all of its manifests and registration forms to the health officer. A holder of a transporter permit shall also produce its registered vehicles at a location designated by the health officer and allow the health officer to remove the registration decals, and a holder of a temporary transporter permit shall surrender all registration certificates to the health officer. Additionally, the transporter shall provide the health officer with an accounting of all manifests and ~~septic tank control tickets~~ in its possession.

**Secs. 47-441--47-450. Reserved.**

#### DIVISION 4. TRANSPORTER VEHICLE REGISTRATION

**Sec. 47-451. Registration required.**

It shall be unlawful for any person to utilize a motor vehicle or motor vehicle trailer for the transportation of waste originating within the city unless the driver of the vehicle has been designated on a current and valid transporter permit or temporary transporter permit and the vehicle or trailer has been designated on that permit.

**Sec. 47-452. Decals and certificates.**

(a) It shall be unlawful for any person to utilize a motor vehicle or motor vehicle trailer for the transportation of waste originating within the city unless the vehicle or trailer has a registration decal affixed as provided in this division or a vehicle registration certificate issued as provided in this division.

(b) The health officer shall place a registration decal on each registered vehicle operated by a holder of a transporter permit. In the case of tractor-trailer combinations, either component may be the registered vehicle for registration decal placement. The

design and form of the registration decal shall be as promulgated by the health officer and shall include, ~~without limitation, the waste classifications authorized to be transported by the vehicle or trailer and~~ the date of expiration, which shall be coterminous with the transporter permit expiration.

(c) The health officer shall issue a registration certificate for each registered vehicle operated by a holder of a temporary transporter permit.

**Sec. 47-453. Conditions for issuance.**

(a) The health officer shall issue registration decals for a given vehicle only if each of the following conditions exists:

- (1) The transporter holds a current and valid transporter permit and the information contained on the vehicle's registration or title corresponds to the information given on the transporter's permit application or an amendment thereto.
- (2) The transporter has paid the applicable vehicle registration fee. Vehicle registration fees shall not be refundable and cannot be prorated. ~~The vehicle registration fees are as follows:~~

PERMIT	FEE
Class A	\$300.00 per vehicle
Class B	300.00 per vehicle
Class C	400.00 per vehicle

~~There shall be no additional fee for use of a Class B vehicle to transport Class A waste or for use of a Class C vehicle to transport Class A or B waste.~~

- (3) The transporter makes the vehicle available to the health officer at a reasonable time for verification of vehicle identification and placement of registration decals.
- (4) The transporter is identified by placing the transporter's name or logo and telephone numbers on each side of either the tractor, trailer, or tank in letters that are at least three inches high having a brush stroke width of at least 3/8-inch. The information shall be affixed by painting, attaching a decal or using other permanent means.
- (5) The vehicle has a current state inspection sticker.
- (6) The vehicle has a current state license registration.

- (7) The vehicle is equipped with discharge valve markings as required by applicable state regulations.
  - (8) The vehicle is equipped with site gauges or alternative measurement devices that comply with state requirements.
- (b) The health officer shall issue registration certificates for a given vehicle only if each of the following conditions exists:

- (1) The transporter holds a current and valid temporary transporter permit and the information contained on the vehicle's registration or title corresponds to the information given on the transporter's permit application or an amendment thereto.
- (2) The transporter has paid the applicable vehicle registration fee. Vehicle registration fees shall not be refundable and cannot be prorated. ~~The vehicle registration fees are as follows:~~

PERMIT	FEE
Class A	\$25.00 per vehicle
Class B	25.00 per vehicle
Class C	35.00 per vehicle

~~There shall be no additional fee for use of a Class B vehicle to transport Class A waste or for use of a Class C vehicle to transport Class A or B waste.~~

- (3) The transporter makes the vehicle available to the health officer at a reasonable time for verification of vehicle identification and placement of registration decals.

**Sec. 47-454. Placement; visibility.**

(a) The health officer shall determine the number of registration decals to be attached and their location on each vehicle based upon the configuration of the vehicle.

(b) It shall be the duty of the transporter permit holder and the driver of the vehicle to ensure that each registration decal is kept free of mud, dirt or any other obscuring material.

(c) It shall be the duty of the temporary transporter permit holder and the driver of the vehicle to ensure that each vehicle registration certificate is maintained in the vehicle while the vehicle is being operated under the permit. The driver of the vehicle



shall display the registration certificate issued for the vehicle upon the demand of a health officer or peace officer.

**Sec. 47-455. Reserved. ~~Change of waste classification.~~**

~~(a) In the event a transporter desires to utilize a vehicle for transportation of a waste other than the waste classification authorized for that vehicle, the transporter shall surrender the existing registration decals to the health officer for reissuance of appropriate decals and shall make application for amendment of its permit with respect to the designated use of that vehicle. Prior to being issued the replacement registration decal, the transporter permit holder shall pay any additional fee in accordance with fees prescribed in item (2) of subsection (a) of section 47-453 of this Code.~~

~~(b) If a vehicle classification is to be reduced to Class A, the transporter shall assure the health officer that the vehicle tank has been cleaned of all waste. To enforce compliance with this provision, the health officer may demand a copy of the transporter's wash out ticket and may conduct a physical inspection of the vehicle's tank.~~

**Sec. 47-456. Replacement; transfer.**

(a) It shall be unlawful to remove any registration decal from a vehicle and place it on another vehicle. A registration decal shall automatically become void if it is attached to a vehicle other than the specific vehicle for which it was provided by the health officer.

(b) In the event a transporter desires replacement registration decals (as may be necessary if the vehicle is painted or repaired) or wishes to transfer waste decals to a replacement vehicle, the transporter shall surrender all registration decals for the vehicle and shall pay a \$25.00 registration decal replacement charge per vehicle. No registration decal shall be provided for a replacement vehicle until the transporter permit has been amended to include that vehicle. No replacement registration decal shall be provided unless the transporter surrenders the decals to be replaced or provides conclusive evidence that they have been destroyed. If the decals are not surrendered and the required proof is not provided, then the full vehicle registration fee applicable under this division shall be payable.

**Secs. 47-457--47-460. Reserved.**

DIVISION 5. DISPOSAL OF WASTE AT CITY FACILITIES

**Sec. 47-461. Reserved. ~~Discharge at city sewage treatment facilities.~~**

~~(a) A transporter permit holder shall be permitted to discharge waste loads consisting only of Class A waste at designated city sewage treatment facilities under terms established by the utility official.~~

~~(b) The utility official shall designate those city sewage treatment facilities at which Class A waste will be accepted for discharge. Notice of the designated plants and their hours of operation shall be given to interested transporter permit holders by the utility official.~~

~~(c) A transporter permit holder discharging Class A waste at designated city sewage treatment facilities shall pay to the city the discharge fee designated in accordance with section 47-465 of this Code.~~

**Sec. 47-462. ReservedGrab samples.**

~~Upon request, the transporter shall submit to the requesting city official a sample of the waste being discharged into the city sewage treatment facility.~~

**Sec. 47-463. ReservedProhibited discharges.**

~~(a) It shall be unlawful for any person to discharge:~~

~~(1) Class A waste at any city facility other than a city sewage treatment facility designated for the discharge by the utility official;~~

~~(2) Any waste other than Class A waste at a city sewage treatment facility;~~

~~(3) Any waste that is prohibited under the provisions of article V of chapter 47 of this Code into the city sanitary sewer system;~~

~~(4) Class A waste from a vehicle that does not display registration decals authorizing transportation of Class A waste; or~~

~~(5) Class A waste without the properly completed septic tank control tickets required by this article.~~

~~(b) It is a defense to prosecution under this section that the applicant is discharging portable toilet waste at a city sewage treatment facility during a period of public health emergency in full compliance with section 47-464 of this Code.~~

**Sec. 47-464. Emergency disposal of portable toilet waste at city facilities.**

(a) Upon the health officer's findings that conditions of force majeure exist, that there exist insufficient permitted disposal facilities within the area contiguous to the city for the disposal of portable toilet wastes and that a public health emergency exists or may exist, the utility official is authorized to declare a public health emergency and allow transporters to discharge portable toilet wastes into designated city sewage treatment facilities in accordance with the provisions of this division. To initiate

emergency disposals, the health officer must file a declaration of public health emergency with the city secretary. The health officer shall specify the conditions or circumstances that cause or threaten to cause the public health emergency. A declaration of public health emergency shall end when the health officer files with the city secretary a written declaration finding that the conditions requiring the original certification of a public health emergency no longer exist.

(b) Transporters allowed to discharge portable toilet waste into designated city sewage treatment facilities shall:

- (1) Discharge portable toilet wastes only;
- (2) Discharge only from vehicles displaying registration decals authorizing transportation of city-regulated Class B-waste; and
- (3) Comply with all other applicable provision of this article and environmental laws.

**Sec. 47-465. Discharge fees.**

~~The utility official is hereby authorized to establish discharge fees for the discharge of waste at a city sewage treatment facility shall be in accordance with the terms of sections 47-461 and 47-464 of this Code and shall require payment of the discharge fee established by city council.~~ The utility official is authorized to establish the method of payment for the discharge fee, as well as any additional regulations and procedures for the documentation of waste transfer and the orderly collection of fees required by this section. Without limitation, the regulations and procedures may provide for immediate suspension of discharge privileges following notice to any transporter who is delinquent in payment of fees or has otherwise violated city regulations in the discharge of waste at city sewage treatment facilities. Upon request, a suspended transporter shall be given a prompt hearing by the utility official or his designee.

**Secs. 47-466--47-470. Reserved.**

DIVISION 6. BIOLOGICAL PRETREATMENT

**Sec. 47-471. Permit required.**

(a) It shall be unlawful to perform any biological pretreatment service except pursuant to a current and valid permit issued pursuant to this division.

(b) It shall be unlawful for any person whose name is not listed on a permit as provided in section 47-473(d) of this Code and acting on behalf of that permit holder to perform any biological pretreatment service function.

(c) It shall be unlawful for a generator or Class A site operator to suffer or permit the performance of any biological pretreatment service on any site under his possession or control by any person who does not hold a current and valid permit issued under this division.

(d) It shall be unlawful for any person to cause or allow bioremediation to be performed on an interceptor by a person that does not possess a current permit for biological pretreatment or approved bioremediation media.

(e) It shall be unlawful for any person to cause or allow the introduction of any surfactant, solvent or emulsifier into an interceptor or similar device.

(f) It is a defense to prosecution under this section that the use of surfactants, solvents or emulsifiers is incidental to normal personal hygiene.

(g) It is a defense to prosecution under this section that the person is the owner or operator of the site where the interceptor is situated, or an employee or agent of the owner or operator, and that the biological pretreatment service is being performed under the direction of a biological pretreatment service permit holder, provided that all notices and reports provided for under this article have been timely filed. It is also a defense to prosecution under this section that the site is used exclusively for residential purposes.

**Sec. 47-472. Application; fees.**

(a) The health officer shall promulgate forms for original and renewal biological pretreatment service permit applications, which shall request the following information:

- (1) Name, street address, mailing address and telephone number of the applicant. The "applicant" shall be deemed to include the proprietorship, each partner if a partnership and each officer, director or holder of ten percent or more of the outstanding shares if a corporation.
- (2) A copy of the material safety data sheet for each product that will be utilized to render the biological pretreatment service.
- (3) A photocopy of the driver's license or Texas personal identification card of each person who will be authorized to perform biological pretreatment service functions on behalf of the applicant.
- (4) Whether the applicant or any employee designated under item (3) of this subsection has been convicted of any violation for which a biological pretreatment service permit is subject to denial, refusal to renew or revocation under section 1-10 of this Code.

- (5) Evidence of a comprehensive general liability insurance policy as required in section 47-475 of this Code.

(b) A non-refundable biological permit and registration fee of ~~\$200.00~~ shall be submitted with each original and renewal application.

**Sec. 47-473. Issuance; transfer; assignment.**

(a) The health officer shall either grant or deny the biological pretreatment service permit within 30 days following the receipt of a completed application, unless a hearing is required under section 1-9 of this Code. If the biological pretreatment service permit is denied, written notice of the reasons shall be provided to applicant, and the applicant shall be afforded an opportunity for a hearing. The health officer shall grant the biological pretreatment service permit unless one or more of the following applies:

- (1) The applicant provided incomplete or inaccurate information in the application.
- (2) The applicant did not pay the required application processing fee.
- (3) A biological pretreatment service permit held by the applicant is currently under suspension.
- (4) A biological pretreatment service permit held by the applicant has been revoked or refused for renewal for cause within one calendar year from the date of filing of the application form.
- (5) The applicant failed to provide proof of the liability insurance coverage required in section 47-475 of this Code. If it appears that the applicant or any employee designated under item (3) of section 47-472(a) has been convicted of any violation for which a biological pretreatment service permit is subject to denial, refusal to renew, or revocation under section 1-10 of this Code, then the permit application may also be denied on that grounds, provided that the applicant shall be given notice and an opportunity for a hearing under section 1-9 of this Code.

(b) *Reserved.*

(c) A biological pretreatment service permit is personal and is valid only for sites for which notice has been given as provided in section 47-478(a) of this Code. Any attempt to assign or transfer a biological pretreatment service permit to another person shall render it void.

(d) Each biological pretreatment service permit shall list the names of the persons authorized to perform biological pretreatment service functions under the permit. The permit shall not be valid for the performance of biological pretreatment service functions by any person not listed thereon.

**Sec. 47-474. Term.**

A biological pretreatment service permit shall expire on January 31 of the year following the calendar year during which it was issued.

**Sec. 47-475. Liability insurance.**

A biological pretreatment service permit holder shall at all times keep a policy of comprehensive general liability insurance in full force and effect. The policy shall insure the public against any loss or damage to any person or property resulting from the conduct of the biological pretreatment service. The policy shall provide a minimum coverage of \$250,000.00 per occurrence, with \$500,000.00 aggregate. The policy must be written by a carrier that holds a current and valid certificate of authority from the state of Texas for the type of policy issued. Additionally, each policy must contain an endorsement requiring 30 days' advance written notice of termination or cancellation to the health officer. Failure to maintain proof of the required with the health officer shall cause the permit to become void.

**Sec. 47-476. Amendment.**

(a) A biological pretreatment service permit holder shall have a continuing duty to amend its permit application whenever there is a change in any item for which a representation or response was made in its permit application. The biological pretreatment service permit holder shall submit the amendment in writing within 15 days following the occurrence of the event making the amendment necessary. Failure to timely submit an application for an amendment shall cause the permit to become void. Applications for permit amendments shall be processed and amended permits shall be issued subject to the same criteria as original applications.

(b) The 15-day period allowed in subsection (a) for the filing of an application for a permit amendment shall not apply to the addition of persons authorized to perform biological pretreatment service functions under the permit. A person may not perform biological pretreatment service functions under the permit unless and until so listed on the permit or an amendment thereto.

**Sec. 47-477. Revocation; suspension.**

A biological pretreatment service permit may be revoked or suspended in the same manner and for the same reasons as for a permit issued to a transporter under this article.

**Sec. 47-478. Reports.**

(a) Prior to the commencement of service at any site, a biological pretreatment service permit holder shall provide written notice to the health officer in a form prescribed by the health officer. Any such notice shall remain in effect until withdrawn in writing by the biological pretreatment service permit holder.

(b) On or before the fifteenth day of each calendar month, each biological pretreatment service permit holder shall provide a monthly report, accompanied by a processing fee, to the health officer, setting forth the name, address and telephone number of each site at which biological pretreatment service was performed, ~~and the~~ dates on which the service was rendered during the preceding calendar month.

(c) Reports and notices under this section shall be made in or on a form promulgated by the health officer, shall be filed in such manner as the health officer may prescribe by regulations and shall be kept on site for at least five years after the date the biological pretreatment service was performed. The records shall be made available to the city official upon request. A copy of the regulations shall be maintained for inspection in the offices of the health officer, and copies shall be provided at the fees prescribed by law.

**Secs. 47-479--47-480. Reserved.**

#### DIVISION 7. CAR WASH DRYING BEDS

**Sec. 47-481. Permit required.**

It shall be unlawful for any person to operate or cause to be operated a drying bed for grit trap waste at any car wash premises for which a current and valid generator permit has not been issued under this article.

**Sec. 47-482. Application; standards.**

In order to obtain a drying bed generator permit, a car wash operator shall make application on a form provided for that purpose by the health officer and shall demonstrate that the facility will, at a minimum, meet the following requirements:

- (1) The base of the drying bed shall be made of impervious material sufficient to prevent the release of any leachate;
- (2) The drying bed shall be surrounded by a berm made of impervious material sufficient to prevent the release of any leachate, be not less than two feet in height and provide at least one foot of freeboard at all times;
- (3) The drying bed shall be covered. The cover shall not be more than eight inches nor less than four inches in height above the wall of the drying bed and shall extend at least one foot beyond the outside of the berm;

- (4) The drying bed shall be adequately ventilated to prevent the accumulation of emissions;
- (5) All construction must comply with the Construction Code;
- (6) All discharges from the drying bed shall be returned to a grit trap or back to the structure itself; and
- (7) The drying bed must be at least ten feet from any property boundary.

**Sec. 47-483. Issuance; acceptance.**

(a) Following receipt of a properly completed application, the health officer shall issue a generator permit to the applicant for the site designated on the application, unless it is determined that the facility will not comply with the criteria established in section 47-482 of this Code. If the application is denied, then the applicant shall be given written notice of the grounds and shall be afforded an opportunity for a hearing.

(b) Following receipt, the applicant shall review the generator permit for accuracy and sign it if it is correct. If the generator permit contains any inaccuracies, the applicant shall notify the department and return the generator permit for correction. The generator permit shall be valid only when signed by the car wash operator.

**Sec. 47-484. Term; cancellation.**

(a) Subject to continuing compliance with applicable provisions of this article, a registration certificate shall be of perpetual duration.

(b) Following notice of the grounds and an opportunity for a hearing, the health officer may cancel a registration certificate.

**Sec. 47-485. Amendment.**

A generator permit holder shall have a continuing duty to request amendment of its generator permit whenever there is a change in any item for which a representation or response was made in its application. The generator permit holder shall submit an application for the amendment in writing within 15 days following the occurrence of the event making the amendment necessary. Failure to timely submit an application for amendment shall cause the generator permit to become void.

**Sec. 47-486. Fees; lost generator permits.**

There shall be no fee for the filing of an original application or amendment application under this division or for the issuance of an original generator permit or an



amendment thereto. However, a fee of ~~\$25.00~~ shall be imposed for reissuance of a lost or missing generator permit.

**Sec. 47-487. Assignment or transfer prohibited.**

A generator permit is personal to the holder to whom it is issued and is valid only for the site specified thereon. Any attempt to assign or transfer a generator permit to another person or site shall render it void.

**Sec. 47-488. Posting required.**

Each generator permit holder shall cause its generator permit to be conspicuously posted at the site to which it pertains. Upon request of a transporter or the health officer, the generator permit holder shall specify the location at which the generator permit is posted and shall make the generator permit available for verification and inspection.

**~~Sec. 47-489. Transportation of grit trap waste.~~**

~~It shall be unlawful for any person to transport grit trap waste, except pursuant to a current and valid transporter permit issued under this article and in compliance with all other applicable provisions of this article relating to the transportation of Class C waste.~~

**Secs. 47-489--47-500. Reserved.**

**~~DIVISION 8. MANIFEST/SEPTIC TANK CONTROL TICKET DOCUMENTS~~**

**~~Sec. 47-501. Manifests and septic tank control tickets.~~**

(a) The department shall promulgate a multiple-copy form for manifests ~~and septic tank control tickets~~ to be used by generators, ~~Class A site operators,~~ transporters and disposers to document the transfer of waste.

(b) The manifest copies shall be designated as follows:

- (1) Generator copy (white).
- (2) Generator return copy (yellow).
- (3) HDHHS copy/transporter copy.
- (4) HDHHS copy/secondary transporter copy. If a secondary transporter is not used, this copy may be retained by the primary transporter.
- (5) Disposal site copy.

~~(c) The septic tank control ticket copies shall be designated as follows:~~

~~(1) Public works and engineering/disposal site copy.~~

~~(2) HDHHS copy.~~

~~(3) Transporter copy.~~

~~(4) Secondary transporter copy. If a secondary transporter is not used, this copy may be retained by the primary transporter.~~

~~(5) State copy.~~

**Sec. 47-502. Manifest requirements for Class B and Class C wastes.**

(a) It shall be unlawful for any person to allow waste to be removed from a septic tank, trap, interceptor or similar other device without first obtaining a completed manifest.

(b) The generator's portion of the manifest shall be completed with the following information:

- (1) Name of generator;
- (2) Generator address, including zip code;
- (3) Generator permit or registration certificate number;
- (4) Generator telephone number, including cellular phone number, if available, of generator's contact person;
- (5) Holding capacity of trap or interceptor or similar device;
- (6) Date waste was collected;
- (7) Name of transporter and its permit number;
- (8) Transporter vehicle registration number, decal or certificate information, vehicle license plate number and tank capacity;
- (9) Name and signature of transporter vehicle operator;
- (10) Transporter mailing address and telephone number;
- (11) Type and quantity (in gallons or pounds) of waste removed; and

(12) Name and address of intended disposal site.

(c) The transporter shall detach the generator's copy of the manifest and leave it with the generator.

(d) The remainder of the manifest shall be completed with the following information:

- (1) Secondary transporter's name, address, telephone number and permit number, if a secondary transporter is used;
- (2) Name and signature of secondary transporter's vehicle operator, if a secondary transporter is used;
- (3) Location at which the waste was transferred to the secondary transporter, if applicable;
- (4) Name, address and telephone number of disposer;
- (5) Quantity (in gallons or pounds) of waste received and date;
- (6) Name of manager/operator of disposer;
- (7) Dated signature of disposer's manager/operator; and
- (8) Any other relevant information reasonably required by the health officer.

(e) The transporter shall return the generator return copy to the generator within 15 days after the interceptor has been cleaned.

(f) The generator shall retain all white and yellow copies of manifests on the site where the waste originated for at least five years after the waste was removed.

(g) Upon request by a health officer, the generator shall produce all originals of manifests for inspection and verification.

**Sec. 47-503. Reserved. ~~Septic tank control tickets for Class A waste.~~**

~~(a) The Class A site operator's portion of the septic tank control ticket shall require the following information to be filled in:~~

- ~~(1) Name, address and telephone number of the person who generated the waste;~~
- ~~(2) Total waste volume removed;~~

- ~~(3) Waste capacity of interceptor or septic tank;~~
- ~~(4) Waste classification;~~
- ~~(5) Transporter's name, address, telephone number, permit number and vehicle number;~~
- ~~(6) Name and signature of transporter's driver;~~
- ~~(7) Date of delivery to transporter;~~
- ~~(8) Name of disposal site;~~
- ~~(9) Name and signature of the Class A site operator who authorized the removal of the wastes from the site; and~~
- ~~(10) Any other relevant information required by the health officer.~~

~~(b) The remainder of the septic tank control ticket shall require the following information to be filled in:~~

- ~~(1) Secondary transporter's name, address, telephone number and permit number, if a secondary transporter is used;~~
- ~~(2) Name and signature of the secondary transporter's driver, if a secondary transporter is used;~~
- ~~(3) Location at which the waste was transferred to the secondary transporter, if applicable;~~
- ~~(4) Date of transfer to secondary transporter, if applicable;~~
- ~~(5) Date of delivery to the disposal site;~~
- ~~(6) Name and signature of the on site representative of the facility to which the wastes were delivered for disposal; and~~
- ~~(7) Any other relevant information required by the health officer.~~

**Sec. 47-504. Forms supplied to transporters.**

(a) The health officer shall supply manifests and septic tank control ticket other forms to transporters for their use under this article. The health officer may impose a fee that is based upon the city's production cost for the forms.

(b) It shall be the duty of each transporter to maintain a supply of manifests and other septic tank control ticket forms in each vehicle that is being utilized for the

transportation of waste in the city and to make the forms available to generators and ~~Class A site operators~~ whose sites are serviced by its vehicles in order to timely and properly complete the documentation requirements of this article.

**Secs. 47-505--47-510. Reserved.**

## DIVISION 9. GENERATION, TRANSFER AND DISPOSAL OF WASTE

### Subdivision 1. Generator and ~~Class A Site Operator~~ Responsibilities

#### **Sec. 47-511. Verification of transporter registration.**

No generator or ~~Class A site operator~~ shall allow a transporter to remove waste from a site under the person's control unless the transporter's vehicle displays current and valid registration decals.

#### **Sec. 47-512. Cleaning and maintenance requirements.**

(a) Except as specifically provided herein, ~~G~~generators shall clean, or cause to be cleaned, each interceptor and holding tank as often as necessary to comply with the effluent discharge parameters in this article to ensure that sediment and floating materials do not impair the efficiency of the interceptor, and to ensure that no visible fat, oil or grease (FOG) is observed in the sample well. The requirements of this section shall not apply to generators whose city-regulated waste consists solely of residential septic tank waste.

(b) Each interceptor or holding tank shall be fully evacuated at least once every 90 days.

(c) Each interceptor or holding tank shall be fully evacuated more frequently than once every 90 days when:

- (1) Twenty-five percent or more of the wetted height of the grease trap or interceptor, as measured from the bottom of the device to the invert of the outlet pipe, contains floating materials, sediment, oils or greases; or
- (2) The discharge exceeds the discharge parameter set in this article; or
- (3) There is history of non-compliance.

(d) If the volume of the interceptor is greater than the tank capacity of the transporter's vehicle, then the generator or transporter shall arrange for additional transportation capacity so that the interceptor is fully evacuated within 24 hours after the time the generator notifies the transporter, or the transporter becomes aware, that the tank capacity of the transporter vehicle is insufficient.

(e) The health officer shall waive compliance with the requirements of subsection (b) of this section if the generator submits to the health officer a completed Notice of Waiver (NOW) (form as provided by the health officer, which may be in an electronic format, unless the NOW is denied within 30 days of receipt by the health officer. If the health officer denies the notice of waiver of the requirements of subsection (b) of this section, the NOW shall be returned to the generator and the health officer shall state the reasons for the denial, which shall be consistent with this article. An approved NOW shall remain in effect until revoked by the health officer. Revocation of the NOW must be based on violation of this article. A generator may not resubmit a NOW form until six months from the date of revocation. The NOW form shall recite the elements of this subsection (e) and will include the following certifications:

- (1) The generator section of the form shall require the generator to certify that it has not had any overflow or discharge at the site during the previous 12-month period; and
- (2) The generator's transporter section of the form shall require the transporter to certify that, based on the transporter's judgment, at the generator's site, the frequency of cleaning is sufficient to:
  - a. Produce an effluent in consistent compliance with the discharge parameters in this article, or
  - b. Demonstrate that less than 25 percent of the wetted height of the entire grease trap or interceptor, as measured from the bottom of the device to the invert of the outlet pipe, contains floating materials, sediment, oils or greases.

(f) In any event, a grease trap or holding tank shall be fully evacuated, cleaned, inspected, and, if needed, repaired or otherwise maintained, at least once every 180 days.

(g) All grease trap or interceptor waste shall be properly disposed of in accordance with federal, state or local regulation.

(h) No generator or ~~Class A site operator~~ shall remove or cause or allow any person to remove waste from an interceptor on the site, unless the entire contents of the interceptor are removed from the site. It is the express intent of this section to prohibit the use of mobile processors (and other devices that purport to separate waste or de-water the contents of an interceptor and leave a portion of the materials at the site.

#### **Sec. 47-513. Interceptor requirement.**

(a) Commercial, institutional, and industrial facilities, including, but not limited to, restaurants, cafeterias, bars, hotels and motels, hospitals, sanitariums, manufacturing

facilities, nursing homes, prisons, private and public schools, car washes, truck washes or other establishments where FOG, grit, silt or clay may be generated for which an application for a building permit is submitted after August 31, 2006, shall be required to design, install, operate and maintain an interceptor complying with the City of Houston Plumbing Code and install a sample well to allow access for inspection and sampling by the health officer.

(b) Each interceptor must be operated and maintained in accordance with this article, and must provide a sample well to allow access for inspection and sampling by the health officer.

(c) Except as may otherwise be provided, an interceptor shall not be required for ~~Glass A site operators nor for single family or multi-family residential units.~~

(d) Interceptors shall be operated and maintained in accordance with the manufacturer's recommendations and this article including, but not limited to, periodic removal of the accumulated waste.

**Sec. 47-514. Discharge parameters.**

Except as may otherwise be provided, it shall be unlawful for a generator to discharge into the sanitary sewer:

- (1) FOG, if such materials:
  - a. Exceed on analysis an average of 400 milligrams per liter (mg/l) of free or emulsified fats, oils or grease;
  - b. Form a discernible floating layer on the surface of the receiving waters;
  - c. Overload the generator's interceptor; or
  - d. Deposit FOG in the lines of the sanitary sewer in such a manner as to obstruct it.
- (2) ~~Class B waste, other than FOG, or Class City-regulated~~ waste that exerts or causes:
  - a. Unusual biological oxygen demand or an immediate oxygen demand; or
  - b. Unusual concentrations or composition of solids in total suspended solids or total dissolved solids; or
  - c. Unusual flow or concentration in the sanitary sewer.

- (3) ~~Class B or Class City-regulated~~ waste in such amounts as to cause interference with the sanitary sewer system, or as to cause pollutants to pass through the sewer system into the environment.

**Sec. 47-515. Penalty.**

(a) It shall be unlawful for:

- (1) Any generator who is required by this article to obtain a generator permit or registration certificate to connect or to be connected to the sewer system, unless that generator has obtained a generator permit or registration certificate for that connection.
- (2) Any generator to violate any provision of this article that applies to generators.
- (3) Any person to violate any condition of a permit or registration certificate required by this article.

(b) If the health officer determines that a generator is responsible for a blockage of a sanitary sewer system line, the health officer may issue a citation with a minimum fine of \$1,000.00 for the first violation and \$1,500.00 for a second violation that occurs within the same 12-month period. Each subsequent violation within a 12-month period shall result in a fine of not more than \$2,000.00 for each violation, and the city may take other enforcement action as provided in section 47-416 of this Code. Each day that any violation continues shall constitute a separate offense. Violation of any provision of this division shall be a Class C misdemeanor.

**Secs. 47-516--47-520. Reserved.**

Subdivision 2. Documentation Responsibilities

**Sec. 47-521. Signature and accuracy.**

(a) Each generator shall complete and sign the generator's portion of the manifest prior to allowing removal of waste from the generator's site. The generator shall ensure that the generator's portion of the manifest is complete and accurate.

~~(b) Each Class A site operator shall complete and sign the Class A site operator's portion of the septic tank control ticket prior to allowing removal of waste from the site. The Class A site operator shall ensure that the Class A site operator's portion of the septic tank control ticket is complete and accurate.~~

**Sec. 47-522. Retention.**



Each generator shall retain, on site, the completed generator copy until it receives the completed generator return copy from the transporter. The generator shall retain the generator return copy of the manifest on site for a period of five years from the date the waste is transported from the generator site as specified on the manifest. The documents shall be retained at a location that is situated within the county and shall be made available for inspection and copying by the health officer at the generator's place of business during regular working hours, immediately upon request. It is a defense to prosecution under this section that the waste removed consisted exclusively of portable toilet waste from portable toilets provided by the transporter.

**Sec. 47-523. Report to health officer.**

If the generator return copy is not received from the transporter within 15 days after the date the waste was picked up from the generator's site as shown on the manifest, the generator shall file with the department a copy of the generator copy of the manifest together with a signed affidavit in a form specified by the health officer stating that the generator return copy was not received within the 15-day period required. The generator copy and affidavit shall be filed at an office specified by the health officer within ten business days after the expiration of 15 days after the waste was transported from the generator's site as specified on the manifest.

**Secs. 47-524--47-530. Reserved.**

Subdivision 3. Transporters' Duties

**Sec. 47-531. Manifest/~~septic tank control ticket~~ completion.**

It shall be unlawful for a transporter to:

- (1) Remove or receive city-regulated waste from the site of a generator unless the generator's portion of the manifest has been completed, the transporter has signed the manifest, and the generator's copy of the manifest has been left with the generator.
- ~~(2) Remove Class A waste from the site on which it was generated unless the Class A site operator's portion of the septic tank control ticket has been completed.~~
- ~~(32) Remove or receive waste from another transporter unless both transporters complete and sign the manifest or septic tank control ticket, as applicable.~~
- (43) Transport a waste load without having, at all times in the vehicle transporting the waste, a copy of the manifest(s) for all ~~Class B or C~~ waste

being carried or septic tank control ticket(s) for all Class A wastes being carried.

(54) Discharge any Class B or C waste at a lawful disposal site without entering the name of the disposal site and the date the waste is delivered to the disposal site for final disposal, obtaining the signature of the disposer and tendering to the disposer the disposal site copy of the manifest signed and completed by both the generator and the transporter(s).

(6) Discharge any Class A waste at a lawful disposal site without entering the name of the disposal site and the date the waste is delivered to the disposal site, obtaining the signature of the disposer and tendering to the disposer the disposal site copy of the septic tank control ticket signed and completed by both the Class A site operator and the transporter(s).

**Sec. 47-532. Verification of registration.**

It shall be unlawful for any transporter to remove or receive Class B or C city-regulated waste from any site that has never been issued an original permit or registration certificate to the current generator as provided in division 2 of this article. It is an affirmative defense to prosecution under this section that the waste consists exclusively of portable toilet waste.

**Sec. 47-533. Return of manifests and septic tank control tickets.**

Each transporter of Class B or C city-regulated waste shall ensure that the completed generator return copy of the manifest is delivered to the generator within 15 calendar days after the date the waste was picked up from the generator's site. If the waste load is transferred to another transporter, the secondary transporter shall send the completed generator return copy to the generator within 15 days after the date the waste was picked up from the generator's site.

**Sec. 47-534. Monthly report; review; retention.**

(a) On or before the fifteenth day of each calendar month, each transporter shall submit to the health officer the documents specified to be submitted below which shall document all of its waste transportation originating within the city during the preceding calendar month. Delivery shall be made in person, by courier, or by certified mail, return receipt requested. Transporters shall obtain, from the health officer, a receipt for all hand-delivered documents. All manifests, ~~septic tank control tickets~~ and other documents submitted under this section shall be true, accurate and complete. The documents to be submitted are:

- (1) All HDHHS/transporter copies or HDHHS/secondary transporter copies of the manifests except manifests for portable toilet waste;
- (2) ~~All HDHHS copies of the Class A septic tank control tickets~~ Monthly fee;
- (3) A monthly waste summary for portable toilet waste in the form prescribed by the health officer; or
- (4) A written statement signed by the transporter's manager stating that the transporter did not transport any waste from a site within the city during the preceding calendar month.

(b) The health officer shall review the reports submitted under subsection (a) and return any manifests ~~or septic tank control tickets~~ submitted therewith to the submitting transporter within 60 days following receipt of the report. Following receipt of the returned documents, the transporter shall retain them for a period of five years from the date of disposal as reflected on the manifest ~~or septic tank control ticket~~. The documents shall be retained at a location that is situated within the county and shall be made available for inspection and copying by the health officer at the transporter's place of business during regular working hours, immediately upon request.

**Secs. 47-535--47-540. Reserved.**

#### Subdivision 4. Transportation Requirements

##### **Sec. 47-541. Vehicle maintenance.**

(a) Each transporter shall maintain each vehicle used by him for the transportation of waste in good working order. Without limitation, the transporter shall ensure that all hoses, tanks, pumps, pipes, valves and gauges shall be in good repair and free of any leaks that could cause a spill or discharge of waste from the vehicle.

(b) Each transporter shall ensure that the name and telephone numbers that are required to be affixed under item (4) of subsection (a) of section 47-453 are maintained and are legible at all times and that the discharge valves are marked as required by state regulation.

##### **Sec. 47-542. Spill remediation.**

(a) Each transporter shall be responsible for the clean-up of any spills from its registered vehicles. In the event the city or the city's contractor provides the service of cleaning up the transporter's spill, the transporter shall pay the city's or its contractor's reasonable costs for clean-up as determined by the city official and as provided by the terms of the transporter's bond. Payment shall be made within 30 days after the date of written notice from the city official.

(b) In the event of any spill of waste, the transporter shall take appropriate remedial action, including removing or causing removal of the spill in compliance with all applicable environmental laws and regulations and issuing any notices to regulatory agencies as required under state or federal law or regulations.

**Sec. 47-543. Storage of waste.**

A transporter shall store waste only in a mobile closed container (container on wheels) and shall not store waste for more than four days. A transporter who temporarily stores waste at a fixed or permanent site shall comply with all applicable state regulations.

**Sec. 47-544. Mixing wastes.**

(a) A transporter shall not collect or transport incompatible wastes in the same container. Nor shall a transporter utilize the same pumping equipment for incompatible wastes without first cleaning the equipment between batches to prevent the mixing of incompatible wastes.

(b) It is an affirmative defense to prosecution under subsection (a) that each of the following requirements was met:

- (1) The mixing of the wastes did not cause a dangerous chemical or physical reaction;
- (2) The facility to which the mixed wastes were being transported was then authorized to store, process, or dispose of the mixed wastes;
- (3) The transporter was then authorized to transport each of the wastes being mixed; and
- (4) The vehicle in which the wastes were being transported then met the requirements to transport each of the wastes being carried therein.

**Sec. 47-545. Complete removal required.**

No transporter shall remove waste from any interceptor, utility vault, septic tank or similar device unless ~~the~~its entire contents of the ~~interceptor~~ are removed from the site. It is the express intent of this section to prohibit the use of "mobile processors" and other devices that purport to separate waste or de-water the contents of an interceptor and leave a portion of the materials at the site.

**Secs. 47-546--47-550. Reserved.**

Subdivision 5. Responsibilities of Disposers

**Sec. 47-551. Compliance.**

It shall be unlawful for a disposer to accept waste originating within the city from a transporter unless:

- (1) The transporter's manifest ~~or septic tank control ticket~~ accurately identifies the amount and type of waste contained in the vehicle at the time of disposal;
- (2) The transporter's vehicle displays current and valid registration decals or complies with appropriate state and federal identification and placarding requirements for the wastes being carried; and
- (3) The transporter tenders to the disposer ~~the any required manifest or septic tank control ticket,~~ that has been completed and signed by both the generator and the transporter(s).

**Sec. 47-552. Handling of documentation.**

(a) After acceptance of a waste load originating within the city from a transporter, a disposer shall sign and date the manifest ~~or septic tank control ticket~~ tendered by the transporter and shall return all copies of the manifest, ~~or septic tank control ticket~~ except the disposal site copy, to the transporter.

(b) The disposer shall maintain the disposal site copy of each manifest and ~~septic tank control ticket~~ delivered to him for five years after the date of receipt of waste as reflected on the manifest ~~or septic tank control ticket~~.

**Sec. 47-553--47-560. Reserved.**

Subdivision 6. Inspections

**Sec. 47-561. Generator inspections.**

(a) The health officer shall conduct inspections of generators as often as needed but not less than once a year to assure compliance with the requirements of this article and other rules and regulations relating to the handling and disposal of Class A, B and C city-regulated waste.

(b) Inspections shall include, but are not limited to, verification of cleaning frequency and compliance with this article and other applicable laws regarding generation, transportation and disposal of waste. City officials shall observe the establishment's rules and regulations concerning safety, internal security and fire protection. If the establishment has management in residence, the city official shall

notify management or the person in charge of the city official's presence and shall exhibit proper credentials; provided, however, if refused entry onto the premises, the city official shall procure a search warrant to inspect the facilities or records.

**Sec. 47-562. Vehicle inspection at designated place.**

Upon notice by the health officer, each transporter shall deliver one or more registered vehicles as designated by the health officer to the location designated by the health officer for inspection and/or compliance testing by the health officer. The notice shall designate the time and place for delivery of the vehicle(s) and shall give the transporter reasonable notice for the delivery. The health officer shall release each vehicle no later than the close of business on the same day on which it is received, unless retention of the vehicle for a longer period is agreed upon in writing between the health officer and the transporter. Delivery for inspection and testing of a registered vehicle shall be demanded pursuant to an administrative procedure established by the health officer.

**Sec. 47-563. Vehicle spot inspection.**

Transporters' registered vehicles traveling city streets are subject to stops and inspections by peace officers as provided by law. A peace officer may call upon a health officer for technical assistance in conducting the inspection. Transporters shall so advise their drivers. Unless a truck is out of compliance, it shall not be detained longer than one hour by the peace officer.

**Sec. 47-564. Inspections of vehicles.**

The health officer shall conduct inspections of transporters' vehicles and required documentation when observed to be in the receipt or disposal of waste.

**Sec. 47-565. Vehicle inspections.**

Vehicle inspections that are conducted on a spot basis shall include:

- (1) Identification check of the driver.
- (2) Registration and title check of the vehicle.
- (3) Review of manifests as required by local, state or federal law.
- (4) Sampling of the contents of the registered vehicle if the health officer or police officer has the ability to properly sample the contents. Samples shall be taken by trained personnel. Split samples may be taken if the driver supplies a sample bottle for the driver's portion.

**Sec. 47-566. Procedures.**

The director of the department shall establish procedures for inspections to be conducted by health officers under this subdivision. Copies of the procedure shall be available for public inspection in the offices of the director of the department and may be purchased at the fees prescribed by law. To the extent practicable, the health officer shall notify affected persons of the adoption or amendment of the procedures.

**Secs. 47-567--47-600. Reserved.**

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 8123

Subject: Approve an Ordinance Awarding a Contract to the Best Respondent for Baggage Handling and Aircraft Support Systems Maintenance and Hardstand Operations Services for the Houston Airport System (17-T22962)

Category #  
4

Page 1 of 2 Agenda Item

5440

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

Origination Date  
December 04, 2008

Agenda Date  
DEC 30 2008  
~~DEC 17 2008~~

DIRECTOR'S SIGNATURE  
*Calvin D. Wells*

Council District(s) affected  
B, I

For additional information contact:  
Richard Hrachovy Phone: (281) 230-8002  
Douglas Moore Phone: (832) 393-8724

Date and Identification of prior authorizing Council Action:

RECOMMENDATION: (Summary)  
Approve an ordinance awarding a contract to John Bean Technologies Corporation in an amount not to exceed \$14,716,068.89, for baggage handling and aircraft support systems maintenance and hardstand operations services for the Houston Airport System.

Maximum Contract Amount: \$14,716,068.89

Finance Budget

\$14,716,068.89 - HAS Revenue Fund (Fund 8001)

SPECIFIC EXPLANATION:

The City Purchasing Agent recommends that City Council approve an ordinance awarding a three year contract, with two one-year options, to John Bean Technologies Corporation in an amount not to exceed \$14,716,068.89 for baggage handling and aircraft support systems maintenance and hardstand operations services for the Houston Airport System (HAS). The Director of HAS may terminate this contract at any time upon 30 days written notice to the contractor.

The scope of work requires the contractor to provide all supervision, equipment, parts, labor, tools, incidentals, supplies and transportation necessary to perform scheduled preventative and remedial maintenance. The contractor is also required to perform inspections, tests, scheduled service routines, cleaning and adjustments to the various baggage handling and aircraft support systems.

This contract will provide operations and maintenance services for all City-owned baggage handling systems and aircraft support systems at both George Bush Intercontinental Airport/Houston and William P. Hobby Airport.

This Request for Proposal (RFP) was advertised in accordance with the requirements of the State bid laws and 54 perspective bidders downloaded the solicitation document from SPD's e-bidding website. Proposals were received from Axima Airport Services, Elite Line Services, Inc., Professional Terminal Operations & Services, Linc Facility Services, Oxford Airport Technical Services and John Bean Technologies Corporation. The Evaluation Committee consisted of seven evaluators from within the HAS and the Public Works & Engineering Department. The proposals were evaluated based upon the following criteria:

- A. Price
- B. Technical Solutions
- C. Experience & Resources
- D. Financial Strength of Contractor

REQUIRED AUTHORIZATION

Finance Department:

Other Authorization:

Other Authorization:

*MOT*

*M*

48



Date: 12/4/2008	Subject: Approve an Ordinance Awarding a Contract to the Best Respondent for Baggage Handling and Aircraft Support Systems Maintenance and Hardstand Operations Services for the Houston Airport System (17-T22962)	Originator's Initials MS	Page 2 of 2
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- E. M/WBE Participation
- F. General Conformity with RFP Requirements

John Bean Technologies Corporation received the highest overall score.

**M/WBE Subcontracting:**

This RFP was issued as a goal-oriented contract with an 11% M/WBE participation level. John Bean Technologies Corporation has designated the below-named companies as its certified M/WBE subcontractors:

<u>Name</u>	<u>Type of Work</u>	<u>Dollar Amount</u>	<u>Percentage</u>
Abilities, Unlimited	Direct Labor	\$ 1,162,569.44	7.90%
ADVAC's, Inc.	Direct Labor	\$ 456,198.13	3.10%
<b>Total</b>		\$ 1,618,767.57	11.00%

The Affirmative Action Division will monitor this contract.

Buyer: Murdock Smith

**Estimated Spending Authority**

<b>Department</b>	<b>FY09</b>	<b>Out Years</b>	<b>Total</b>
Houston Airport System George Bush Intercontinental	\$961,028.25	\$ 10,951,849.47	\$11,912,877.72
Houston Airport System William P. Hobby	\$222,701.50	\$ 2,580,489.67	\$2,803,191.17
<b>Total</b>	<b>\$1,183,729.75</b>	<b>\$13,532,339.14</b>	<b>\$14,716,068.89</b>

**REQUEST FOR COUNCIL ACTION**

P

**TO:** Mayor via City Secretary

**RCA# 8068**

**Subject:** Approve an Ordinance Awarding a Contract for Periodicals, Serials, and Newspaper Subscription Services for the Houston Public Library  
S10-T22991

Category #  
4

Page 1 of 1    Agenda Item

55 ~~44~~

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

**Origination Date**  
December 09, 2008

**Agenda Date**  
DEC 30 2008  
~~DEC 17 2008~~

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

**Council District(s) affected**  
All

**For additional information contact:**  
Richard Barchue                      Phone: (832) 393-1558  
Douglas Moore                        Phone: (832) 393-8724

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

**RECOMMENDATION: (Summary)**  
Approve an ordinance awarding a contract to EBSCO Industries, Inc., on its sole bid in an amount not to exceed \$2,500,000.00 for periodicals, serials, and newspaper subscription services for the Houston Public Library.

Maximum Contract Amount: \$2,500,000.00	<b>Finance Budget</b>
\$2,500,000.00 - General Fund (1000)	

**SPECIFIC EXPLANATION:**  
The City Purchasing Agent recommends that City Council approve an ordinance awarding a three-year contract, with two one-year options to EBSCO Industries, Inc., on its sole bid in an amount not to exceed \$2,500,000.00 for periodicals, serials, and newspaper subscription services for the Houston Public Library. The City Purchasing Agent may terminate this contract at any time upon 30-days written notice to the contractor.

This project was advertised in accordance with the requirements of the State of Texas bid laws. Nineteen prospective bidders downloaded the solicitation document from SPD's e-bidding website and one bid was received. The Strategic Purchasing Division conducted a thorough search for contractors who could possibly perform these services. Consequently, five contractors were identified and notified of the Invitation to Bid (ITB). Following the receipt of the bid, contractors were contacted to determine their reason for not responding to the ITB. The potential respondents stated that they either had limited resources to meet the scope of work requirements specified within the ITB, or were disinterested in submitting a bid.

The scope of work requires the contractor to provide all labor, materials and supervision necessary to supply and manage approximately 5,000 periodical, e-journal, serial, and newspaper subscriptions for all library locations. The contractor will provide and maintain all subscription information on an online-accessible database that is continually updated and which can produce multiple management and information reports. The contractor is also required to request indexes, special issues, unnumbered supplements, and other materials included in the basic subscription price from the publishers.

Buyer: Greg Hubbard

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

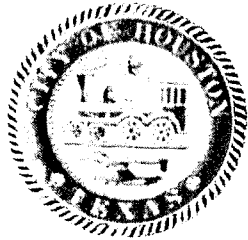
**Estimated Spending Authority:**

DEPARTMENT	FY 2009	OUT YEARS	TOTAL
LIBRARY	\$450,000.00	\$2,050,000.00	\$2,500,000.00

**REQUIRED AUTHORIZATION**

NDT

Finance Department:	Other Authorization:	Other Authorization:
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# CITY OF HOUSTON

Finance & Administration Department  
Strategic Purchasing Division (SPD)

## Interoffice

Correspondence

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

From: Greg Hubbard

Date: July 30, 2008

Subject: MWBE Participation Form

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

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

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

If requesting a revision, how many solicitations were received: \_\_\_\_\_

Solicitation Number: S10-T22991 Estimated Dollar Amount: \$2,500,000.00

Anticipated Advertisement Date: 8/15/2008 Solicitation Due Date: 9/12/2008

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

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

Name and Intent of this Solicitation:  
Periodicals, Serials, and Newspaper Subscription Services.

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

It is recommended that the MWBE subcontracting goal be waived for the Periodicals, Serials, and Newspaper Subscription Services' proposal. The requested services will be issued by the vendor's database for the Library, for subscriptions and bibliographic information, training and customer support. There are only a select number of out-of-the-area vendors who can provide these hardcopy and electronic subscriptions and related e-services. This requirement excludes any opportunity to capture subcontracting, let alone MWBE subcontracting dollars; therefore, a zero-percent (0%) MWBE goal is being sought.

Concurrence:

Greg Hubbard  
SPD Initiator

Doris Moran  
Division Manager

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

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

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

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

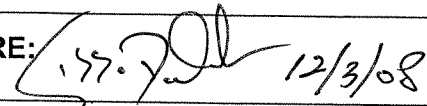
**SUBJECT:** Award Construction Contract  
 SpawGlass Civil Construction, Inc.  
 Memorial Park Pedestrian Bridge  
 WBS No. F-000690-0001-4

Page 1 of 2  
 Agenda Item **5657**


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

**Origination Date**  
 12-10-08

**Agenda Date**  
~~DEC 17 2008~~  
 DEC 30 2008

**DIRECTOR'S SIGNATURE:**  12/3/08  
 Issa Z. Dadoush, P.E.

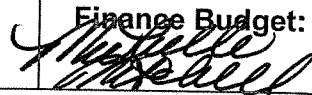
**Council District affected:**  
 G

**For additional information contact:**  
 Jacquelyn L. Nisby  Phone: 832-393-8023

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

**RECOMMENDATION:** Award construction contract and appropriate funds for the project.

**Amount and Source of Funding:**  
 \$ 2,537,518.00 - Equipment Acquisition Consolidated Fund (1800)

**Finance Budget:**  


**SPECIFIC EXPLANATION:** The General Services Department (GSD) recommends that City Council award a construction contract to SpawGlass Civil Construction, Inc. on the proposal amount of \$2,298,000.00 to provide construction services for the Memorial Park Pedestrian Bridge **Phase I. The Memorial Park Conservancy will fund and manage Phase II.**

**PROJECT LOCATION:** 6501 Memorial Drive (491H)

**PROJECT DESCRIPTION:** The scope of work includes construction of a new pedestrian bridge and a 12' wide colored concrete trail connecting the north side of the park to the south side of Memorial Park. The bridge will span both the eastbound and westbound lanes of Memorial Drive just east and parallel to the Union Pacific Railroad crossing. Native plantings growing on the bridge and within the retaining walls are a unique feature of this project. Additional components to the project include demolition of existing hardscape elements, site preparation, drainage and earthwork, curb ramps for accessibility at Picnic Loop Drive and Memorial Drive area, retaining walls on the north side of the westbound lanes and installing the electrical service for future light installation. The second phase of the project, funded by The Memorial Park Conservancy, will include installation of utilities, site lighting, site amenities, planting and irrigation.

The contract duration for this project is 270 days. Clark Condon Associates, Inc. is the design consultant and construction manager for the project.

**PROPOSALS:** On October 3 and October 10, 2008, GSD advertised a Request for Competitive Sealed Proposals containing selection criteria that ranked the respondents on price, experience, references, sub-contractors and schedule. The proposals were due on November 13, 2008, and nine firms responded. GSD evaluated the respondents and SpawGlass Civil Construction, Inc. received the most points and offers the best value for the City based on the advertised criteria.

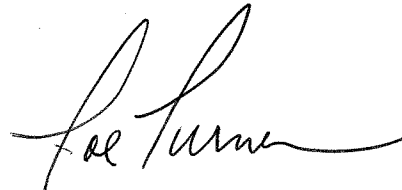
**REQUIRED AUTHORIZATION**

CUIC ID # 25PARK57 **NOT**

**General Services Department:**

**Houston Parks and Recreation Department:**





Humberto Bautista  
 Chief of Design & Construction Division

Joe Turner  
 Director

Date	<b>SUBJECT:</b> Award Construction Contract SpawGlass Civil Construction, Inc. Memorial Park Pedestrian Bridge WBS No. F-000690-0001-4	<b>Originator's Initials</b>  CP	<b>Page</b> 2 of 2
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**PROPOSALS CONT:** The nine proposals are ranked as follows:

- Proposer**
1. SpawGlass Civil Construction, Inc.
  2. NBG Constructors, Inc.
  3. Meridian Commercial, L.P.
  4. L.N. McKean, Inc.
  5. Boyer, Inc.
  6. SER Construction Partners, LTD
  7. Resicom, Inc.
  8. Texas Sterling Construction Co.
  9. TJ & T Enterprises Inc.

**AWARD:** It is recommended that City Council award the construction contract to SpawGlass Civil Construction, Inc. and appropriate funds for the project, including additional appropriations of \$25,000.00 for engineering testing services under the existing contract with Raba-Kistner Consultants, Inc. and \$59,403.00 for construction management services under the existing contract with Clark Condon Associates, Inc.

**FUNDING SUMMARY:**

\$ 2,298,000.00	Construction Contract Services
\$ 114,900.00	5% Contingency
<b>\$ 2,412,900.00</b>	<b>Total Contract Services</b>
\$ 40,215.00	Civic Art (1.75%)
\$ 25,000.00	Engineering Testing
\$ 59,403.00	Construction Management Services
<b>\$ 2,537,518.00</b>	<b>Total Funding</b>

**CONSTRUCTION GOALS:** An MBE goal of 14%, SBE goal of 5% and WBE goal of 5% have been established for this contract. The contractor has submitted the following certified firms to achieve the goals:

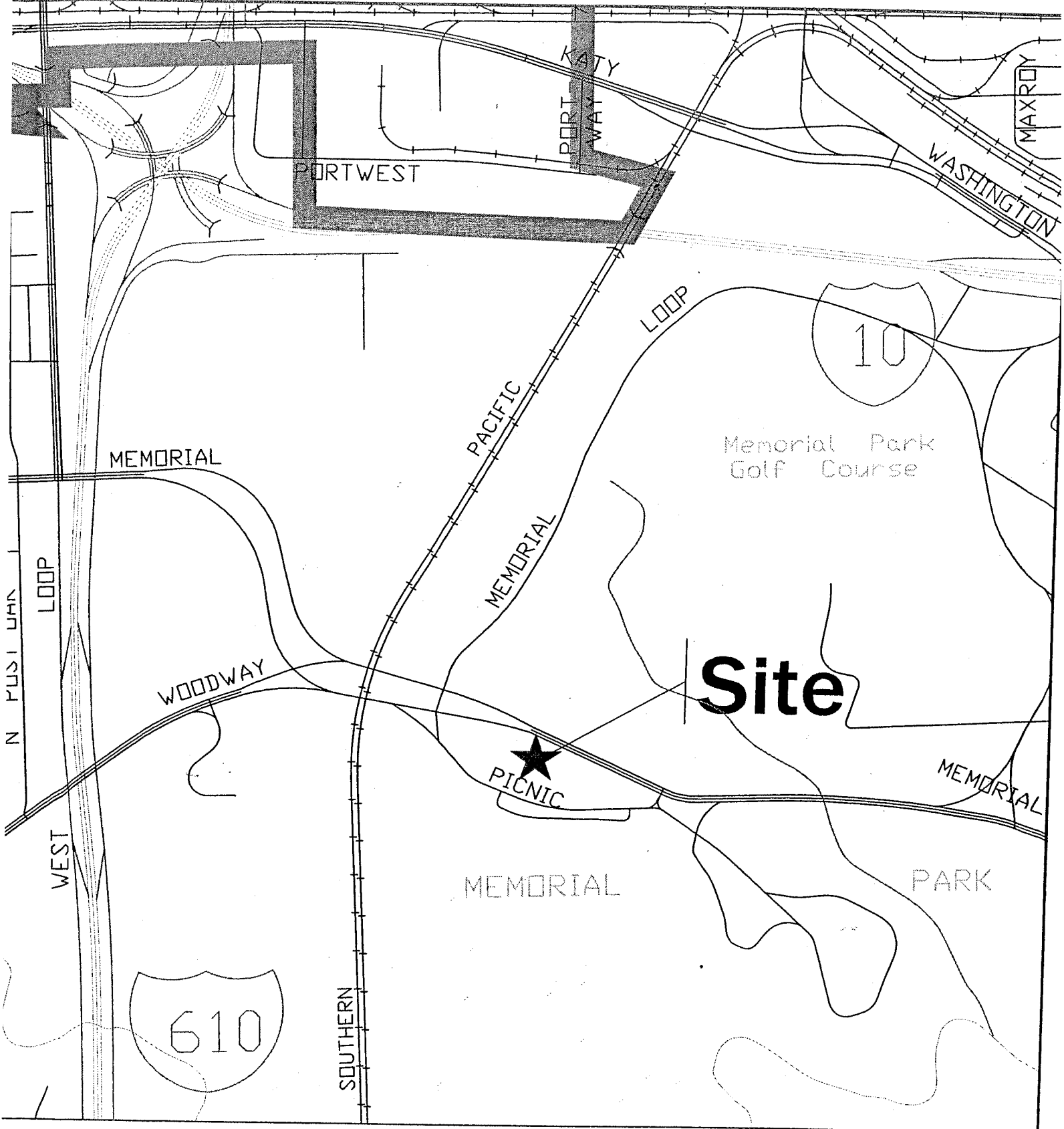
<b><u>FIRM (MBE):</u></b>	<b><u>SCOPE</u></b>	<b><u>AMOUNT</u></b>	<b><u>% of CONTRACT</u></b>
Environmental Allies, L.P.	Erosion Control	\$ 7,519.00	.33
Tricon Precast, Ltd.	Retained Soil Wall System	\$ 62,704.00	2.73
Chavez Service Companies, Inc.	Concrete and Rebar	\$ <u>252,150.00</u>	<u>10.97</u>
<b>TOTAL</b>		<b>\$ 322,373.00</b>	<b>14.03%</b>

<b><u>FIRM (SBE):</u></b>	<b><u>SCOPE</u></b>	<b><u>AMOUNT</u></b>	<b><u>% of CONTRACT</u></b>
Stripes & Stops Company, Inc.	Traffic Control	\$ 28,104.00	1.22
Iron Access, Inc.	Fencing	\$ <u>151,440.00</u>	<u>6.59</u>
<b>TOTAL</b>		<b>\$ 179,544.00</b>	<b>7.81 %</b>

<b><u>FIRM (WBE):</u></b>	<b><u>SCOPE</u></b>	<b><u>AMOUNT</u></b>	<b><u>% of CONTRACT</u></b>
Jimerson Underground, Inc.	Utilities	\$ 152,545.00	6.64%

IZD:PJG:JLN:LJ:CFP:ps

c: Marty Stein, Jacquelyn L. Nisby, Mark Ross, Velma Laws, Kim Nguyen, Siria Harbour, Gabriel Mussio, Webb Mitchell, Dan Pederson, Lisa Johnson, Sydney Igleheart, File 813



# Memorial Park Pedestrian Bridge Memorial Dr., Houston, TX