

**AGENDA - COUNCIL MEETING - TUESDAY - DECEMBER 15, 2009 - 1:30 P. M.**  
**COUNCIL CHAMBER - SECOND FLOOR - CITY HALL**  
**901 BAGBY - HOUSTON, TEXAS**

**PRAYER AND PLEDGE OF ALLEGIANCE** - Council Member Lovell

**1:30 P. M. - ROLL CALL**

**ADOPT MINUTES OF PREVIOUS MEETING**

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

**5:00 P. M. - RECESS**

**RECONVENE**

**WEDNESDAY - DECEMBER 16, 2009 - 9:00 A. M.**

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

**HEARINGS - 9:00 A. M.**

1. **PUBLIC HEARING** to consider a Municipal Setting Designation ordinance (MSD) for 8880 Bellaire, L.P. for the site located at 8880 Bellaire Blvd.
  - a. MUNICIPAL setting designation ordinance prohibiting the use of designated groundwater beneath a tract of land containing 3.362 acres commonly known as 8880 Bellaire Boulevard, Houston, Harris County, Texas; and supporting issuance of a Municipal Setting Designation by the Texas Commission on Environmental Quality; providing for severability - **DISTRICT F - KHAN**
2. **PUBLIC HEARING** to consider a Municipal Setting Designation ordinance (MSD) for SRS Shopping Center, Ltd. for the site located at 13100 block of Memorial Drive
  - a. MUNICIPAL setting designation ordinance prohibiting the use of designated groundwater beneath a tract of land containing 5.984 acres commonly known as 13100 Memorial Drive, Houston, Harris County, Texas; and supporting issuance of a Municipal Setting Designation by the Texas Commission on Environmental Quality; providing for severability - **DISTRICT G - HOLM**

MAYOR'S REPORT

CONSENT AGENDA NUMBERS 3 through 77

MISCELLANEOUS - NUMBERS 3 through 12

3. CONFIRMATION of the reappointment to the **BOARD OF DIRECTORS OF REINVESTMENT ZONE NUMBER ONE (ST. GEORGE PLACE), CITY OF HOUSTON, TEXAS:**
  - Position 6 - **MR. GARY BAUMGARTNER**, for a term to expire 12/31/2011
  - Position 7 - **MR. J. DAVID ENLOE, JR.**, for a term to expire 12/31/2011
  - Position 8 - **MR. WALTER GOFF**, for a term to expire 12/31/2011
  - Position 9 - **MR. BILL HUTZ**, for a term to expire 12/31/2011, and Chair for a term to expire 12/31/2010
  
4. CONFIRMATION of the appointment of the following individuals to the **HOUSTON READ COMMISSION** for three year staggered terms from the date of appointment:
  - Position 18 - **MS. CARMEN NUNCIO**
  - Position 19 - **MS. ADRIANA TAMEZ**
  - Position 20 - **MR. LARRY MCKINZIE**
  - Position 21 - **MS. MARTHA DANIEL**
  - Position 22 - **MR. PHILIP FRAISSINET**
  
5. REQUEST from Mayor for confirmation of the appointment or reappointment of the following individuals to the **BAYBROOK MANAGEMENT DISTRICT BOARD OF DIRECTORS:**
  - Position One - **MR. BRIAN SCHROEDER**, appointment, for a term to expire 6/1/2013
  - Position Two - **MR. DOUG LITTLE**, appointment, for a term to expire 6/1/2013
  - Position Three- **MR. GENE SATERN**, reappointment, for a term to expire 6/1/2013
  - Position Four - **MR. MARK L. HARDY**, appointment, for a term to expire 6/1/2011
  - Position Five - **MR. JOHN L. COLE**, appointment, for a term to expire 6/1/2011
  
6. REQUEST from Mayor for confirmation of the appointment of the following individuals to the **BOARD OF DIRECTORS OF REINVESTMENT ZONE NUMBER THREE, CITY OF HOUSTON, TEXAS (MAIN STREET MARKET SQUARE ZONE):**
  - Position Three- **MS. MICHELE J. SABINO, Ph.D.**, for a term to expire 12/31/2011
  - Position Four - **MS. PAIGE M. MARTIN**, for a term to expire 12/31/2010
  
7. REQUEST from Mayor for confirmation of the appointment or reappointment of the following individuals to the **GREATER NORTHSIDE MANAGEMENT DISTRICT BOARD OF DIRECTORS**, for terms to expire June 1, 2013
  - Position Six - **MR. FRUMENCIO REYES, JR.**, reappointment
  - Position Seven - **MS. JEANETTE RASH**, reappointment
  - Position Eight - **MR. JEFF PROCELL**, appointment
  - Position Nine - **MR. EDWARD (ED) REYES**, reappointment
  - Position Ten - **MS. APRIL COHEN**, reappointment

**MISCELLANEOUS** - continued

8. REQUEST from Mayor for confirmation of the appointment of **MR. DAVID P. MARTIN** to Position Three of the **HARRIS COUNTY-HOUSTON SPORTS AUTHORITY BOARD OF DIRECTORS** for an unexpired term ending August 31, 2010
9. REQUEST from Mayor for confirmation of the appointment or reappointment of the following individuals to the **INTERNATIONAL MANAGEMENT DISTRICT BOARD OF DIRECTORS**, for terms to expire June 1, 2013:
  - Position One - **MS. GLADYS BRUMFIELD**, reappointment
  - Position Two - **MR. FRED BHANDARA**, reappointment
  - Position Three- **MS. KAREN LOPER**, reappointment
  - Position Four - **MS. VU THANH THUY**, reappointment
  - Position Five - **MR. ANTHONY LE**, appointment
  - Position Six - **MR. SHAWN GUO**, reappointment
10. REQUEST from Mayor for confirmation of the appointment of the following individuals to the **TOWER PERMIT COMMISSION**, for two year terms
  - Position Two - **MR. RODNEY LOUIS JONES**
  - Position Three- **MS. CHRISTY B. SMIDT**
  - Position Four - **MR. ANTONIO M. SALINAS**
  - Position Six - **MR. IGNACIO OSORIO**
11. RECOMMENDATION from Director General Services Department for approval of Computer Image for Dedication Plaque for New Kingwood Library - **DISTRICT E - SULLIVAN**
12. RECOMMENDATION from Mayor's Office of Government Affairs for renewal of Annual Membership in the **HOUSTON-GALVESTON AREA COUNCIL** - \$78,145.24 - General Fund

**ACCEPT WORK** - NUMBERS 13 through 15

13. RECOMMENDATION from Director General Services Department for approval of final contract amount of \$17,693,416.00 and acceptance of work on contract with **3D/INTERNATIONAL, INC** for Jesse H. Jones Central Library Renovation, Carnegie Regional Branch Library Renovation and Marston Administration Building - 18.21% over the original contract amount - **DISTRICTS H - GONZALEZ and I - RODRIGUEZ**
14. RECOMMENDATION from Director General Services Department for approval of final contract amount of \$840,134.45 and acceptance of work on contract with **AIA GENERAL CONTRACTORS, INC** for Wheeler Park Underground Storage Tank Modifications and Cleanup 12.91% over the original contract amount - **DISTRICT I - RODRIGUEZ**
15. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$3,149,176.34 and acceptance of work on contract with **INFRASTRUCTURE SERVICES, INC** for Kirby Drive Paving Improvements from IH-610 to Holmes Road - 5.13% under the original contract amount - **DISTRICTS C - CLUTTERBUCK and D - ADAMS**

**PURCHASING AND TABULATION OF BIDS** - NUMBER 16

16. **TDINDUSTRIES** for Chiller Replacement at the Wortham Theater Center for the Convention and Entertainment Facilities Department - \$217,705.00 and contingencies for a total amount not to exceed \$239,475.50 - Enterprise Fund

**RESOLUTIONS AND ORDINANCES** - NUMBERS 17 through 77

17. RESOLUTION approving and authorizing the submission of applications for Clean Water Act Section 319 (h) Grant Funding as long as the City's Cost Share (40% of the total cost) does not exceed \$400,000
18. ORDINANCE **AMENDING CHAPTER 7 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to Metal Recyclers and Secondhand Metal Dealers; containing findings and other provisions relating to the foregoing subject; providing for severability
19. ORDINANCE **AMENDING SECTIONS 8-117 and 8-128 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to Auto Wreckers; containing findings and other provisions relating to the foregoing subject; providing for severability
20. ORDINANCE **AMENDING THE CODE OF ORDINANCES, BY ADDING A NEW ARTICLE VII TO CHAPTER 9** relating to Airport Hazard Area Regulations; establishing Airport Hazard Areas and Regulations in the vicinity of George Bush Intercontinental Airport/Houston, William P. Hobby Airport, Ellington Airport, and within the city limits; adopting Official Airport Hazard Area Maps for land within the Airport Hazard Areas; providing for administration and enforcement; providing for Airport Hazard Area Permits and related matters; making findings and containing other provisions relating to the foregoing subject; providing for an effective date; providing for severability; containing a repealer - **DISTRICTS B - JOHNSON; E - SULLIVAN and I - RODRIGUEZ**
21. ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of Cameron Street (Parcel SY9-049A), from Kirby Drive west to its terminus, and two adjacent sidewalk easements (Parcels SY9-049B and SY9-049C); vacating and abandoning said tracts to the following persons and entities: LG West Avenue Project LP; William T. Dickey Generation-Skipping Trust, Lynn Dickey Wiseheart Generation-Skipping Trust, Catherine Wiley Lippincott Generation-Skipping Trust, Thomas Merritt Lippincott Generation-Skipping Trust, William Matthew Dickey Generation-Skipping Trust, Laura Lynn Dickey Generation-Skipping Trust, William T. Dickey Trust, and Lynn Dickey Wiseheart Trust, all under the will of William M. Dickey; Dickey Realty Ltd.; Thomas M. Lippincott; William T. Dickey; and Lynn Dickey Wiseheart (Collectively, abutting owners) in consideration of the conveyance to the City of a 50-foot-wide utility easement (Parcel VY9-029), all parcels located in College Heights Addition and the College Heights Addition Partial Replat No. 1, A. C. Reynolds League, A-61, Houston, Harris County, Texas; and abutting owners' payment to the City of \$1,495,284.00 - **DISTRICT C - CLUTTERBUCK**
22. ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of (a) Hohl Street, from the west line of Lot 2, Block 2, east to its terminus (Parcel SY9-030A), and of (b-c) two (2) excess, fee-owned tracts of land (Parcels SY9-030B and SY9-030C), vacating and abandoning the said portion of Hohl Street, and authorizing the sale of the two fee-owned tracts of land to MBI, Ltd., the abutting owner, in consideration of its conveyance to the City of (d) a full-width utility easement (Parcel VY9-027), (e) a 40-foot-wide storm sewer easement (Parcel LY9-030) and (f) right-of-way necessary for the construction of a cul-de-sac at the new terminus of Hohl Street (Parcel AY9-020) and the payment of \$43,043.00, and other consideration to the City; all six (6) parcels located in the E. O. Greiner Subdivision, out of the J. T. Harrell Survey, A-329, Houston, Harris County, Texas - **DISTRICT H - GONZALEZ**
23. ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of three drainage easements (Parcels SY9-088A, SY9-088B and SY9-088C) being a portion of the Buxley Street Waste Water Treatment Plant, WCID #51, in the J. Bailey Survey, A-145; vacating and abandoning said easements to the Harris County Flood Control District, owner, in consideration of owner's payment to the City of \$14,228.00; approving two easement conveyances - **DISTRICT D - ADAMS**

**RESOLUTIONS AND ORDINANCES** - continued

24. ORDINANCE approving and authorizing agreement between the City of Houston and **REED PARQUE LIMITED PARTNERSHIP** to provide \$1,317,585.00 Performance-Based Loan of Federal "CDBG - DR" Funds for costs to repair and rehabilitate Reed Parque Townhomes, a 192 unit multi-family project located at 2725 Reed Road, Houston, Texas, of which 98 units will be restricted for a period of five years to CDBG standards all of which must be leased to tenants with 80% or less of the AMI at rents not to exceed high home rent restrictions - **DISTRICT D - ADAMS**
25. ORDINANCE approving and authorizing agreement between the City of Houston and **REGENCY CROSSING, L.L.C.** to provide \$10,315,816.00 Performance-Based Loan of Federal "CDBG - DR" Funds for costs to repair and rehabilitate Catalina Apartments, a 432 unit multi-family apartment community located at 11555 and 11455 Bissonnet, Houston, Texas, of which 221 units will be restricted to CDBG standards all of which must be leased to tenants with 80% or less of the AMI at rents not to exceed high home rent restrictions - **DISTRICT F - KHAN**
26. ORDINANCE renaming Hermann Loop Drive, Golf Course Drive, and a small portion of Montrose Boulevard near Hermann Park to Hermann Park Drive - **DISTRICT D - ADAMS**
27. ORDINANCE changing the name of Southmore with its varying suffixes to Southmore Boulevard **DISTRICT D - ADAMS**
28. ORDINANCE approving and authorizing Amendment No. 2 to Lease Agreement between the City of Houston and **ELLINGTON PARTNERS, L.P.** for certain premises at Ellington Airport Revenue - **DISTRICT E - SULLIVAN**
29. ORDINANCE approving and authorizing Amendment No. 3 to Engagement Letter between the City of Houston and **ZUCHERT, SCOTT & RASENBERGER, L.L.P.** for provision of Specialized Legal Services for Houston Airport System; providing a maximum contract amount - 3 Years \$2,100,000.00 - Enterprise Fund - **DISTRICTS B - JOHNSON; E - SULLIVAN and I - RODRIGUEZ**
30. ORDINANCE amending Ordinance No. 2008-1149 providing for an ad valorem tax exemption on a historical site located at 1524 Allston Street in Houston, Texas; containing findings and other provisions relating to the foregoing subject; providing for the revocation of such tax exemption and the recapture of taxes upon the occurrence of stated events - **DISTRICT H - GONZALEZ**
31. ORDINANCE amending Ordinance No. 2008-1198 providing for an ad valorem tax exemption on a historical site located at 1132 Rutland Street in Houston, Texas; containing findings and other provisions relating to the foregoing subject; providing for the revocation of such tax exemption and the recapture of taxes upon the occurrence of stated events - **DISTRICT H - GONZALEZ**
32. ORDINANCE authorizing collection of an early additional penalty on delinquent personal property taxes to defray costs of collection as provided under §33.11 of the Texas Tax Code; approving and authorizing first amendment to contract between the City and **LINEBARGER GOGGAN BLAIR & SAMPSON, LLP** for the Collection of Delinquent Ad Valorem Taxes for the City of Houston. Texas to provide for the collection of an early additional penalty on delinquent personal property tax under Section 33.11 of the Texas Tax Code - Revenue
33. ORDINANCE awarding Professional Services Agreement to **CRAIG T. MASON** for Pension related Consulting Services for the Finance Department; providing a maximum contract amount 3 Years - \$302,699.88 - General Fund
34. ORDINANCE approving and authorizing second amendment to Concession Agreement between the City of Houston and **HERMANN PARK CONSERVANCY** Approved by Ordinance No. 2002-418 - **DISTRICT D - ADAMS**

**RESOLUTIONS AND ORDINANCES** - continued

35. ORDINANCE amending the agreements authorized by 1) Ordinances 2006-196, 2006-1145 relating to health care and dental insurance benefits for City employees, retirees, deferred retirees, survivors and certain dependents, and 2) Ordinance 2009-1107 relating to various Medicare Health Plans for City retirees and their dependents; amending various plans and agreements regarding health care, dental insurance benefits and Medicare Health Plans for the respective aforementioned beneficiaries
36. ORDINANCE establishing a Single Non-Profit Trust to allow the City of Houston to be exempt from insurance premium taxes under Section 222.002(C)(5) of the Texas Insurance Code; establishing the "City of Houston, Texas Single Non-Profit Trust Fund" to receive and disburse payments relative to premiums for Employee Group Health and Life Insurance; appointing the Mayor as Trustee and the Human Resources Director as Plan Administrator of the Trust; approving and authorizing a Single Non-Profit Trust Fund Agreement between the City and the Mayor as Trustee; authorizing the Mayor to take such related actions as are necessary to secure the premium tax exemptions
37. ORDINANCE amending Ordinance Numbers 2007-1119, 2007-1288, 2008-0019, and 2008-0602 to increase the maximum contract amounts; approving and authorizing first amendments to various contracts for HIV/STD Services related to Health Education Risk Reduction, Counseling, Testing, and Referral Services, Routine, Opt-Out HIV Screening, and School Based Programs between the City and the following contractors: (1) **AIDS FOUNDATION HOUSTON, INC**, (2) **BEE BUSY LEARNING ACADEMY, INC**, (3) **CAREER & RECOVERY RESOURCES, INC**, (4) **HOUSTON AREA COMMUNITY SERVICES, INC**, (5) **LEGACY COMMUNITY HEALTH SERVICES, INC**, (6) **MONTROSE COUNSELING CENTER**, (7) **NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE, INC - HOUSTON BRANCH**, (8) **POSITIVE EFFORTS, INC**, (9) **ST. HOPE FOUNDATION**, (10) **THE UNIVERSITY OF TEXAS HEALTH SCIENCE CENTER AT HOUSTON**, (11) **THE UNIVERSITY OF TEXAS HEALTH SCIENCE CENTER AT HOUSTON**, and (12) **YOUNG WOMEN'S CHRISTIAN ASSOCIATION OF HOUSTON** - 2 Years - \$5,997,178.50 - Grant Fund
38. ORDINANCE appropriating any and all funds contributed to and received into the Contractors' Responsibility Fund (Established by Ordinance No. 2007-0931 for the purpose of defraying the costs of health benefits to small employers who were previously uninsured) through the end of Fiscal Year 2010; approving and authorizing contract with **TEXHEALTH HARRIS COUNTY 3-SHARE, INC** to market and provide such benefits
39. ORDINANCE approving and authorizing contract between the City of Houston and **HOUSTON CLEAN CITY COMMISSION, INC. d/b/a KEEP HOUSTON BEAUTIFUL** for Volunteer Cleanup Services on Neighborhood Lots for the Houston Police Department; providing a maximum contract amount - 1 Year with two one-year options - \$450,000.00 - General Fund
40. ORDINANCE approving and authorizing agreement between the City of Houston and **PERFICIENT, INC** for 3-1-1 Houston Helpline Services for the Information Technology Department; providing a maximum contract amount - 1 Year with two one-year options \$2,250,000.00 - Central Service Revolving Fund
41. ORDINANCE awarding contract to **MID-AMERICAN/E.R.S. JOINT VENTURE** for Elevators, Escalators, Wheelchair Lifts and Moving Sidewalk Systems Maintenance Services for the Houston Airport System; providing a maximum contract amount - 5 Years - \$26,425,722.00 Enterprise Fund - **DISTRICTS B - JOHNSON and I - SULLIVAN**
42. ORDINANCE awarding contract to **YAMAHA GOLF-CAR COMPANY** for Golf Cart Leasing Services for Various Departments; providing a maximum contract amount - 3 Years with two one-year options - \$2,494,000.72 - General and Parks Special Revenue Funds

**RESOLUTIONS AND ORDINANCES** - continued

43. ORDINANCE appropriating \$148,700.00 out of Fire Department Training Services Fund for Improvement Projects at the Val Jahnke Fire Training Academy
44. ORDINANCE de-appropriating \$1,716,709.00 from the Reimbursement of Equipment/Project Fund (as passed by Ordinance Nos. 2009-116, 2009-629, 2009-397); and appropriating \$1,716,709.00 from the Miscellaneous Capital Projects / Acquisitions CP Series E Fund **DISTRICTS D - ADAMS and I - RODRIGUEZ**
45. ORDINANCE appropriating \$348,600.00 out of Woodlands Regional Participation Fund and approving and authorizing the issuance of a purchase order to **T.F. HARPER & ASSOCIATES L.P.** for Improvements to Lake Houston Park - \$100,000.00 - Grant Fund
46. ORDINANCE appropriating \$351,156.00 out of Public Health Consolidated Construction Fund and approving and authorizing Professional Architectural Services Contract between the City of Houston and **JACKSON & RYAN ASSOCIATES, INC** for Bureau of Animal Regulation and Care (BARC) Facility Expansion/Renovation; providing funding for the Civic Art Program - **DISTRICT B - JOHNSON**
47. ORDINANCE appropriating \$140,000.00 out of Convention and Entertainment Construction Fund; approving and authorizing Professional Services contract between the City of Houston and **WISS, JANNEY, ELSTNER ASSOCIATES, INC** Jones Hall Cladding Assessment - **DISTRICT I - RODRIGUEZ**
48. ORDINANCE appropriating \$5,000,000.00 out of General Improvement Consolidated Construction Fund, \$1,375,000.00 out of Julia Ideson Library Contributions Fund, \$50,000.00 out of Public Library Consolidated Construction Fund; approving and authorizing second amendment to Construction Management-At-Risk Contract (Approved by Ordinance No. 2007-1471) between the City of Houston and **SPAWMAXWELL COMPANY, L.L.C.** for the Julia Ideson Building Restoration and Addition - **DISTRICT I - RODRIGUEZ**
49. ORDINANCE appropriating \$200,000.00 out of Solid Waste Consolidated Construction Fund, \$170,000.00 out of General Improvement Consolidated Construction Fund, \$400,000.00 out of Parks Consolidated Construction Fund, \$850,000.00 out of Public Library Consolidated Construction Fund, and \$1,455,000.00 out of Police Consolidated Construction Fund for Minor Construction, Repairs, Rehabilitations or Alterations of Various Facilities under the Job Order Contracts Program; awarding Job Order Contracts to **HALLMARK CBIC JOINT VENTURE** and **P^2MG LLC** and providing a maximum contract amount of \$10,000,000.00 for each contract; amending Ordinance No. 2007-0167 to increase the maximum contract amount for Job Order Contract with **WILLIAMS & THOMAS LP dba JAMAIL CONSTRUCTION AND RHJ-JOC, INC**
50. ORDINANCE appropriating \$4,070,000.00 out of Reimbursement of Equipment/Projects Fund as an additional appropriation for the Central Permitting Center under an existing Construction Management At-Risk Contract with **MANHATTAN CONSTRUCTION COMPANY** (Approved by Ordinance No. 2009-0811); providing funding for Civic Art Program and contingencies relating to construction of facilities financed by the Reimbursement of Equipment/Projects Fund - **DISTRICT H - GONZALEZ**
51. ORDINANCE appropriating \$751,384.00 out of Public Health Consolidated Construction Fund; approving and authorizing Professional Architectural Services Contract between the City of Houston and **ENGLISH + ASSOCIATES ARCHITECTS, INC** for Ann Slemons Young Animal Center; providing funding for Civic Art Program - **DISTRICT I - RODRIGUEZ**

**RESOLUTIONS AND ORDINANCES** - continued

52. ORDINANCE appropriating \$139,300.88 out of Public Health Consolidated Construction Fund, and \$200,000.00 out of Fire Consolidated Construction Fund as an additional appropriation for the purchase and installation of HVAC Equipment for the Department of Health and Human Services and the Houston Fire Department under an existing contract with **RDI MECHANICAL INC** (Approved by Ord. 09-0435) - **DISTRICTS A - LAWRENCE; B - JOHNSON; D - ADAMS; F - KHAN; G - HOLM and H - GONZALEZ**
53. ORDINANCE appropriating \$131,752.00 out of Water & Sewer System Consolidated Construction Fund and awarding construction contract to **INLAND ENVIRONMENTS, LTD** for Asbestos/Lead Abatement, Demolition and Disposal at Six Department of Public Works & Engineering Water Plants, 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 project management, construction oversight and air monitoring and contingencies relating to construction of facilities financed by Water & Sewer System Consolidated Construction Fund - **DISTRICTS A - LAWRENCE; B - JOHNSON; E - SULLIVAN and G - HOLM**
54. ORDINANCE appropriating \$336,783.00 out of Parks Consolidated Construction Fund, awarding construction contract to **APACHE SERVICES, INC** for Eastwood and Cliff Tuttle Parks; 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 services, construction management, and contingencies relating to construction of facilities financed by Parks Consolidated Construction Fund - **DISTRICTS H - GONZALEZ and I - RODRIGUEZ**
55. ORDINANCE awarding construction contract to **GULF COAST LANDSCAPE SERVICES, INC** for Robert C. Stuart Park; 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, and contingencies relating to construction of facilities financed by the Texas Parks and Wildlife Department State-Grant Fund - \$327,972.00 - Grant Fund - **DISTRICT I - RODRIGUEZ**
56. MUNICIPAL setting designation ordinance prohibiting the use of designated groundwater beneath a 0.6885 tract of land commonly known as 3131 Argonne Avenue, and a portion of Branard Street, Houston, Harris County, Texas; and supporting issuance of a Municipal Setting Designation by the Texas Commission on Environmental Quality - **DISTRICT C - CLUTTERBUCK**
57. MUNICIPAL setting designation ordinance prohibiting the use of designated groundwater beneath several tracts of land containing approximately 73.2104 acres, commonly known as 1400 Fulton Street, Houston, Harris County, Texas, including parts of the rights-of-way of North Main Street, Burnett Road, Leona Street, Elysian Street, Hardy Street, Maury Street, Conti Street, Maffitt Street, High Street, Chapman Street, Trenton Street, Daly Street, Naylor Street, McKee Street, Opelousas Street and Brooks Street, Houston, Harris County, Texas; and supporting issuance of a Municipal Setting Designation by the Texas Commission on Environmental Quality - **DISTRICT H - GONZALEZ**

**RESOLUTIONS AND ORDINANCES** - continued

58. ORDINANCE consenting to the addition of 0.7283 acres of land to **CROSBY MUNICIPAL UTILITY DISTRICT**, for inclusion in its district
59. ORDINANCE consenting to the addition of 11.453 acres of land to **FORTBEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 50**, for inclusion in its district
60. ORDINANCE consenting to the addition of 20.640 acres of land to **FORTBEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 50**, for inclusion in its district
61. ORDINANCE consenting to the addition of 19.042 acres of land to **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 61**, for inclusion in its district
62. ORDINANCE consenting to the addition of 4.208 acres of land to **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 364**, for inclusion in its district
63. ORDINANCE consenting to the creation of **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 506**
64. ORDINANCE consenting to the addition of 1.1135 acres of land to **HARRIS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 109**, for inclusion in its district
65. ORDINANCE consenting to the addition of 21.244 acres of land to **WOODCREEK MUNICIPAL UTILITY DISTRICT**, for inclusion in its district
66. ORDINANCE authorizing the acquisition from Glenwood Cemetery, Inc of (a) Parcel AY9-461, consisting of 2,230 square feet of land in fee and (b) Parcel AY9-462, consisting of 3,097 square feet of land in fee, located between the south property line of Glenwood Cemetery and the North Bank of Buffalo Bayou, in exchange for the conveyance to Glenwood Cemetery, Inc, the abutting owner, of (c) Parcel SY9-093, consisting of 5,780 square feet of land in fee, located on the north side of Memorial Drive between Glenwood and Washington Cemeteries, all three (3) Parcels located in the John Austin Survey, A-1, Houston, Harris County, Texas, in connection with properties needed for Hike and Bike Trail Purposes - **DISTRICT H - GONZALEZ**
67. ORDINANCE appropriating \$808,871.70 out of Street & Bridge Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **CIVIL TECH ENGINEERING, INC** for Memorial Drive Paving Improvements from North Kirkwood Road To North Eldridge Parkway; providing funding for contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund **DISTRICT G - HOLM**
68. ORDINANCE appropriating \$786,103.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **MALCOLM PIRNIE, INC** for the East Water Purification Plant (EWPP) Process and Plant Reliability Improvements; providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT E - SULLIVAN**
69. ORDINANCE appropriating \$1,121,000.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **AECOM USA, INC d/b/a AECOM USA GROUP, INC** for the East Water Purification Plant (EWPP) Facilities Rehabilitation and Improvements; providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT E - SULLIVAN**

**RESOLUTIONS AND ORDINANCES** - continued

70. ORDINANCE appropriating \$330,000.00 out of Water & Sewer System Consolidated Construction Fund as an additional appropriation for Professional Engineering Services contract between the City of Houston and **BROWN & GAY ENGINEERS, INC** for Rehabilitation of Water Storage Tanks at Various Locations (Approved by Ordinance No. 2009-242) - **DISTRICTS A - LAWRENCE; B - JOHNSON; C - CLUTTERBUCK; E - SULLIVAN; F - KHAN and G - HOLM**
71. ORDINANCE appropriating \$365,000.00 out of General Improvement Consolidated Construction Fund and approving and authorizing a second amendment to an Interlocal Agreement between the City of Houston and **HOUSTON PARKS BOARD, LGC** (Approved by Ordinance No. 2009-257) for the Mowery Road Extension East of future Kirby Drive - **DISTRICT D - ADAMS**
72. ORDINANCE appropriating \$3,700,200.00 out of Street & Bridge Consolidated Construction Fund and \$1,176,900.00 from Water & Sewer System Consolidated Construction Fund, awarding contract to **SOUTH COAST CONSTRUCTION, INC** for Construction of Kirby Drive from West Airport to Sims Bayou and Mowery Road from Edwina to future Kirby Drive; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the city; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering, testing, project management and contingencies relating to construction of facilities financed by Street & Bridge Consolidated Construction Fund and Water & Sewer System Consolidated Construction Fund - **DISTRICT D - ADAMS**
73. ORDINANCE appropriating \$679,576.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **PORTLAND UTILITIES CONSTRUCTION CO., LLC** for Wastewater Collection System Rehabilitation and Renewal; 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, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund
74. ORDINANCE appropriating \$377,483.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **ENVIROWASTE SERVICES GROUP, INC** for Sanitary Sewer Cleaning and Television Inspection in support of Rehabilitation; 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, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund
75. ORDINANCE appropriating \$500,679.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **ENVIROWASTE SERVICES GROUP, INC** for Sanitary Sewer Cleaning and Television Inspection in support of Rehabilitation; 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, and contingencies relating to construction of facilities financed by Water & Sewer System Consolidated Construction Fund
76. ORDINANCE appropriating \$810,889.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **TEXAS REEXCAVATION, L.C.** for Wastewater Collection System Rehabilitation and Renewal; 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, and contingencies relating to construction of facilities financed by Water & Sewer System Consolidated Construction Fund

**RESOLUTIONS AND ORDINANCES** - continued

77. ORDINANCE appropriating \$577,492.00 out of Airport System Consolidated 2001 NONAMT Construction Fund and awarding construction contract to **R & B GROUP, INC** for Sanitary Sewer Lift Station Upgrade at Gate C-45 at George Bush Intercontinental Airport/Houston (Project 638); 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 services and for contingencies relating to construction of facilities financed by such funds - **DISTRICT B - JOHNSON**

**END OF CONSENT AGENDA**

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

**NON CONSENT AGENDA** - NUMBER 78

**MISCELLANEOUS**

78. **SET HEARING DATE** to consider a Municipal Setting Designation ordinance (MSD) for Harcross Chemicals, Inc and Union Pacific Rail Road for the site located at 1701 and 1610 Oliver Street, Houston, Texas  
**SUGGESTED HEARING DATE - 9:00 A.M. - WEDNESDAY - FEBRUARY 17, 2010**

**MATTERS HELD** - NUMBERS 79 through 89

79. ORDINANCE appropriating \$17,547.04 out of Equipment Acquisition Consolidated Fund for Purchase of Utility Vehicles for the Houston Police Department  
**TAGGED BY COUNCIL MEMBER LAWRENCE**
- a. RECOMMENDATION from Purchasing Agent to award to **PHILPOTT MOTORS, LTD.** for Purchase of Utility Vehicles through the Interlocal Agreement for Cooperative Purchasing with Houston-Galveston Area Council for Houston Police Department - \$167,543.04 - Equipment Acquisition Consolidated Fund - **TAGGED BY COUNCIL MEMBER LAWRENCE**  
These were Items 11 and 11A on Agenda of December 9, 2009
80. RECOMMENDATION from Director Information Technology to approve spending authority for Purchase of Tech-Related Products/Services through the Texas Department of Information Resources (DIR) and the Master Intergovernmental Cooperative Purchasing Agreement for Various Departments to the DIR contract holders and U. S. Communities Lead Public Agency contractors as shown below:  
**DIR - \$75,000,000.00**  
**GTSI CORP. - \$6,000,000.00**  
**INSIGHT PUBLIC SECTOR, INC - \$1,000,000.00**  
**SOLUTIONS4SURE.COM, INC d/b/a TECH DEPOT - \$1,000,000.00**  
**TAGGED BY COUNCIL MEMBER JOHNSON**  
This was Item 15 on Agenda of December 9, 2009

**MATTERS HELD** – continued

81. ORDINANCE approving and authorizing agreement between the City of Houston and **HOLLY VIEW APARTMENTS, LLC** to provide a \$8,020,000.00 Performance-Based Loan of Federal "CDBG-DR" Funds for hard costs to repair and rehabilitate Hollyview Apartments located at 5555 Holly View Drive, Houston, Texas, of which 166 units will be restricted as CDBG Affordable Floating Units for a period of five years for residents whose annual income does not exceed 80% of AMI at rents not to exceed high home rent limits - **DISTRICT B - JOHNSON**  
**TAGGED BY COUNCIL MEMBER JONES**  
This was Item 46 on Agenda of December 9, 2009
82. ORDINANCE approving and authorizing agreement between the City of Houston and **STERLING GROVE L.P.** to provide a \$11,943,067.00 Performance-Based Loan of Federal "CDBG-DR" Funds for hard costs to repair and rehabilitate Sterling Grove Apartments located at 6420 Antoine, Houston, Texas, of which 172 units will be restricted as CDBG Affordable Floating Units for a period of five years for families whose annual income does not exceed 80% of AMI at rents not to exceed high home rent limits - **DISTRICT B - JOHNSON**  
**TAGGED BY COUNCIL MEMBER JONES**  
This was Item 47 on Agenda of December 9, 2009
83. ORDINANCE approving and authorizing first amendment to contract for Latent Print Support Services between the City and **RON SMITH & ASSOCIATES, INC** to provide Management Services to the Houston Police Department's Identification Division; providing a maximum contract amount - \$2,902,037.00 - General Fund - **TAGGED BY COUNCIL MEMBERS LAWRENCE, JOHNSON, NORIEGA, JONES and GREEN**  
This was Item 51 on Agenda of December 9, 2009
84. ORDINANCE approving and authorizing contract between the City of Houston and the **HOUSTON ARTS ALLIANCE** for Professional Civic Art and Conservation Administration Services on behalf of General Services Department; providing a maximum contract amount - (\$116,932.92 Previously appropriated) - **TAGGED BY COUNCIL MEMBERS CLUTTERBUCK and SULLIVAN**  
This was Item 52 on Agenda of December 9, 2009
85. ORDINANCE approving and authorizing contract between the City of Houston and the **HOUSTON ARTS ALLIANCE** for Professional Civic Art and Conservation Administration Services on behalf of the Houston Airport System; providing a maximum contract amount - (\$2,548,000.00 Previously appropriated) - **DISTRICTS B - JOHNSON; E - SULLIVAN and I - RODRIGUEZ**  
**TAGGED BY COUNCIL MEMBERS JOHNSON and SULLIVAN**  
This was Item 53 on Agenda of December 9, 2009
86. ORDINANCE approving and authorizing four contracts between the City of Houston and **PAYLESS INSULATION, INC, DIRECT ENERGY LP, STANDARD RENEWABLE ENERGY LP,** and **PMG PROJECT MANAGEMENT LLC** for the Residential Energy Efficiency Program (REEP); containing provisions relating to the subject; establishing a maximum contract price 3 Years - \$5,000,000.00 each - American Recovery & Reinvestment Act Funds  
**TAGGED BY COUNCIL MEMBER GREEN**  
This was Item 55 on Agenda of December 9, 2009
87. ORDINANCE approving and authorizing Professional Residential Post Weatherization Home Inspection Contract between the City of Houston and the **NELROD COMPANY** for the Residential Energy Efficiency Program (REEP) - 3 Years - \$2,500,000.00 - American Recovery & Reinvestment Act Funds - **TAGGED BY COUNCIL MEMBERS GREEN and KHAN**  
This was Item 56 on Agenda of December 9, 2009

**MATTERS HELD** – continued

88. ORDINANCE approving and authorizing Professional Services Contract between the City of Houston, Texas and **SIEMENS INDUSTRY, INC** for Negotiated Work Orders for Investment Grade Audit of various City Waste Water Treatment Facilities; preparing for compensation to be paid by the City - \$7,500,000.00 - Combined Utility System General Purpose Fund - **TAGGED BY COUNCIL MEMBERS JONES, LOVELL, LAWRENCE, JOHNSON, KHAN and GREEN**  
This was Item 63 on Agenda of December 9, 2009
89. ORDINANCE appropriating \$592,728.00 out of TIRZ Affordable Housing Fund and approving and authorizing Developer Participation Contract between the City of Houston and **CFG TX GP, LLC** for reimbursement of costs for paving in Settegast - **DISTRICT B - JOHNSON**  
**POSTPONED BY MOTION #2009-900, 12/9/09**  
This was Item 93 on Agenda of December 9, 2009

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

**CITY COUNCIL CHAMBER - CITY HALL 2<sup>nd</sup> FLOOR - TUESDAY  
DECEMBER 15, 2009 – 2:00 PM**

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3MIN

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**NON-AGENDA**

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3MIN

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MR. JAY GARRISON – 12728 Hollandale – 77082 – 281-556-5196 – HPD harassment of senior citizens

MR. DAVID MEARS – 5107 Tidewater – 77045 – 713-433-0563 – 713-433-0563 – Follow-up from September; after waiting four months

MR. DONALD BURNS – 2016 Main, No. 2301 – 77002 – 713-882-0307 – Shamrock Manor – Deed Restrictions

MS. FAITH RIVERS – 10106 Cheeves - 7016 – 832-896-0661 – Municipal courts - wrongful terminated

MS. DEBBIE RAMIREZ – 7311 Carnel - 77012 – 713-966-0754 – EMS – complaints about workers

MS. ANNA CORTEZ – 9215 Bellwood – 77036 – 713-270-9299 - Crime on our property

MS. RUBY ADAMS – 3906 Woodmont Dr. – 77045 – 713-721-2152 – City taxes

MR. O. B. BROWN – 1415 Cushing – 77019 – 713-759-1432 – Community issues

MR. LONNIE HOUSE – 1109 Wilson – 77019 – 832-618-3246 – Community issues

MR. KEVIN NORMAN – No address given – 281-780-4415 – Support for Jolanda Jones

MR. GREGORY FRANKS – 4012 Knottynold – 77053 – 281-635-0507 – Public Housing for disabilities

MR. LEO VASQUEZ – 1001 Preston – 77002 – 713-368-2010 – Tax Collection Contract

MR. GILBERT DOUGLAS – 26734 Clark Rd. – Waller – TX – 77484 – 713-851-4834 – City Retirees and Medical Insurance (HMO-Blue)

**PREVIOUS**

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MS. MARY TAYLOR - 1403 Fashion Hill Dr. - 77088 - 281-445-0682 – Mayor White get two project on the books before leaving

PRESIDENT JOSEPH CHARLES - Post Office Box 524373 - 77052-4373 – G/Mafia Terrorist City Mayoral Elections W/Voters Fraud W/Illegal Campaign Funding

1  
DEC 16 2009

MOTION NO. 2009 0773

MOTION by Council Member Khan that the recommendation of the Director of the Department of Public Works and Engineering, to set a hearing date to consider a Municipal Setting Designation Ordinance for 8880 Bellaire, L.P., for the Site located at 8880 Bellaire Blvd., (MSD #2008-011-FDC), be adopted, and a Public Hearing be set for 9:00 a.m., Wednesday, December 16, 2009, in the City Council Chamber, Second Floor, City Hall.

Seconded by Council Member Green and carried.

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

PASSED AND ADOPTED this 21st day of October 2009.

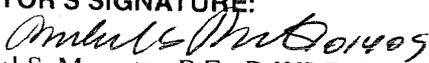
Pursuant to Article VI, Section 6 of the City Charter, the  
effective date of the foregoing motion is October 27, 2009.



City Secretary

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

<b>SUBJECT:</b> Motion establishing a public hearing date to consider adopting a Municipal Setting Designation Ordinance for 8880 Bellaire, L.P. for the Site located at 8880 Bellaire Blvd. (MSD # 2008-011-FDC)		Page 1 of 1	Agenda Item # <b>75</b>
<b>FROM (Department or other point of origin):</b> Department of Public Works and Engineering		<b>Origination Date</b> 10/15/09	<b>Agenda Date</b> <del>09/21/2009</del>
<b>DIRECTOR'S SIGNATURE:</b>  Michael S. Marcotte, P.E., D.WRE, BCEE, Director		<b>Council District affected:</b> F C and G within 5 miles of site.	
<b>For additional information contact:</b> Carol A. Ellinger, P.E. <sup>W</sup> Senior Assistant Director (713) 837-7658 Richard J. Chapin, P.E. <sup>W</sup> Senior Project Manager (713) 837-0421		<b>Date and identification of prior authorizing Council action:</b> 8/22/2007 – 2007-0959	

**RECOMMENDATION: (Summary)**  
Establish a public hearing date to consider adopting a Municipal Setting Designation (MSD) Ordinance for 8880 Bellaire, L.P. for the site located at 8880 Bellaire Blvd.

**Amount and Source of Funding:** N/A *94m - 12/14/09*

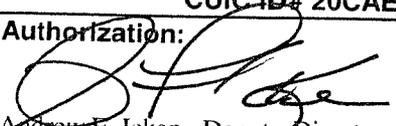
**BACKGROUND:** In 2003, the Texas Legislature authorized the creation of Municipal Setting Designations (MSDs), which would designate an area in which the use of contaminated groundwater is prohibited for use as potable water. The law is administered by TCEQ and requires local City support to designate an MSD. The intent of the legislation is to encourage redevelopment of vacant or abandoned properties while protecting the public health. On August 22, 2007, City Council approved an Ordinance amending Chapter 47 of the Code of Ordinances by adding Article XIII relating to groundwater, which provides a process to support or not support a MSD application to the State. This Ordinance requires a written public notice be mailed to property owners within 2,500 feet of a proposed MSD and owners/operators of potable water wells within 5 miles of a proposed MSD. In addition, a public meeting and a public hearing are required to be held prior to City Council consideration of support.

**8880 BELLAIRE, L.P. APPLICATION:** 8880 Bellaire, L.P. is seeking a MSD for 3-acres of land located at 8880 Bellaire Blvd. The contamination consists of tetrachloroethene (PCE), trichloroethene (TCE), cis-1,2-dichloroethene (cis-1,2-DCE), trans-1,2-dichloroethene (trans-1,2-DCE), 1,1-dichloroethene (1,1-DCE), and vinyl chloride (VC). The site consists of approximately 8-acres of land located west of downtown. Golden Fleetwood Dry Cleaners historically operated in tenant space G within the Bellaire Boulevard Retail Center from 1983 through 2001. Site investigations identified groundwater contamination and two soil source areas. Excavation was completed in 2001. Groundwater remediation was started in 2001 using in-situ treatment, dual-phase high vacuum extraction and bioremediation injections. A comparison of the sampling results from as early as February 1999 through September 2008 indicates that the area of impact has reduced substantially over time. A public meeting will be held on 11/16/2009 at the Tracey Gee Community Center 3599 Westchase Dr.

8880 Bellaire, L.P. is seeking a MSD for this property to restrict access to groundwater to protect the public against exposure to contaminants. There is a public drinking water supply system that meets state requirements that supplies or is capable of supplying drinking water to the MSD property and all properties within one-half mile of the MSD property.

**RECOMMENDATIONS:** City Ordinance requires City Council to hold a public hearing before adopting a Municipal Setting Designation Ordinance (MSD). The Department of Public Works and Engineering recommends establishing a public hearing date not sooner than six weeks from passage of the Motion and directing the City Secretary to publish notice of the hearing no less than thirty (30) calendar days before the public hearing date for 8880 Bellaire, L.P. for the site located at 8880 Bellaire Blvd. Preferred hearing date, 12/16/2009.

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 C: Marty Stein, Waynette Chan, Gary Drabek, Ceil Price

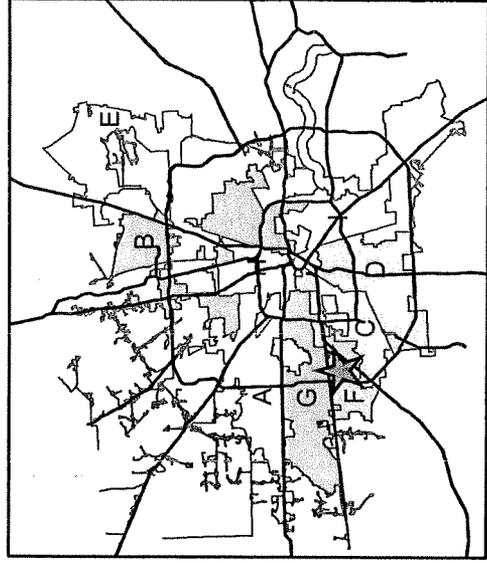
<b>REQUIRED AUTHORIZATION</b> <span style="float: right;">CUIC ID# 20CAE51</span>		
<b>Finance Department:</b>	<b>Authorization:</b>  Andrew F. Icken., Deputy Director Planning and Development Services Division	<b>Other Authorization:</b>

# Municipal Settings Designation Application

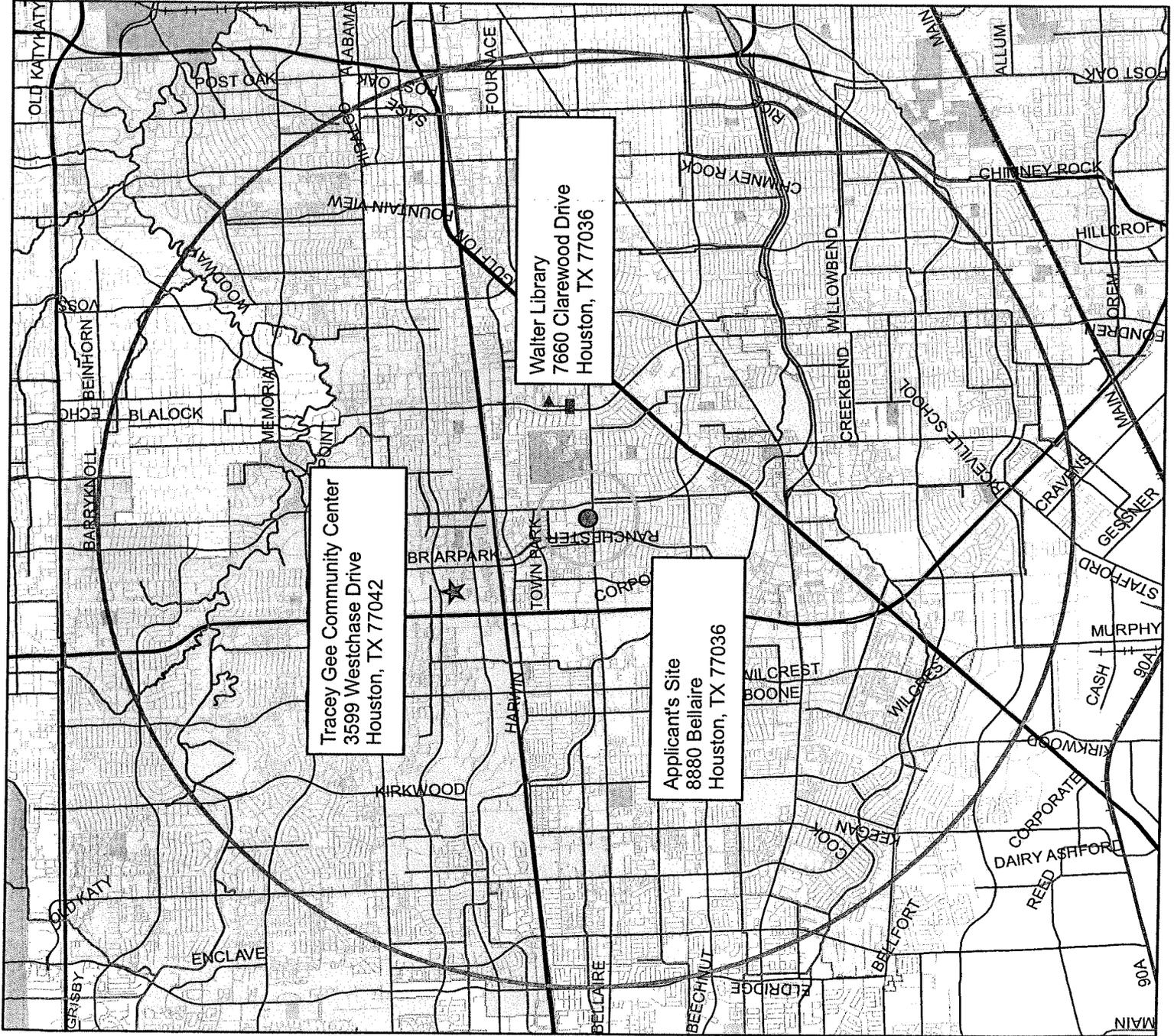
2008-011-FDC  
Vicinity Map

## Legend

-  MSD Application
-  Community Center
-  Library
-  5 Mile Notification Area
-  1/2 Mile Notification Area



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



TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

<b>SUBJECT:</b> A Municipal Setting Designation Ordinance prohibiting the use of designated groundwater for 8880 Bellaire, L.P. for the site located at 8880 Bellaire Blvd., Houston, TX 77036. (MSD # 2008-011-FDC)		<b>Page</b> 1 of 1	<b>Agenda Item #</b> 1A
<b>FROM (Department or other point of origin):</b> Department of Public Works and Engineering		<b>Origination Date</b> 12-10-09	<b>Agenda Date</b> DEC 16 2009
<b>DIRECTOR'S SIGNATURE:</b>  Michael S. Marcotte, P.E., D.WRE, BCEE, Director		<b>Council District affected:</b> F	
<b>For additional information contact:</b> Carol Ellinger Haddock, P.E. <i>CEH</i> Senior Assistant Director (713) 837-7658 Richard J. Chapin, <i>RJC</i> Senior Project Manager (713) 837-0421		<b>Date and identification of prior authorizing Council action:</b> 8/22/2007 – 2007-0959 10/21/2009 – 2009-0773	
<b>RECOMMENDATION: (Summary)</b> It is recommended that City Council adopt a Municipal Setting Designation (MSD) Ordinance prohibiting the use of designated groundwater at the 8880 Bellaire, L.P. site located at 8880 Bellaire Blvd., Houston, TX 77036, and support issuance of a MSD by the Texas Commission on Environmental Quality (TCEQ). (MSD # 2008-011-FDC)			
<b>Amount and Source of Funding:</b> N/A			
<b>BACKGROUND:</b> In 2003, the Texas Legislature authorized the creation of Municipal Setting Designations (MSDs), which would designate an area in which the use of contaminated groundwater is prohibited for use as potable water. The law is administered by the TCEQ and requires local City support to designate an MSD. The intent of the legislation is to encourage redevelopment of vacant or abandoned properties while protecting the public health. On August 22, 2007, City Council approved an Ordinance amending Chapter 47 of the Code of Ordinances by adding Article XIII relating to groundwater, which provides a process to support or not support a MSD application to the State. This Ordinance requires a written public notice be mailed to property owners within 2,500 feet of a proposed MSD site and owners/operators of potable water wells within 5 miles of a proposed MSD site. In addition, a public meeting and a public hearing are required to be held prior to City Council's consideration of support.			
<b>8880 BELLAIRE, L.P. APPLICATION:</b> 8880 Bellaire, L.P. is seeking a MSD for 3-acres of land located at 8880 Bellaire Blvd., Houston, TX 77036. The contamination consists of tetrachloroethene (PCE), trichloroethene (TCE), cis-1,2-dichloroethene (cis-1,2-DCE), trans-1,2-dichloroethene (trans-1,2-DCE), 1,1-dichloroethene (1,1-DCE), and vinyl chloride (VC). Golden Fleetwood Dry Cleaners historically operated in tenant space G of the site within the Bellaire Boulevard Retail Center from 1983 through 2001. Site investigations identified groundwater contamination and two soil contaminated areas. Excavation was completed in 2001 to remove soil contamination. Groundwater remediation started in 2001 using dual-phase high vacuum extraction and bioremediation injections. A comparison of the sampling results from as early as February 1999 through September 2008 indicates that the area of impact has reduced substantially over time.			
8880 Bellaire, L.P. is seeking a MSD for this property to restrict access to groundwater to protect the public against exposure to the contaminants. There is a public drinking water supply system that meets state requirements that supplies or is capable of supplying drinking water to the MSD property and all properties within one-half mile of the MSD property. In addition, a public meeting (held on 11/16/2009) and a public hearing (scheduled 12/16/2009) are required to be held prior to City Council's consideration of support.			
<b>RECOMMENDATIONS:</b> It is recommended that City Council adopt a Municipal Setting Designation Ordinance prohibiting the use of designated groundwater at the 8880 Bellaire, L.P. site located at 8880 Bellaire Blvd., Houston, TX 77036, and support issuance of a MSD by the Texas Commission on Environmental Quality.			
MSM:AFI:CAE P:\PLANNING BRANCH\MSD\DATABASE\GENERIC RCA - ORDINANCE SUPPORT.DOC C: Marty Stein, Waynette Chan, Gary Drabek, Ceil Price			
<b>REQUIRED AUTHORIZATION</b> <span style="float: right;">CJIC ID# 20CAE61</span>			
<b>Other Authorization:</b>	<b>Authorization:</b>  Andrew F. Icken, Deputy Director Planning & Development Services Division	<b>Other Authorization:</b>	

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DEC 16 2009

MOTION NO. 2009 0774

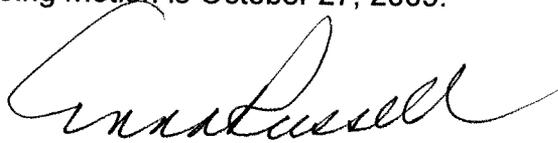
MOTION by Council Member Khan that the recommendation of the Director of Planning and Development Department, to set a hearing date to consider a Municipal Setting Designation Ordinance for SRS Shopping Center, Ltd. for the Site located at 13100 block of Memorial Drive, be adopted, and a Public Hearing be set for 9:00 a.m., Wednesday, December 16, 2009, in the City Council Chamber, Second Floor, City Hall.

Seconded by Council Member Green and carried.

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

PASSED AND ADOPTED this 21st day of October, 2009.

Pursuant to Article VI, Section 6 of the City Charter, the  
effective date of the foregoing motion is October 27, 2009.

  
City Secretary

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

<b>SUBJECT:</b> Motion establishing a public hearing date to consider adopting a Municipal Setting Designation Ordinance for SRS Shopping Center, Ltd. for the Site located at 13100 Block Memorial Drive. (MSD # 2009-013-SRS)	Page 1 of 1	Agenda Item # <b>96</b>
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<b>FROM (Department or other point of origin):</b> Department of Public Works and Engineering	<b>Origination Date</b> 10/15/09	<b>Agenda Date</b> <del>08/21/2009</del>
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<b>DIRECTOR'S SIGNATURE:</b>  Michael S. Marcotte, P.E., D.WRE. BCEE, Director	<b>Council District affected:</b> G A and F within 5 miles of site.
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<b>For additional information contact:</b> Carol A. Ellinger, P.E. <sup>CAE</sup> Senior Assistant Director (713) 837-7658 Richard J. Chapin, <sup>RJC</sup> Senior Project Manager (713) 837-0421	<b>Date and identification of prior authorizing Council action:</b> 8/22/2007 - 2007-0959
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**RECOMMENDATION: (Summary)**  
Establish a public hearing date to consider adopting a Municipal Setting Designation (MSD) Ordinance for SRS Shopping Center, Ltd. for the site located at 13100 Block Memorial Drive.

**Amount and Source of Funding:** N/A *9am - 12/16/09*

**BACKGROUND:** In 2003, the Texas Legislature authorized the creation of Municipal Setting Designations (MSDs), which would designate an area in which the use of contaminated groundwater is prohibited for use as potable water. The law is administered by TCEQ and requires local City support to designate an MSD. The intent of the legislation is to encourage redevelopment of vacant or abandoned properties while protecting the public health. On August 22, 2007, City Council approved an Ordinance amending Chapter 47 of the Code of Ordinances by adding Article XIII relating to groundwater, which provides a process to support or not support a MSD application to the State. This Ordinance requires a written public notice be mailed to property owners within 2,500 feet of a proposed MSD and owners/operators of potable water wells within 5 miles of a proposed MSD. In addition, a public meeting and a public hearing are required to be held prior to City Council consideration of support.

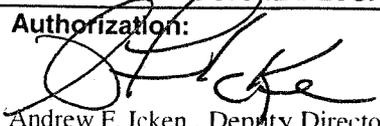
**SRS SHOPPING CENTER, LTD. APPLICATION:** SRS Shopping Center, Ltd. is seeking a MSD for 8.1-acres of land located at 13100 Block Memorial Drive. The contamination consists of tetrachloroethene (PCE), trichloroethene (TCE), cis-1,2-dichloroethene (cis-1,2-DCE), and vinyl chloride (VC). The Rummel center had two dry cleaning tenants who operated TCE dry cleaning equipment, from 1972 - 1977, and 1986 - 1997. The West Office Plaza currently has a dry cleaning tenant that has been in operation since 1994, but ceased using tetrachloroethene (PCE) by 2001. The lateral extent of groundwater impact has been horizontally delineated in all directions. After quarterly monitoring, it was confirmed that impacted groundwater had migrated off-site and that there is no off-site source contributing to the groundwater. A comparison of the sampling results from 1998 through 2008 indicates that the area of impact has significantly reduced over time. Contamination of concern concentrations in the source area wells have been stable to decreasing over the sampling history of the site. A public meeting will be held on 11/19/2009 6:30:00 PM at the Spring Branch Community Center 1721 Pech Road.

SRS Shopping Center, Ltd. is seeking a MSD for this property to restrict access to groundwater to protect the public against exposure to contaminants. There is a public drinking water supply system that meets state requirements that supplies or is capable of supplying drinking water to the MSD property and all properties within one-half mile of the MSD property.

**RECOMMENDATIONS:** City Ordinance requires City Council to hold a public hearing before adopting a Municipal Setting Designation Ordinance (MSD). The Department of Public Works and Engineering recommends establishing a public hearing date not sooner than six weeks from passage of the Motion and directing the City Secretary to publish notice of the hearing no less than thirty (30) calendar days before the public hearing date for SRS Shopping Center, Ltd. for the site located at 13100 Block Memorial Drive. Preferred public hearing date is 12/16/2009.

MSM:AFI:CAE  
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C: Marty Stein, Waynette Chan, Gary Drabek, Ceil Price

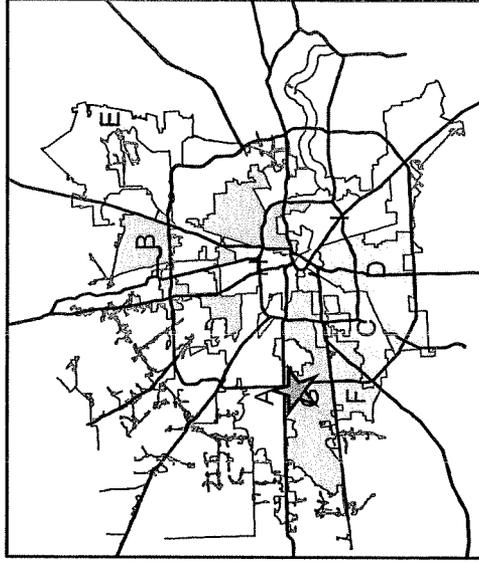
**REQUIRED AUTHORIZATION** CUTC ID# 20CAE52

<b>Finance Department:</b>	<b>Authorization:</b>  Andrew F. Icken., Deputy Director Planning and Development Services Division	<b>Other Authorization:</b>
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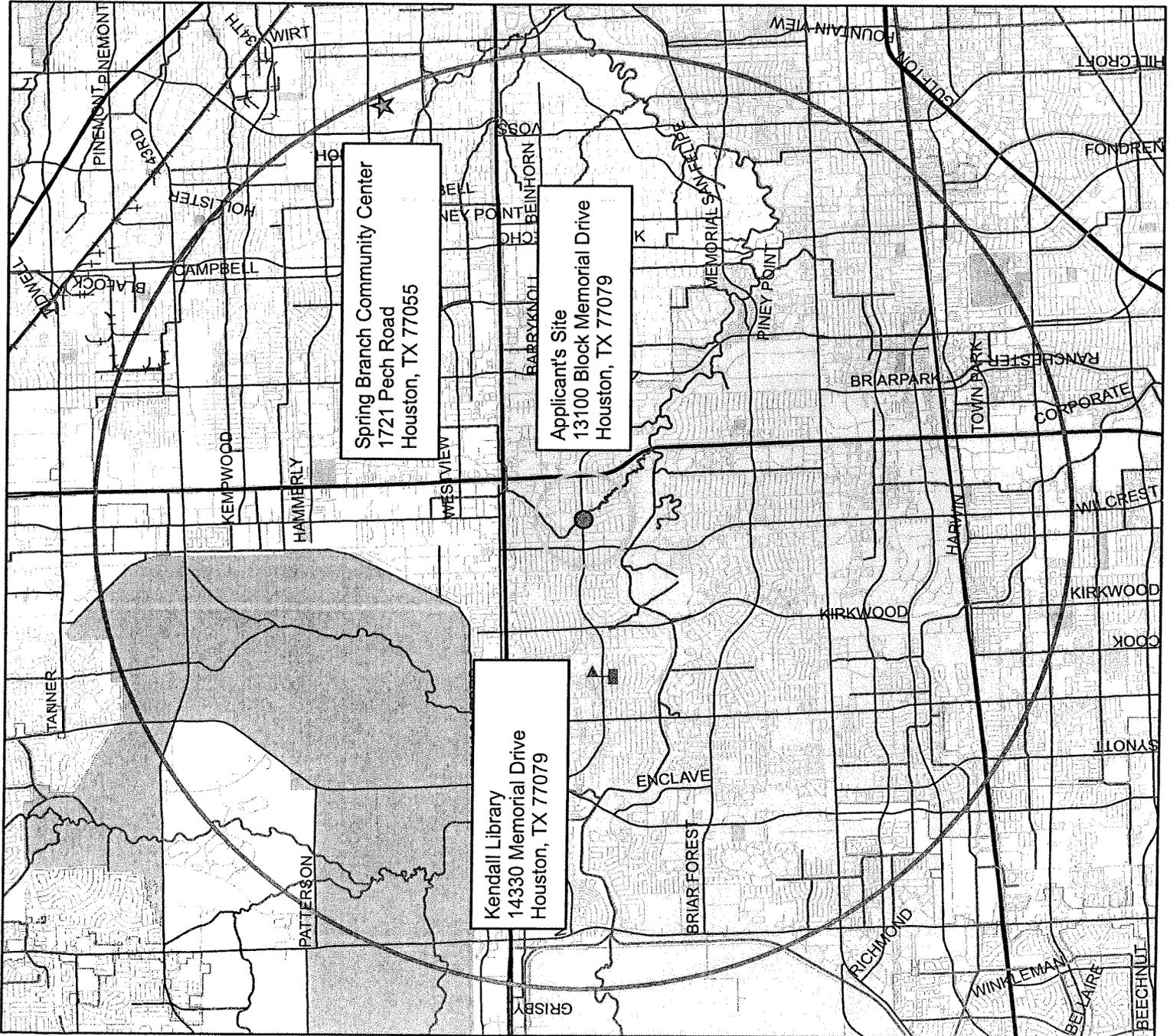
# Municipal Settings Designation Application 2008-013-SRS Vicinity Map

## Legend

-  MSD Application
-  Community Center
-  Library
-  5 Mile Notification Area
-  1/2 Mile Notification Area



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



TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

<b>SUBJECT:</b> A Municipal Setting Designation Ordinance prohibiting the use of designated groundwater for SRS Shopping Center, Ltd. for the site located at 13100 Memorial Drive, Houston, TX 77079. (MSD # 2009-013-SRS)	<b>Page</b> 1 of 1	<b>Agenda Item</b> # <b>2A</b>
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<b>FROM (Department or other point of origin):</b> Department of Public Works and Engineering	<b>Origination Date</b> 12/10/09	<b>Agenda Date</b> DEC 16 2009
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<b>DIRECTOR'S SIGNATURE:</b>  Michael S. Marcotte, P.E., D.WRE. BCEE, Director	<b>Council District affected:</b> G
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<b>For additional information contact:</b> Carol Ellinger Haddock, P.E. Senior Assistant Director (713) 837-7658 Richard J. Chapin Senior Project Manager (713) 837-0421	<b>Date and identification of prior authorizing Council action:</b> 8/22/2007 – 2007-0959 10/21/2009 – 2009-0774
--	---

**RECOMMENDATION: (Summary)**  
It is recommended that City Council adopt a Municipal Setting Designation (MSD) Ordinance prohibiting the use of designated groundwater at the SRS Shopping Center, Ltd. site located at 13100 Memorial Drive, Houston, TX 77079, and support issuance of a MSD by the Texas Commission on Environmental Quality (TCEQ). (MSD # 2009-013-SRS)

**Amount and Source of Funding:** N/A

**BACKGROUND:** In 2003, the Texas Legislature authorized the creation of Municipal Setting Designations (MSDs), which would designate an area in which the use of contaminated groundwater is prohibited for use as potable water. The law is administered by the TCEQ and requires local City support to designate an MSD. The intent of the legislation is to encourage redevelopment of vacant or abandoned properties while protecting the public health. On August 22, 2007, City Council approved an Ordinance amending Chapter 47 of the Code of Ordinances by adding Article XIII relating to groundwater, which provides a process to support or not support a MSD application to the State. This Ordinance requires a written public notice be mailed to property owners within 2,500 feet of a proposed MSD site and owners/operators of potable water wells within 5 miles of a proposed MSD site. In addition, a public meeting and a public hearing are required to be held prior to City Council's consideration of support.

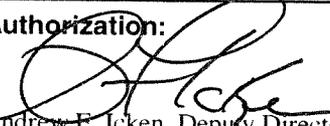
**SRS SHOPPING CENTER, LTD. APPLICATION:** SRS Shopping Center, Ltd. is seeking a MSD for 8.1-acres of land located at 13100 Memorial Drive, Houston, TX 77079. The contamination consists of tetrachloroethene (PCE), trichloroethene (TCE), cis-1,2-dichloroethene (cis-1,2-DCE), and vinyl chloride (VC). The Rummel center had two dry cleaning tenants who operated TCE dry cleaning equipment from 1972 - 1977, and 1986 - 1997. The lateral extent of groundwater impact has been horizontally delineated in all directions. After quarterly monitoring, it was confirmed that impacted groundwater had migrated off-site and that there is no off-site source contributing to the groundwater. A comparison of the sampling results from 1998 through 2008 indicates that the area of impact has significantly reduced over time. Contaminant concentrations in the source area wells have been stable to decreasing over the sampling history of the site.

SRS Shopping Center, Ltd. is seeking a MSD for this property to restrict access to groundwater to protect the public against exposure to the contaminants. There is a public drinking water supply system that meets state requirements that supplies or is capable of supplying drinking water to the MSD property and all properties within one-half mile of the MSD property. In addition, a public meeting (held on 11/19/2009) and a public hearing (scheduled 12/16/2009) are required to be held prior to City Council's consideration of support.

**RECOMMENDATIONS:** It is recommended that City Council adopt a Municipal Setting Designation Ordinance prohibiting the use of designated groundwater at the SRS Shopping Center, Ltd. site located at 13100 Memorial Drive, Houston, TX 77079, and support issuance of a MSD by the Texas Commission on Environmental Quality.

MSM:AFI:CAE  
P:\PLANNING BRANCH\MSD\DATABASE\GENERIC RCA - ORDINANCE SUPPORT.DOC  
C: Marty Stein, Waynette Chan, Gary Drabek, Ceil Price

**REQUIRED AUTHORIZATION** **CUIC ID# 20CAE63**

<b>Other Authorization:</b>	<b>Authorization:</b>  Andrew F. Icken, Deputy Director Planning & Development Services Division	<b>Other Authorization:</b>
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MOTION by Council Member Khan that nominations for appointments to Positions 6, 7, 8 and 9 of the Board of Directors of Reinvestment Zone Number One (St. George Place), City of Houston, Texas, for terms to expire December 31, 2011, and for Chair for a term to expire December 31, 2010, be closed.

Seconded by Council Member Sullivan and carried.

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

PASSED AND ADOPTED this 9th day of December 2009.

Pursuant to Article VI, Section 6 of the City Charter, the effective date of the foregoing motion is December 15, 2009.

City Secretary

Position 9 - Mr. Bill Hutz, was nominated by Council Member Clutterbuck, for reappointment, for a term to expire December 31, 2011 and as Chair for a term to expire December 31, 2010.

Position 8 - Mr. Walter Goff, was nominated by Council Member Clutterbuck, for reappointment, for a term to expire December 31, 2011.

Position 7 - Mr. Gary Baumgartner, was nominated by Council Member Clutterbuck, for reappointment, for a term to expire December 31, 2011.

Position 6 - Mr. J. David Enloe, Jr., was nominated by Council Member Clutterbuck, for reappointment, for a term to expire December 31, 2011.

4

DEC 16 2009

MOTION NO. 2009 0894

MOTION by Council Member Khan that nominations for appointments to Positions 18, 19, 20, 21 and 22 of Houston Read Commission with three-year staggered terms from the date of appointment, be closed.

Seconded by Council Member Clutterbuck and carried.

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

PASSED AND ADOPTED this 9th day of December 2009.

Pursuant to Article VI, Section 6 of the City Charter, the effective date of the foregoing motion is December 15, 2009.

City Secretary

- Position 18 – Ms. Carmen Nuncio was nominated by Council Member Gonzalez.
- Position 19 – Ms. Adriana Tamez was nominated by Council Member Rodriguez.
- Position 20 – Mr. Larry McKinzie was nominated by Council Member Adams.
- Position 21 – Ms. Martha Daniel was nominated by Council Member Noriega.
- Position 22 – Mr. Philip D. Fraissinet, for three year staggered terms, was nominated by Council Member Lawrence.



BILL WHITE  
MAYOR

OFFICE OF THE MAYOR  
CITY OF HOUSTON  
TEXAS

5

DEC 16 2009

COPY TO EACH MEMBER OF COUNCIL:

CITY SECRETARY: 12-2-09  
date

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



November 30, 2009

The Honorable City Council  
City of Houston

Dear Council Members:

Pursuant to Chapter 3819 of the Texas Special District Local Laws Code, I am nominating the following individuals for appointment or reappointment to the Baybrook Management District Board of Directors, as recommended by the Board, subject to Council confirmation:

- Mr. Brian Schroeder, appointment to Position One, for a term to expire June 1, 2013;
- Mr. Doug Little, appointment to Position Two, for a term to expire June 1, 2013;
- Mr. Gene Satern, reappointment to Position Three, for a term to expire June 1, 2013.
- Mr. Mark L. Hardy, appointment to Position Four, for a term to expire June 1, 2011; and
- Mr. John L. Cole, appointment to Position Five, for a term to expire June 1, 2011;

Résumés of the nominees are attached for your review.

Sincerely,

Bill White  
Mayor

BW:LC:ss

Attachments

cc: Ms. Lynne B. Humphries, Attorney for the District, Baybrook Management District

6



BILL WHITE  
MAYOR

OFFICE OF THE MAYOR  
CITY OF HOUSTON  
TEXAS

6  
DEC 1 8 2009

COPY TO EACH MEMBER OF COUNCIL:

CITY SECRETARY: 12-2-09  
date

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

December 2, 2009

The Honorable City Council  
Houston, Texas

Dear Council Members:

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

Ms. Michele J. Sabino, Ph.D., appointment to Position Three, for a term to expire December 31, 2011; and

Ms. Paige M. Martin, appointment to Position Four, for a term to expire December 31, 2010.

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

Résumés of the nominees are attached for your review.

Sincerely,

Bill White  
Mayor

BW:LC:jsk

Attachments

cc: Mr. Tim Douglass, Deputy Director of Finance and Economic Development  
Ms. Vicki L. Rivers, Executive Director, Reinvestment Zone Number Three and Main Street Market Square Redevelopment Authority

RECEIVED  
DEC - 2 2009  
CITY SECRETARY



BILL WHITE  
MAYOR

OFFICE OF THE MAYOR  
CITY OF HOUSTON  
TEXAS

7  
DEC 1 8 2009

December 2, 2009

COPY TO EACH MEMBER OF COUNCIL:

CITY SECRETARY: 12-2-09  
date

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

The Honorable City Council  
City of Houston

Dear Council Members:

Pursuant to Chapter 3812 of the Texas Special District Local Laws Code and Chapter 375 of the Texas Local Government Code, I am nominating the following individuals for appointment or reappointment to the Greater Northside Management District Board of Directors, as recommended by the Board, subject to Council confirmation:

Mr. Frumencio Reyes, Jr., reappointment to Position Six, for a term to expire June 1, 2013;  
Ms. Jeanette Rash, reappointment to Position Seven for a term to expire June 1, 2013;  
Mr. Jeff Procell, appointment to Position Eight, for a term to expire June 1, 2013;  
Mr. Edward (Ed) Reyes, reappointment to Position Nine, for a term to expire June 1, 2013;  
and  
Ms. April Cohen, reappointment to Position Ten, for a term to expire June 1, 2013.

Résumés of the nominees are attached for your review.

Sincerely,

Bill White  
Mayor

BW:LC:jsk

Attachments

cc: Ms. Jeanne H. McDonald, Attorney for the District, Greater Northside Management District  
Ms. Rebecca Reyna, Executive Director, Greater Northside Management District

RECEIVED  
DEC - 2 2009  
CITY SECRETARY



BILL WHITE  
MAYOR

OFFICE OF THE MAYOR  
CITY OF HOUSTON  
TEXAS

8

DEC 18 2009

**COPY TO EACH MEMBER OF COUNCIL:**

**CITY SECRETARY:** 12/8/09

**DATE**

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

December 8, 2009



**RECEIVED**

**DEC - 8 2009**

**CITY SECRETARY**

The Honorable City Council  
City of Houston

Dear Council Members:

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

Mr. David P. Martin, appointment to Position Three, for an unexpired term ending August 31, 2010.

The résumé of the appointee is attached for your review.

Sincerely,

Bill White  
Mayor

BW:LC:jsk

Attachment

- cc: Harris County Judge Ed Emmett
- Ms. Beverly B. Kaufman, County Clerk, Harris County
- Ms. Janis Schmees, Executive Director, Harris County-Houston Sports Authority
- Mr. J. Kent Friedman, Chair, Harris County-Houston Sports Authority



OFFICE OF THE MAYOR  
CITY OF HOUSTON  
TEXAS

9

DEC 16 2009

BILL WHITE  
MAYOR

COPY TO EACH MEMBER OF COUNCIL:

CITY SECRETARY: 12-2-09  
date

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

November 30, 2009



The Honorable City Council  
City of Houston

Dear Council Members:

Pursuant to Section 3849.053 of the Texas Special District Local Laws Code, I am nominating the following individuals for appointment or reappointment to the International Management District Board of Directors, as recommended by the Board, subject to Council confirmation:

- Ms. Gladys Brumfield, reappointment to Position One, for a term to expire June 1, 2013;
- Mr. Fred Bhandara, reappointment to Position Two, for a term to expire June 1, 2013;
- Ms. Karen Loper, reappointment to Position Three, for a term to expire June 1, 2013.
- Ms. Vu Thanh Thuy, reappointment to Position Four, for a term to expire June 1, 2013;
- Mr. Anthony Le, appointment to Position Five, for a term to expire June 1, 2013; and
- Mr. Shawn Guo, reappointment to Position Six, for a term to expire June 1, 2013;

Résumés of the nominees are attached for your review.

Sincerely,

Bill White  
Mayor

BW:LC:ss

Attachments

cc: Mr. Brian Burks, Director of Community Services and Public Safety, International Management District



BILL WHITE  
MAYOR

OFFICE OF THE MAYOR  
CITY OF HOUSTON  
TEXAS

10

DEC 16 2009

COPY TO EACH MEMBER OF COUNCIL:

CITY SECRETARY: 12-2-09  
date

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

November 30, 2009



The Honorable City Council  
City of Houston

Dear Council Members:

Pursuant to Section 41-64.1. of the City of Houston Code of Ordinances. I am appointing the following individuals to the Tower Permit Commission for two year terms, subject to confirmation by City Council:

- Mr. Rodney Louis Jones, appointment to Position Two;
- Ms. Christy B. Smidt, appointment to Position Three;
- Mr. Antonio M. Salinas, appointment to Position Four; and
- Mr. Ignacio Osorio, appointment to Position Six.

Résumés of the nominees are attached for your review.

Sincerely,

Bill White  
Mayor

BW:LC:ss

Attachments

cc: Ms. Marlene Gafrick, Director, Planning and Development Department  
Mr. Todd Litton, Chair, Tower Permit Commission

<b>SUBJECT:</b> Dedication Plaque New Kingwood Library WBS No. E-000097-0001-4	<b>Page</b> 1 of 1	<b>Agenda Item</b> 11
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<b>FROM (Department or other point of origin):</b> General Services Department	<b>Origination Date</b> 12/09/09	<b>Agenda Date</b> DEC 16 2009
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<b>DIRECTOR'S SIGNATURE</b> Issa Z. Dadoush, P.E.  12/7/09	<b>Council District(s) affected:</b> E
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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. 2008-129, February 20, 2008 Ordinance No. 2008-0237, March 26, 2008
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**RECOMMENDATION:** Approve computer image for dedication plaque.

<b>Amount and Source Of Funding:</b> No Additional Funding Required.	<b>Finance Budget:</b>
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**SPECIFIC DESCRIPTION:** The General Services Department recommends that City Council pass a motion to approve a computer image for a dedication plaque (copy attached) for the new Kingwood Library.

**PROJECT LOCATION:** Kingwood Library  
 4400 Bens View Lane (337B)

**PROJECT DESCRIPTION:** The new 29,500 sq.ft. facility houses approximately 130,000 traditional library materials, 107 computers for public use and seat over 150 patrons. The new library will serve residents seeking information through traditional print materials, audio-visual materials or through the internet, informational databases and programs. The library will also be a meeting place for organizations and groups throughout northeast Harris County and will serve as a site for video conferencing. The new library replaces the existing 12,000 sq.ft. library.

**REPRESENTATION:** The plaque identifies the City of Houston elected officials and department heads who served when the project commenced as well as the individuals serving in those positions at the completion of the project.

IZD:JLN:HB:MCP:JW:jw 

Attachment

c: Marty Stein, Issa Z. Dadoush, P.E., Jacquelyn L. Nisby, Rhea Brown Lawson, Ph.D., File

<b>REQUIRED AUTHORIZATION</b>		CUIC#25CONS134
<b>General Services Department:</b>  Humberto Bautista, P.E. Chief of Design & Construction Division	<b>Other Authorization:</b>	<b>Houston Public Library:</b>  Rhea Brown Lawson, Ph.D. Director

# KINGWOOD BRANCH LIBRARY CITY OF HOUSTON

2008  
BILL WHITE, MAYOR

2009  
BILL WHITE, MAYOR

## DISTRICT COUNCIL MEMBERS

TONI LAWRENCE	DISTRICT A	TONI LAWRENCE	DISTRICT A
JARVIS JOHNSON	DISTRICT B	JARVIS JOHNSON	DISTRICT B
ANNE CLUTTERBUCK	DISTRICT C	ANNE CLUTTERBUCK	DISTRICT C
WANDA ADAMS	DISTRICT D	WANDA ADAMS	DISTRICT D
MIKE SULLIVAN	DISTRICT E	MIKE SULLIVAN	DISTRICT E
M.J. KHAN, P.E.	DISTRICT F	M.J. KHAN, P.E.	DISTRICT F
PAM HOLM	DISTRICT G	PAM HOLM	DISTRICT G
ADRIAN GARCIA	DISTRICT H	EDWARD GONZALEZ	DISTRICT H
JAMES G. RODRIGUEZ	DISTRICT I	JAMES G. RODRIGUEZ	DISTRICT I

## COUNCIL MEMBERS AT LARGE

PETER BROWN	POSITION 1	PETER BROWN	POSITION 1
SUE LOVELL	POSITION 2	SUE LOVELL	POSITION 2
MELISSA NORIEGA	POSITION 3	MELISSA NORIEGA	POSITION 3
RONALD C. GREEN	POSITION 4	RONALD C. GREEN	POSITION 4
JOLANDA "JO" JONES	POSITION 5	JOLANDA "JO" JONES	POSITION 5

ANNISE D. PARKER  
CONTROLLER

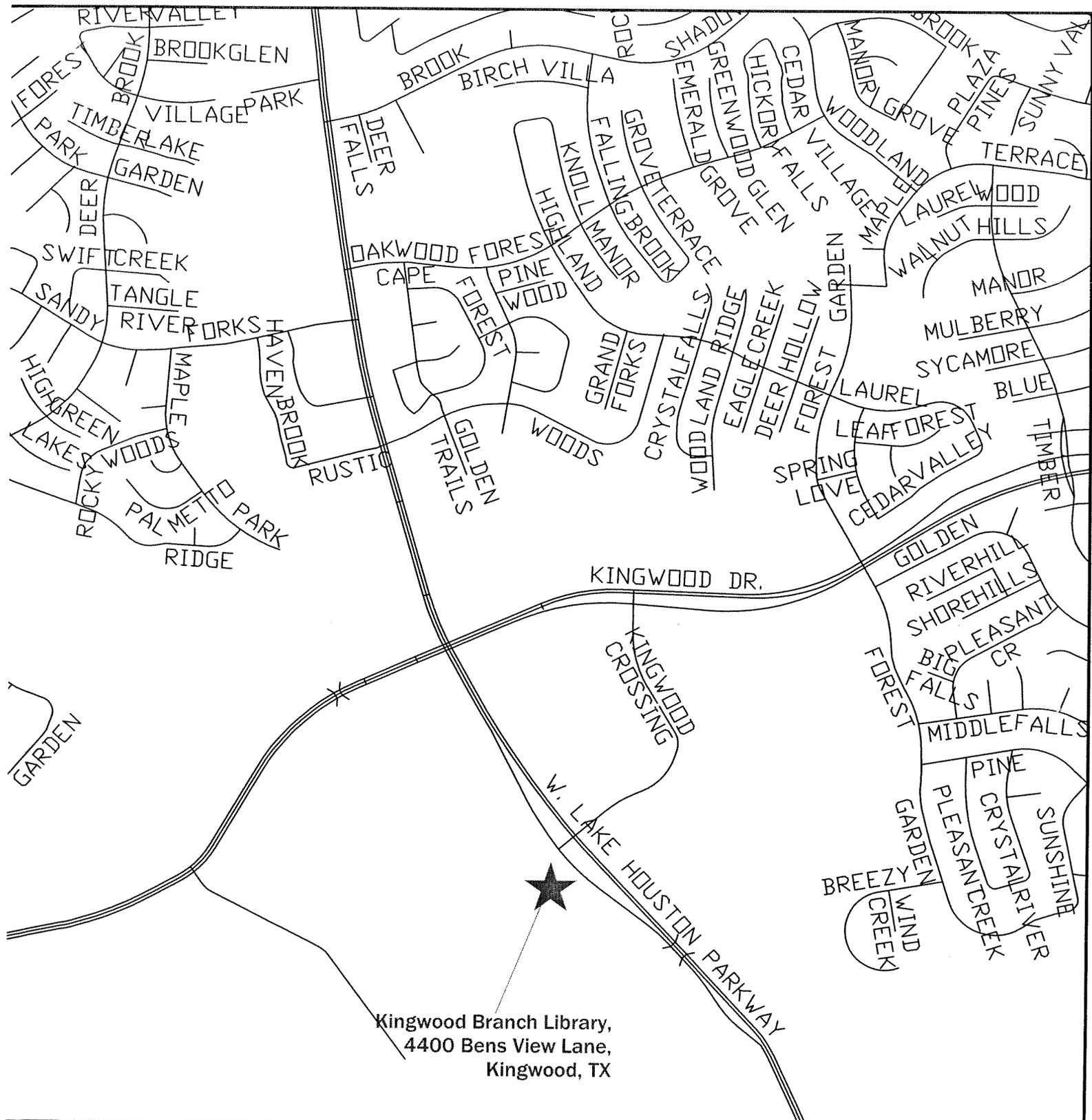
RHEA BROWN LAWSON, Ph.D., DIRECTOR  
HOUSTON PUBLIC LIBRARY  
ISSA Z. DADOUSH, P.E., DIRECTOR  
GENERAL SERVICES DEPARTMENT  
KIRKSEY ARCHITECT

ANNISE D. PARKER  
CONTROLLER

RHEA BROWN LAWSON, Ph.D., DIRECTOR  
HOUSTON PUBLIC LIBRARY  
ISSA Z. DADOUSH, P.E., DIRECTOR  
GENERAL SERVICES DEPARTMENT  
SPAW GLASS CONSTRUCTION CORPORATION  
GENERAL CONTRACTOR

- 1"
- 1"
- 3/8"
- 3/4"
- 1/2"
- 5/8"
- 3/8"
- 5/8"
- 3/4"
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- 3/4"
- 1/4"
- 1/4"
- 1/4"
- 1"

1/16" RAISED TYPE AND BORDER  
7/16" THICK, MEDIUM BRONZE ANODIZED ALUMINUM WITH DARK OXIDIZED LEATHERETTE BACKGROUND WITH SATIN FINISH LETTERS  
TYPESTYLE HELVETICA MEDIUM (ALL UPPERCASE)  
LETTER SIZE AND MESSAGE AS INDICATED ON DRAWING



Kingwood Branch Library,  
 4400 Bens View Lane,  
 Kingwood, TX

**Kingwood Branch Library**  
 4400 Bens View Lane,  
 Kingwood, TX

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

<b>SUBJECT:</b> Annual Membership Renewal in the Houston-Galveston Area Council		<b>Category #</b>	<b>Page 1 of</b>	<b>Agenda Item #</b> <i>12</i>
<b>FROM (Department or other point of origin):</b> Ann Travis Director, Mayor's Office of Government Affairs		<b>Origination Date</b> <i>12/10/09</i>	<b>Agenda Date</b> DEC 16 2009	
<b>DIRECTOR'S SIGNATURE:</b> <i>Ann L. Travis</i>		<b>Council District affected: All</b>		
<b>For additional information contact:</b> Ann Travis, Director Government Affairs Phone: (832) 393-0835		<b>Date and identification of prior authorizing Council action:</b> 12/10/08 CM 2008 - 0883		
<b>RECOMMENDATION: (Summary)</b> Adopt motion approving renewal of membership in the Houston-Galveston Area Council.				
<b>Amount of Funding:</b> \$78,145.24		<b>Finance Budget:</b>		
<b>SOURCE OF FUNDING:</b> <input checked="" type="checkbox"/> General Fund <input type="checkbox"/> Grant Fund <input type="checkbox"/> Enterprise Fund				
<input type="checkbox"/> Other (Specify)				
<b>SPECIFIC EXPLANATION:</b>				
<p>The Houston-Galveston Area Council (H-GAC) was organized in 1966 by local leaders from Brazoria, Galveston and Harris counties and the cities of Galveston and Houston. H-GAC now covers a 13-county region made up of Austin, Brazoria, Chambers, Colorado, Fort Bend, Galveston, Harris, Liberty, Matagorda, Montgomery, Walker, Waller, and Wharton counties. H-GAC provides opportunities for local elected officials to work together to resolve significant public issues. The City of Houston has numerous appointments held by elected officials and City staff to various committees and the Board of Directors covering issues such as transportation, criminal justice, homeland security, economic development and the environment.</p> <p>H-GAC is also an important funding resource for Houston. As a state Metropolitan Planning Organization, H-GAC passes through important federal and state grants to the City of Houston. In 2008-2009, examples of pass-through grants include: Transportation Improvement Program (TIP) funding of \$355,003,189 for various construction projects (including freeways and highways) in the Greater Houston area; \$109,070,706 for Ike CDBG Round 1 funding allocations; \$765,144 for homeland security programs; \$696,000 for livable center studies; \$444,599 for solid waste programs; and \$99,850 for environmental programs. The City of Houston also benefits from participating in H-GAC's cooperative purchasing program, saving millions of dollars in the purchase of vehicles, fire trucks, ambulances, radios and construction equipment.</p> <p>H-GAC also worked with the Governor's Office and the Texas Department of Rural Affairs to compile damage assessments from the local area governments affected by Hurricane Ike so the State could make a request to the federal government for federal assistance and reimbursements.</p> <p>Local government dues, state appropriations, and state and federal grants and contracts finance H-GAC activities to fulfill its mission to: (1) promote efficient and accountable use of local, state, and federal dollars, (2) serve as a problem-solving and information forum for local governments, and (3) help local governments, business, and civic organizations analyze trends and conditions affecting the area. Annual renewal for H-GAC membership in the amount of \$78,145.24 is the same as last year and is calculated using the City of Houston's population from the 2000 Census.</p>				
<b>REQUIRED AUTHORIZATION</b>				
<b>Finance Director:</b>		<b>Other Authorization:</b>		<b>Other Authorization:</b>

## **H-GAC Services to Member Governments 2008/2009**

### **Background**

Each year H-GAC reports services provided to its members. The enclosed information details the program, the type and amount of service provided to member governments from July 1, 2008 to June 30, 2009 for the program areas summarized below.

### **Aging Services**

H-GAC funds programs that provide congregate meals, home-delivered meals, transportation and homemaker services to senior citizens in all H-GAC counties except Harris. The report indicates funding provided in each county.

### **Community and Economic Development**

H-GAC provides technical assistance for community and economic development programs and administers a small business loan program. The report includes data on small businesses loans made and other grants and services.

### **Cooperative Purchasing**

H-GAC acts as purchasing agent for participating local governments through its cooperative purchasing program. The report reflects the amount and type of purchases made, including electricity purchased by participants of H-GAC's Energy Purchasing Corporation.

### **Criminal Justice**

H-GAC administers pass-through grants for criminal justice, juvenile delinquency prevention and victims' assistance programs. The report lists projects and funding amounts.

### **Disaster Recovery/Emergency Preparedness**

H-GAC has provided technical assistance and funding for projects that prepare the region for future emergencies and that deal with past disasters.

### **Environmental Planning**

The report includes information on grants, training and technical assistance provided through H-GAC environmental programs, including water quality management.

### **9-1-1 Services**

H-GAC administers 9-1-1 emergency phone services in eight H-GAC counties. The report shows H-GAC support for public safety answering points and rural addressing.

### **Law Enforcement Training**

H-GAC contracts with local service providers for basic and in-service peace officer training.

### **Solid Waste**

H-GAC conducts regional planning, provides technical assistance and awards pass-through grants for recycling, local enforcement and other solid waste management programs.

### **Transportation**

H-GAC prepares the Regional Transportation Plan for the eight-county metropolitan area and the Transportation Improvement Program (TIP), a three-year list of capital projects funded by state and federal government. Local TIP projects let to contract during the past year are enclosed.

### **Workforce Development**

H-GAC administers regional workforce development programs including employment and child care services. For counties and the City of Houston, the report includes information on the financial value of those services. Local career center offices are listed for each community where they are located.



<b>Date</b>	<b>Subject:</b> Accept Work 3D/International, Inc. Jesse H. Jones Central Library Renovation WBS No. E-000011-0001-4 Carnegie Regional Branch Library Renovation WBS No. E-000142-0001-4 Marston Administration Building WBS No. E-000158-0001-4	<b>Originator's Initials</b> JBW	<b>Page</b> 2 of 2
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**PREVIOUS HISTORY AND PROJECT SCOPE:** On February 22, 2006, City Council awarded the construction contract to 3D/International, Inc. and appropriated \$9,918,000.00 to partially fund the FY06 construction costs for the three building project. On June 21, 2006, City Council appropriated the sum of \$6,848,281.00 to fund the remaining FY07 construction costs for the project. The contract was awarded with a 10% contingency. On September 5, 2007, City Council approved a First Amendment to the contract to increase the maximum contract contingency from 10% to 21% to address various unforeseen conditions related to structural and fire code violations and deteriorated structural integrity, which exceeded the original 10% contingency.

**CONTRACT COMPLETION AND COST:** The contractor completed the project within 803 days: the original contract time of 450 days, plus an additional 353 days approved by Change Orders. The final cost of the project, including Change Orders is \$17,693,416.00 an increase of \$2,726,606.00 over the original contract amount.

Prozign Architects Inc. was the project design consultant.

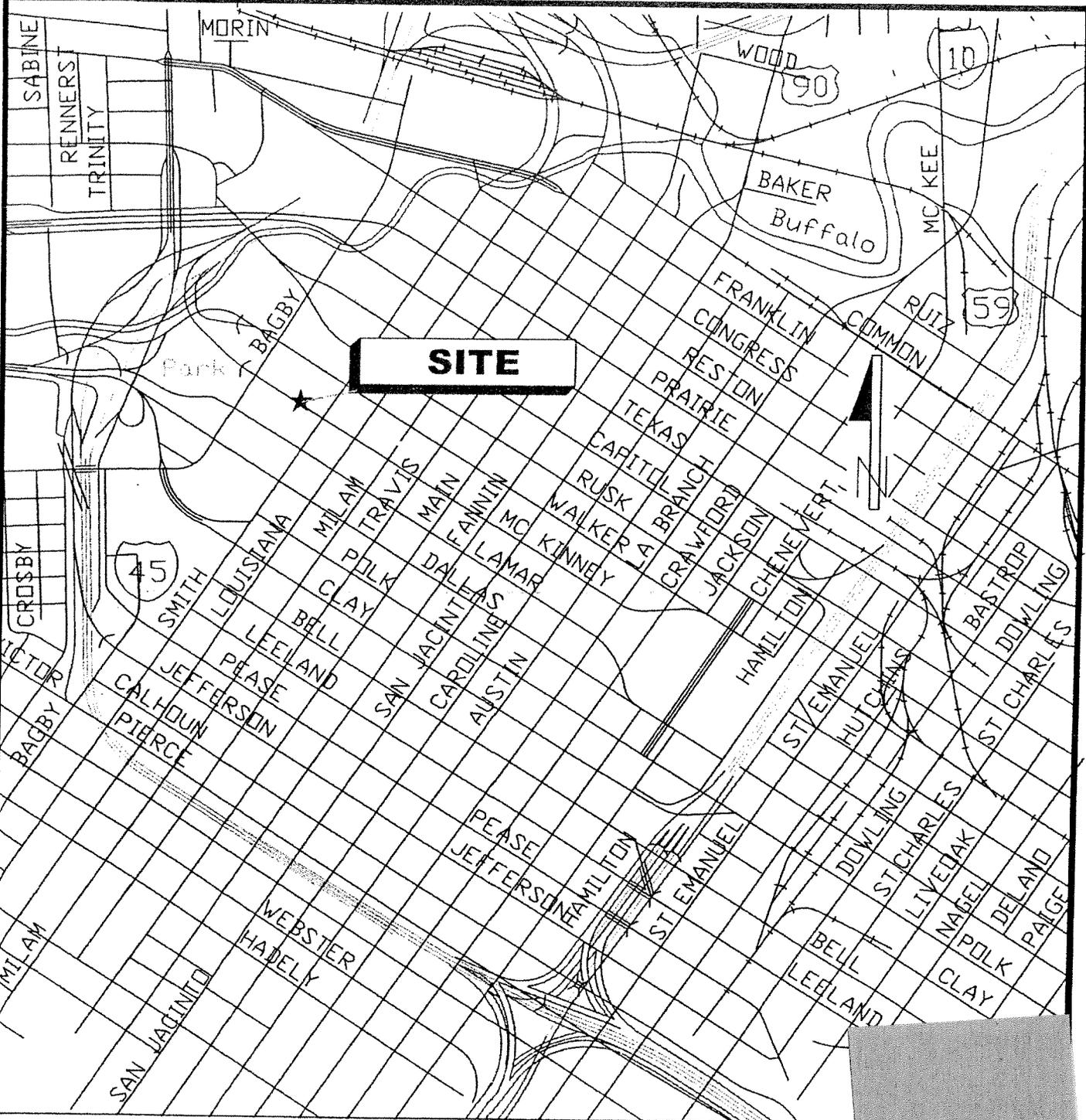
**PREVIOUS CHANGE ORDERS:** Change Orders 1-11 and 14 provided for additional improvements requested by HPL, corrected life/safety issues, and addressed unforeseen conditions discovered during the renovation process. The overall increased scope of work consisted of the following: Replaced carpet with recycled rubber flooring in the public areas; added museum display systems; removed and replaced the granite wall on the McKinney ramp; abated asbestos containing material in the HVAC duct insulation; added missing fire dampers at existing fire wall penetrations; and added missing fire alarm devices. Change Orders 12 and 13 provided for deductions from the contract for equipment items not provided per City Engineer's decision. Change Order 15 provided for a settlement of all outstanding disputes between the City and 3D/International resulting from claims for additional work and values for work deducted from the contract and performed by the City of Houston.

**M/WBE PARTICIPATION:** The contract contained a 17% M/WBE goal. According to the Affirmative Action and Contract Compliance Division, the contractor achieved 25% actual participation and was assigned an outstanding rating.



IZD:PJG:JLN:HB:MCP:JBW

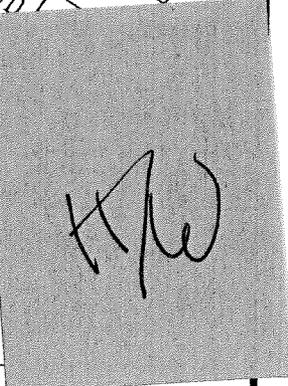
c: Marty Stein, Humberto Bautista, Christopher Gonzalez, Jacquelyn L. Nisby, Velma Laws, Kim Ngyuen, Wendy Heger, Calvin Curtis, Yvette Burton, Gabriel Mussio, Project File



**SITE**



**Jesse H. Jones Central Library Renovation  
500 McKinney St.**

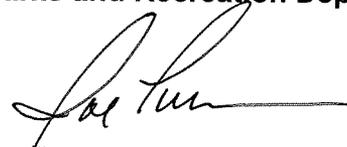


**COUNCIL DISTRICT "I"**

**KEY MAP NO. 493 L**





<b>SUBJECT:</b> Accept Work AIA General Contractors, Inc. Wheeler Park Underground Storage Tank Modifications and Cleanup WBS No. F-000676-0002-4		<b>Page</b> 1 of 2	<b>Agenda Item</b> 14
<b>FROM (Department or other point of origin):</b> General Services Department		<b>Origination Date</b> 12-10-09	<b>Agenda Date</b> DEC 16 2009
<b>DIRECTOR'S SIGNATURE:</b> Olssa Z. Dadoush, P.E.  11/30/09		<b>Council District affected:</b> 1	
<b>For additional information contact:</b> Jacquelyn L. Nisby  Phone: 832-393-8023		<b>Date and identification of prior authorizing Council action:</b> Ordinance: 08-1194 Dated: 12/17/2008 Ordinance: 09-0626 Dated: 06/30/2009	
<b>RECOMMENDATION:</b> Pass a motion approving the final contract amount of \$840,134.45, 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> \$957,406.96 Parks Consolidated Construction Fund (4502)			
<b>SPECIFIC EXPLANATION:</b> The General Services Department recommends that City Council approve the final contract amount of \$840,134.45 or 12.91% over the original contract amount, accept the work and authorize final payment to AIA General Contractors, Inc. for Wheeler Park underground storage tank modifications and cleanup for the Parks and Recreation Department.			
<b>PROJECT LOCATION:</b> 6200 Wheeler Road, Houston, Texas (Key Map 534-G)			
<b>PROJECT DESCRIPTION:</b> The project removed one 20,000 gallon gasoline underground storage tank (UST), two 12,000 gallon UST and three 1,000 gallon USTs along with accessories and piping, replaced five fuel dispensers, all sensors and ancillary equipment. Installed one 25,000 gallon gasoline UST, one 25,000 gallon diesel UST and one 1,000 gallon motor oil UST. The work also included saw-cutting, demolition and removal of concrete paving over the USTs, product lines, backfilling and compaction, waste classification, loading, hauling and proper disposal of debris generated as a result of all activities.			
<b>PREVIOUS HISTORY AND PROJECT SCOPE:</b> On December 17, 2008, City Council awarded the construction contract to AIA General Contractors, Inc. to provide construction services at the Wheeler Park Facility. The contract was awarded with a 10% contingency. On June 30, 2009, City Council approved a First Amendment to the contract to increase the director's authority to approve Change Orders up to 13% of the original contract price to provide additional improvements to the facility, which exceeded the original 10% contingency.			
		<b>REQUIRED AUTHORIZATION</b>	
		CUIC ID # 25GM209	
<b>General Services Department:</b>  Humberto Bautista, P.E. Chief of Design & Construction Division	<b>Other Authorization:</b>	<b>Parks and Recreation Department:</b>  Joe Turner Director	

<b>Date</b>	<b>SUBJECT:</b> Accept Work AIA General Contractors, Inc. Wheeler Park Underground Storage Tank Modifications and Cleanup WBS No. F-000676-0002-4	<b>Originator's Initials</b>  GM	<b>Page</b> 2 of 2
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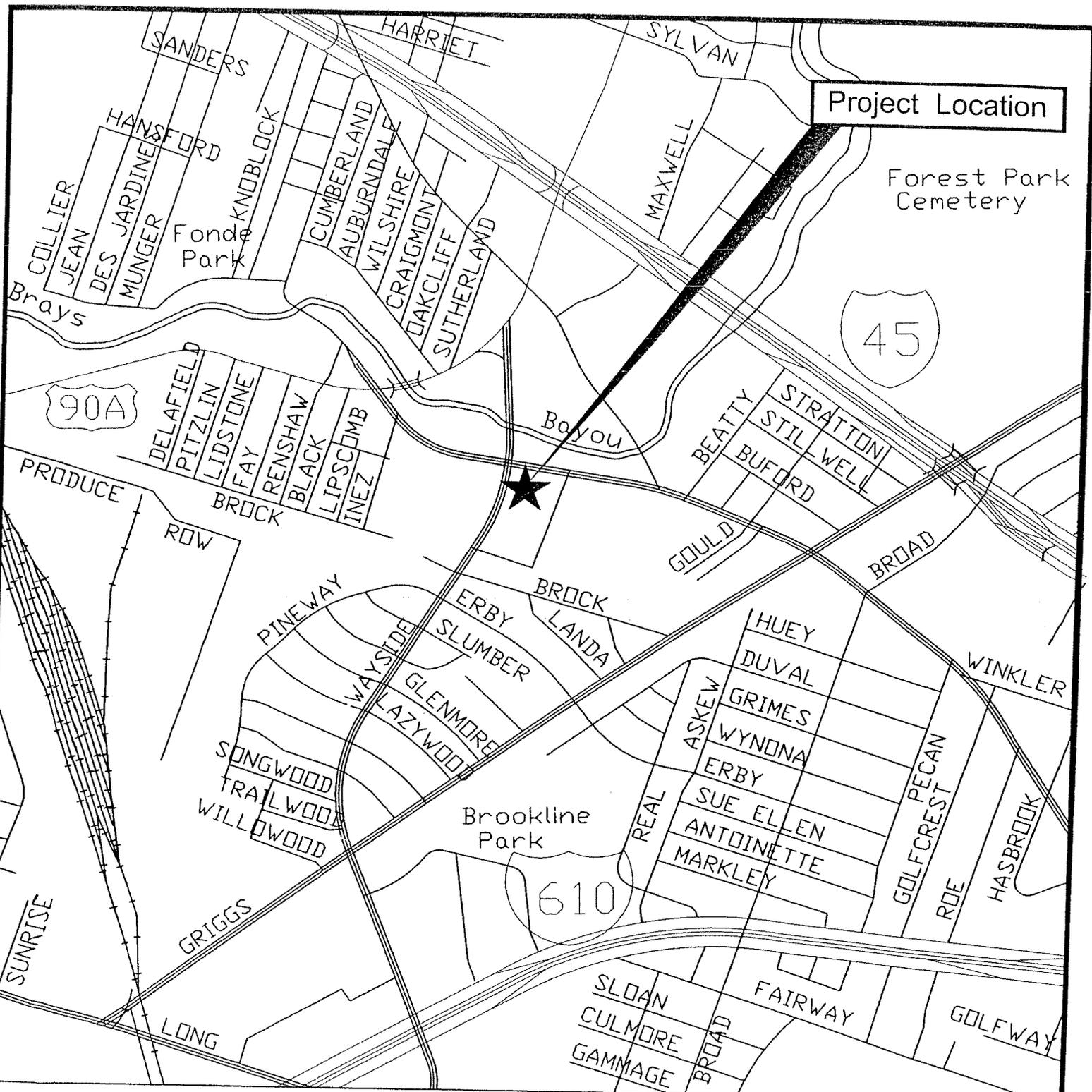
**CONTRACT COMPLETION AND COST:** The contractor completed the project within 261 days: the original contract time of 90 days plus 171 days approved by Change Orders. The final cost of the project, including Change Orders, is \$840,134.45, an increase of \$96,102.45 over the original contract amount.

**PREVIOUS CHANGE ORDERS:** Change Orders 1-7 addressed unforeseen conditions discovered during excavation, which involved the removal of additional concrete pavement and contaminated soil and disposal of additional fuel and contaminated liquids from the tank hold pit, which was larger than anticipated; installed two overhead hose reels and high pressure lines for motor oil distribution system; installed an additional car wash sprayer system in the old hydraulic lift bay; cleaned and painted the entire wash facility to match the fuel canopy; and granted non-compensable time extensions.



IZD:HB:JLN:GM:FK:fk

- c: Marty Stein,  
Jacquelyn L. Nisby  
Velma Laws  
Mark Ross  
Calvin Curtis  
Gabriel Mussio  
Lisa Johnson  
Daniel Pederson  
File

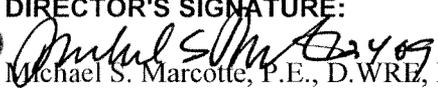


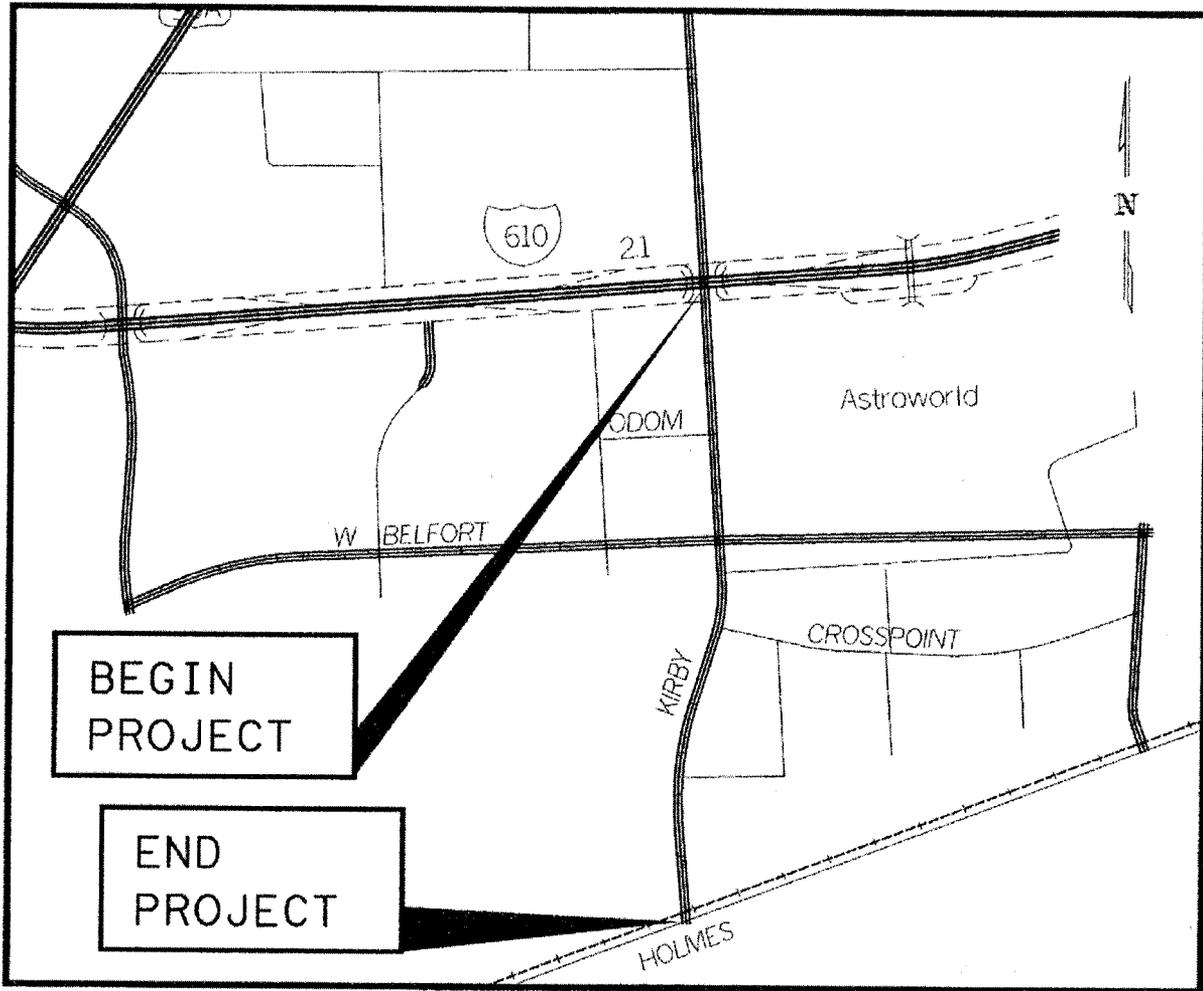
**Wheeler Park Facility Underground  
Storage Tank Modification and Cleanup**

6200 Wheeler Road  
Houston, TX 77023



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

<b>SUBJECT:</b> Accept Work for Kirby Drive Paving Improvements from IH-610 to Holmes Road; WBS No. N-000789-0001-4.		<b>Page</b> 1 of 1	<b>Agenda Item #</b> 15
<b>FROM (Department or other point of origin):</b> Department of Public Works and Engineering		<b>Origination Date</b> 12-10-09	<b>Agenda Date</b> DEC 16 2009
<b>DIRECTOR'S SIGNATURE:</b>  Michael S. Marcotte, P.E., D.WRE, BCEE., Director		<b>Council Districts affected:</b> C, D <i>Oak</i>	
<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. #2007-776 dated 06/27/2007	
<b>RECOMMENDATION:</b> (Summary) Pass a motion to approve the final Contract Amount of \$3,149,176.34 or 5.13% under the original Contract Amount, accept the Work, and authorize final payment.			
<b>Amount and Source of Funding:</b> No additional funding required. Total (original) appropriation of \$3,837,913.00 from Street and Bridge Consolidated Construction Fund No. 4506.			<b>Finance Department:</b>
<b>PROJECT NOTICE/JUSTIFICATION:</b> This project was part of the Capital Improvements Program as a designated major thoroughfare and was required to improve traffic flow/ circulation, drainage and reduce neighborhood traffic congestion.			
<b>DESCRIPTION/SCOPE:</b> This project re-constructed a four-lane concrete roadway section with raised medians, curbs, sidewalks and necessary underground utilities. Entech Civil Engineering, Inc. designed the project with 330 calendar days allowed for construction. The project was awarded to Infrastructure Services, Inc. with an original Contract Amount of \$3,319,564.80.			
<b>LOCATION:</b> The project area is generally bounded by IH-610 on the north, Holmes Road on the south, Fannin Street on the east and US 90A on the west. The project is located in Key Map Grids 532U and Y.			
<b>CONTRACT COMPLETION AND COST:</b> The Contractor, Infrastructure Services, Inc., has completed the work under the subject Contract. The project was completed within the Contract Time. The final cost of the project, including overrun and underrun of estimated bid quantities and previously approved Change Order No. 1 is \$3,149,176.34. This is a decrease of \$170,388.46 or 5.13% under the original Contract Amount.			
The decreased cost is a result of differences between planned and measured quantities. This decrease is primarily a result of underrun in bid items including Paving and unused items under Base Units and Water Units, which were not necessary to complete the work.			
<b>M/WBE PARTICIPATION:</b> The M/WBE goal for this project was 22%. According to the Affirmative Action and Contract Compliance Division, the actual participation was 29.18%. Contractor's M/WBE performance evaluation was rated Outstanding.			
MSM:DRM;JTL;JAK;JEC:ha S:\E&C Construction\South Sector\PROJECT FOLDER\N-000789-0001-4 (Kirby Reconst.)\Closeout Folder\RCA\RCA - Closeout.doc			
cc: Velma Laws Craig Foster Waynette Chan Marty Stein File N-0789-01/21.0.			
<b>REQUIRED AUTHORIZATION</b>			<b>CUIC ID # 20HA58</b>
<b>Finance Department:</b>	<b>Other Authorization:</b>	<b>Other Authorization:</b>  Daniel R. Menendez, P.E., Deputy Director Engineering and Construction Division	



N. T. S. VICINITY MAP KEY MAP NO. 532U  
DISTRICT D  
GIMS TILE NO. 5354c, 5353a

**REQUEST FOR COUNCIL ACTION**

**TO:** Mayor via City Secretary

**RCA# 8542**

**Subject:** Formal Bids Received for Chiller Replacement at the Wortham Theater Center for the Convention and Entertainment Facilities Department  
S50-C23422

Category #  
4

Page 1 of 2

Agenda Item

*16*

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

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

**Origination Date**

December 01, 2009

**Agenda Date**

DEC 16 2009

**DIRECTOR'S SIGNATURE**

*Calvin D. Wells*

**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 award to TDIndustries on its low bid in the amount of \$217,705.00 and contingencies (10% for unforeseen changes within the scope of work) in the amount of \$21,770.50 for a total amount not to exceed \$239,475.50 for a chiller replacement at the Wortham Theater Center for the Convention and Entertainment Facilities Department.

Awarded Amount: \$239,475.50

**Finance Budget**

\$239,475.50 - Civic Center Facility Revenue Fund (8601)

**SPECIFIC EXPLANATION:**

The City Purchasing Agent recommends that City Council approve an award to TDIndustries on its low bid in the amount of \$217,705.00 and contingencies (10% for unforeseen changes in the scope of work) in the amount of \$21,770.50 for a total amount not to exceed \$239,475.50 for a chiller replacement at the Wortham Theater Center for the Convention and Entertainment Facilities Department, and that authorization be given to issue purchase orders as necessary. The existing chiller is twenty-three years old and it is not cost effective to continue repairing it. The replacement unit will meet or exceed the current energy efficiency rating for chiller units and is 30% more efficient per ton than the current unit.

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

<u>Company</u>	<u>Total Amount</u>
1. TDIndustries	\$217,705.00
2. Kilgore Industries	\$285,500.00
3. R.E.C. Industries, Inc.	\$297,000.00
4. Gowan, Inc.	\$322,262.00
5. Gregory Edwards, Inc.	\$400,000.00
6. Carrera Construction, Inc.	\$427,754.00

The scope of work requires the construction contractor to provide all tools, materials, equipment, labor, permits, supervision and transportation necessary to remove and replace an existing chiller, two existing pumps and all associated piping, valves and controls. The construction contractor shall also be required to remove the two existing exhaust fans and install two new exhaust fans for ventilation and emergency exhaust, as well as install a new refrigerant monitoring system for the new chiller and existing chillers. The materials and workmanship is warranted for one year and the life expectancy of the new chiller is twenty years. The contractor shall have one hundred twenty calendar days to complete the work on this project upon receipt of the notice-to-proceed.

**REQUIRED AUTHORIZATION**

Finance Department:

Other Authorization:

Other Authorization:

NDT

*MS*

*MS*

*162*

Date: 12/1/2009	Subject: Formal Bids Received for Chiller Replacement at the Wortham Theater Center for the Convention and Entertainment Facilities Department S50-C23422	Originator's Initials AL	Page 2 of 2
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**Pay or Play Program:**

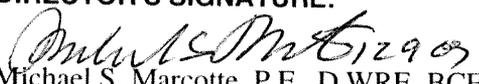
The proposed contract requires compliance with the City's 'Pay or Play' ordinance regarding health benefits for employees of City contractors. In this case, the contractor has elected to pay into the Contractor Responsibility Fund in compliance with City policy.

Buyer: Arturo Lopez

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

Reso

<b>SUBJECT:</b> Resolution approving and authorizing submission of applications for Clean Water Act Section 319 (h) grant funding.		<b>Page</b> 1 of 1	<b>Agenda Item</b> # 17
<b>FROM (Department or other point of origin):</b> Department of Public Works and Engineering		<b>Origination Date</b> 12-10-09	<b>Agenda Date</b> DEC 16 2009
<b>DIRECTOR'S SIGNATURE:</b>  Michael S. Marcotte, P.E., D.WRE, BCEE, Director		<b>Council District affected:</b> All	
<b>For additional information contact:</b> Carol Ellinger Haddock, P.E. Sr. Assistant Director (713) 837-7658 Richard J. Chapin, ROC Senior Project Manager (713) 837-0421		<b>Date and identification of prior authorizing Council action:</b>	

**RECOMMENDATION: (Summary)**  
It is recommended that City Council adopt a resolution approving and authorizing submission of applications for Clean Water Act Section 319 (h) grant funding.

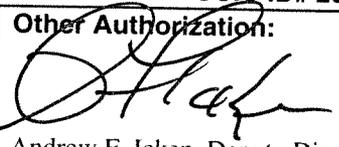
**Amount and Source of Funding:** N/A

**BACKGROUND:**  
Congress amended the Clean Water Act in 1987 to establish the section 319 Nonpoint Source Management Program to help State and local nonpoint source efforts. Under section 319, States receive grant money which support a wide variety of activities including technical assistance, financial assistance, education, training, technology transfer, demonstration projects, and monitoring to assess the success of specific nonpoint source implementation projects. The Texas Commission on Environmental Quality and the Texas State Soil and Water Conservation Board administer these federal grants for activities that prevent or reduce nonpoint source pollution. Grants are awarded annually and fund projects for up to three years. The Texas Commission on Environmental Quality typically solicits grants in the summer of each year with the grant applications due to the Texas Commission on Environmental Quality in December. In the summer of the following year, the Texas Commission on Environmental Quality evaluates the grant submissions to choose which proposals they will Approve. The Texas Commission on Environmental Quality then submits their lists of approved applications to the Environmental Protection Agency for the agency's agreement. Agreement is usually reached by winter of the following year and a contract is drawn up between the Texas Commission on Environmental Quality and the Grant Applicant. A 319 grant will fund 60% of the total project costs. The City's share can be funded with cash or through other in-kind contributions.

**RECOMMENDATIONS:**  
To facilitate and allow flexibility in submission of applications for Clean Water Act Section 319 (h) grants, it is recommended that City Council adopt a resolution approving and authorizing the submission of applications for Clean Water Act Section 319 (h) grant funding as long as the City's cost share (40% of the total cost) does not exceed \$400,000.

Any projects using these funds will be subject to Council approval in subsequent actions.

MSM:AFI:CEH  
P:\PLANNING BRANCH\GRANTS\IRCA FOR 319 GRANTS.DOC  
C: Marty Stein, Waynette Chan, Gary Drabek, Ceil Price

<b>REQUIRED AUTHORIZATION</b>			<b>CUIC ID# 20CAE64</b>
<b>Finance Department:</b>	<b>Other Authorization:</b>  Andrew F. Icken, Deputy Director Planning and Development Services Division	<b>Other Authorization:</b>	

**REQUEST FOR COUNCIL ACTION**

**TO:** Mayor via City Secretary

**RCA #**

**SUBJECT:**

Ordinance amending Chapter 7 of the Houston Code of Ordinances relating to Metal Recycling Entities, Secondhand Metal Dealers, and Related Businesses

**Category #**

**Page 1 of 2**

**Agenda Item#**

**18**

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

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

**Origination Date**

December 8, 2009

**Agenda Date**

DEC 16 2009

**DIRECTOR'S SIGNATURE:**

**Council Districts affected:**

All

**For additional information contact:**

Tina Paez **Phone:** (713) 837-9630  
Kathryn Bruning **Phone:** (713) 837-9873  
Darrin Hall **Phone:** (832) 393-0833

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

Ord. #2007-295, passed 3/21/07

**RECOMMENDATION: (Summary)**

Approve an ordinance amending Chapter 7 of the Code of Ordinances relating to Metal Recycling Entities, Secondhand Metal Dealers and Related Businesses.

**Amount of Funding:** N/A

**FIN Budget:**

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

**SPECIFIC EXPLANATION:**

The Director of the Administration and Regulatory Affairs (ARA) Department requests City Council approval of an ordinance which would amend Chapter 7 of the Houston Code of Ordinances relating to metal recycling entities, secondhand metal dealers and related businesses.

In 2006 and 2007, the price of copper and other metals increased substantially. During that time, the Houston Police Department (HPD), like other law enforcement agencies across the county, reported a corresponding increase in the sales of stolen copper and other metal materials to metal recyclers/secondhand metal dealers. The thieves target construction sites, public utilities, and public property for access to metal pipes, tubing and wiring and other construction materials. The stolen material is also sold to mobile purchasers, who use semi-truck tractor trailer units to collect the goods at multiple locations. These mobile dealers facilitate thieves' ability to sell stolen materials, while making it more difficult for law enforcement and inspectors to track and inhibit illegal activity.

In response to this problem, on March 21, 2007, City Council approved Ordinance No. 2007-295. The ordinance amended Chapter 7 of the Code of Ordinances (referred to herein as "Chapter 7" or the "Ordinance"), which regulates metal recyclers/secondhand metal dealers. The amendments incorporated changes made at the state level, as well as HPD recommendations, and were designed to reduce the sale of stolen goods to metal recyclers/secondhand metal dealers.

Since the passage of Ordinance No. 2007-295, the Administration and City Council staff have maintained communication with the scrap metal industry as the metal dealers worked to comply with the 2007 Chapter 7 revisions. Throughout 2009, several stakeholder meetings were conducted to address new issues raised by the metal recyclers and secondhand metal dealers. The two primary industry concerns were: (1) the requirement that all transactions be video taped; and (2) restrictive Saturday operating hours. Based on industry feedback, as well as HPD's recommendations for additional provisions to enhance enforcement, Administration and Regulatory Affairs (ARA), HPD, Governmental Affairs, and the City Attorney's Office are recommending changes to the City's Code of Ordinances, as detailed below.

The amendments to the Ordinance recommended herein incorporate two scrap metal industry requests, as well as two amendments recommended by HPD for enhancement of enforcement efforts.

- A. Elimination of video recording requirement: The first industry request is the elimination of the requirement that each transaction be recorded via a video device and that the recording be maintained for a period of one year. The industry indicated that it is very difficult and expensive to get a usable recording.

**REQUIRED AUTHORIZATION**

FIN Director:

18

Date: 12/8/09	<b>SUBJECT:</b> Approve an ordinance amending Chapter 7 of the Code of Ordinances relating to Metal Recycling Entities and Secondhand Metal Dealers	Originator's Initials TP	Page 2 of 2
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HPD has determined that this requirement may be eliminated, provided that a digital photograph of each transaction is maintained. The digital photograph must be of sufficient quality to enable the identification of each item received. At this time, digital photographs are being taken and maintained, but the quality of the photographs is too poor to allow for proper identification of each item.

B. Change in operating hours: The second industry request is a change in the operating hours for purchase of regulated materials from the general public. Currently the operating hours are Monday through Friday from 6:00 a.m. to 7:00 p.m. and Saturday from 9:00 a.m. to 5:00 p.m. The industry advocates for a more consistent operating schedule of 6:00 a.m. to 7:00 p.m. from Monday through Saturday. HPD does not oppose this request and does not believe it will affect enforcement efforts.

C. Locations operating more than one type of business: HPD recommends that any location that operates more than one type of business be required to obtain a license for each business activity conducted at that location. This requirement will provide HPD with more flexibility in enforcing the Ordinance requirements and administrative regulations.

For example, auto salvage yards are regulated under Chapter 8 and are not required to have a metal recycler's license although those entities occasionally purchase regulated materials. As a result, auto salvage yards that purchase regulated materials currently are not required to meet the reporting and operating requirements of Chapter 7 because metal recycling or metal resale is not their primary business.

D. Clarify the definitions of "fixed location" and "metal recycler/secondhand metal dealer": Finally, to further diminish the opportunities for purchasing of metal material at mobile locations, HPD recommends clarifying the definitions of both "fixed location" and "metal recycler/secondhand metal dealer."

Currently, a metal recycler/secondhand metal dealer is defined as operating in a fixed location, but "fixed location" is not defined in Chapter 7. A fixed location will be defined as: "any building or structure for which a certificate of occupancy has been issued." Correspondingly, the definition of metal recycler/secondhand dealer would be expanded to include persons engaging in the business of purchasing aluminum cans. These revisions will effectively prohibit the sale of aluminum cans to a dealer who uses a trailer, which cannot qualify for a certificate of occupancy, as the collection site.

**Recommendation**

The Administration and Regulatory Affairs Department, in collaboration with the Houston Police Department and the Mayor's Office of Governmental Affairs, respectfully requests City Council's approval of the recommended Ordinance revisions detailed herein.

The recommended amendments to the Code of Ordinances are scheduled to be considered by City Council's Public Safety and Homeland Security Committee on December 14, 2009.



**City of Houston**  
**Administration & Regulatory Affairs Department**  
**Executive Summary – Revisions to Chapter 7, Code of Ordinances related to**  
**Metal Recyclers/Secondhand Metal Dealers**  
**December 14, 2009**

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## **I. Introduction**

In 2006 and 2007, the price of copper and other metals increased substantially. During that time, the Houston Police Department (HPD), like other law enforcement agencies across the county, reported a corresponding increase in the sales of stolen copper and other metal materials to metal recyclers/secondhand metal dealers. The thieves target construction sites, public utilities, and public property for access to metal pipes, tubing and wiring and other construction materials. The stolen material is also sold to mobile purchasers, who use semi-truck tractor trailer units to collect the goods at multiple locations. These mobile dealers facilitate thieves' ability to sell stolen materials, while making it more difficult for law enforcement and inspectors to track and inhibit illegal activity.

In response to this problem, on March 21, 2007, City Council approved Ordinance No. 2007-295. The ordinance amended Chapter 7 of the Code of Ordinances (referred to herein as "Chapter 7" or the "Ordinance"), which regulates metal recyclers/secondhand metal dealers. The amendments incorporated changes made at the state level, as well as HPD recommendations, and were designed to reduce the sale of stolen goods to metal recyclers/secondhand metal dealers.

Since the passage of Ordinance No. 2007-295, the Administration and City Council staff have maintained communication with the scrap metal industry as the metal dealers worked to comply with the 2007 Chapter 7 revisions. In 2009, several stakeholder meetings were conducted to address new issues raised by the metal recyclers and secondhand metal dealers. The two primary industry concerns were: (1) the requirement that all transactions be video taped; and (2) restrictive Saturday operating hours. Based on industry feedback, as well as HPD's recommendations for additional provisions to enhance enforcement, Administration and Regulatory Affairs (ARA), HPD, Governmental Affairs, and the City Attorney's Office are recommending changes to the City's Code of Ordinances, as detailed herein. The proposed amendments were discussed with industry stakeholders on December 9, 2009 and were met with general approval.

## **II. Chapter 7 - 2007 Amendments**

The March 2007 amendments to the Ordinance were comprehensive and resulted from substantial scrap metal industry stakeholder feedback as well as HPD recommendations intended to enhance the City's enforcement capabilities. The major changes included:



- Re-designating scrap metal processors as metal recyclers and junk dealers as secondhand metal dealers: Since the existing junk dealer classification had allowed dealers to operate from mobile trailers, this permit classification was eliminated altogether. Dealers in scrap metal were limited to only two classifications – metal recyclers or secondhand metal dealers, as further defined below.
- Amending the definition of secondhand metal dealers: The definition of secondhand metal dealer was amended to specify that the dealer operates from a *fixed* location, thereby eliminating mobile dealers. Specifically, a metal recycler/secondhand metal dealer was defined as:  
  
*“Any person, who from a fixed location engages in the business of utilizing machinery or equipment for the processing of or manufacturing of iron, steel or nonferrous metallic scrap and whose principal product is scrap iron, scrap steel or nonferrous metallic scrap for re-melting purposes or a person who operates or maintains a scrap metal yard or other place in which used or previously purchased metal items or scrap metal is collected or kept for shipment, sale, or transfer.”*
- Requiring applicants for a metal recycler or secondhand metal dealer license to post a surety bond in the amount of \$5,000: Surety bonds are a safeguard for the consumer in a business transaction and are used to ensure that a dealer is qualified to do business in the municipality in which he is permitted. In this instance, the surety bond is conditioned upon the metal recycler’s or secondhand metal dealer’s compliance with the Ordinance and the rules adopted under the Ordinance. (In May 2009, the surety bond requirement was increased to \$10,000 by Ordinance No. 2009-410.)
- Requiring dealers to implement and maintain electronic record-keeping databases: According to HPD, uniform electronic record-keeping requirements for metal recyclers, secondhand metal dealers, and secondhand dealers aids law enforcement in identifying metal thieves and solving metal theft and related crimes.
- Requiring photographs and fingerprints: The Ordinance requires that persons who sell, or are attempting to sell, metal products or other building materials to regulated entities provide identifying photographs and fingerprints.
- Requiring that each transaction be videotaped: The Ordinance requires that metal recyclers/secondhand metal dealers videotape each transaction. As indicated in the narrative that follows, this has proven to be a burdensome requirement for the industry, and HPD now concurs that this requirement should be eliminated.
- Providing for penalties for violations of the Ordinance: The March 2007 amendments included the addition of a due process provision and the imposition of administrative penalties. Permits for

metal recyclers and secondhand metal dealers under the Ordinance can be denied, suspended or revoked for violations of the Ordinance, and a permit applicant has the right to appeal the City's decision through an administrative hearing process.

### **III. Chapter 7 - Recommended Amendments**

The amendments to the Ordinance recommended herein incorporate two scrap metal industry requests, as well as two amendments recommended by HPD for enhancement of enforcement efforts.

- A. Elimination of video recording requirement: The first industry request is the elimination of the requirement that each transaction be recorded via a video device and that the recording be maintained for a period of one year. The industry indicated that it is very difficult and expensive to get a usable recording.

HPD has determined that this requirement may be eliminated, provided that a digital photograph of each transaction is maintained. The digital photograph must be of sufficient quality to enable the identification of each item received. At this time, digital photographs are being taken and maintained, but the quality of the photographs is too poor to allow for proper identification of each item.

- B. Change in operating hours: The second industry request is a change in the operating hours for purchase of regulated materials from the general public. Currently the operating hours are Monday through Friday from 6:00 a.m. to 7:00 p.m. and Saturday from 9:00 a.m. to 5:00 p.m. The industry advocates for a more consistent operating schedule of 6:00 a.m. to 7:00 p.m. from Monday through Saturday. HPD does not oppose this request and does not believe it will affect enforcement efforts.
- C. Locations operating more than one type of business: HPD recommends that any location that operates more than one type of business be required to obtain a license for each business activity conducted at that location. This requirement will provide HPD with more flexibility in enforcing the Ordinance requirements and administrative regulations.

For example, auto salvage yards are regulated under Chapter 8 and are not required to have a metal recycler's license although those entities occasionally purchase regulated materials. As a result, auto salvage yards that purchase regulated materials currently are not required to meet the reporting and operating requirements of Chapter 7 because metal recycling or metal resale is not their primary business.

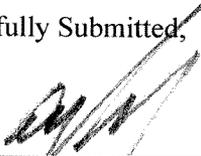
- D. Clarify the definitions of "fixed location" and "metal recycler/secondhand metal dealer": Finally, to further diminish the opportunities for purchasing of metal material at mobile locations, HPD recommends clarifying the definitions of both "fixed location" and "metal recycler/secondhand metal dealer."

Currently, a metal recycler/secondhand metal dealer is defined as operating in a fixed location, but “fixed location” is not defined in Chapter 7. A fixed location will be defined as: “any building or structure for which a certificate of occupancy has been issued.” Correspondingly, the definition of metal recycler/secondhand dealer would be expanded to include persons engaging in the business of purchasing aluminum cans. These revisions will effectively prohibit the sale of aluminum cans to a dealer who uses a trailer, which cannot qualify for a certificate of occupancy, as the collection site.

#### **IV. Recommendation**

The Administration and Regulatory Affairs Department, in collaboration with the Houston Police Department and the Mayor’s Office of Governmental Affairs, respectfully requests Council’s approval of the recommended Ordinance revisions detailed herein.

Respectfully Submitted,



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

cc: Michael Moore  
Marty Stein  
Tina Paez  
Darrin Hall  
Sgt. Michael McGinty  
Kathryn Bruning  
Mary Clark

**Sec. 7-51. 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:

*Building construction material(s)* means copper pipe, tubing, or wiring, aluminum wire, aluminum siding, plumbing supplies, electrical supplies, window glass, window frames, doors, door frames, downspouts, gutters, lumber, air conditioning units and other similar materials.

*Clear thumbprint impression* means an intentional recording of the friction ridge detail on the volar pads of the thumb.

*Fixed location* means any building or structure for which a certificate of occupancy has been issued.

*Licensee* means a person who holds a license to conduct business as a metal recycler/secondhand metal dealer or a secondhand reseller.

*Metal recycler/secondhand metal dealer* means any person, ~~who from a fixed location engages~~

(1) Engages in the business of purchasing aluminum cans; or

(2) Engages in the business of utilizing machinery or equipment for the processing of or manufacturing of iron, steel or nonferrous metallic scrap and whose principal product is scrap iron, scrap steel or nonferrous metallic scrap for remelting purposes; or a person who operates

(3) Operates or maintains a scrap metal yard or other place in which used or previously purchased metal items or scrap metal is collected or kept for shipment, sale, or transfer.

*Real-time electronic web-based database* means an electronic filing system in which data is organized by fields and records and that is capable of transmitting a file or responding to input immediately via the internet.

*Scrap metal* means a direct product or byproduct of any form of a manufactured, shaped, or processed iron, steel, aluminum, brass, copper, lead, tin, zinc, or other nonferrous metallic material.

*Used* means any items, goods, products, wares, chattels, or articles of any sort which have previously been owned by someone other than the manufacturer, or a dealer whose business it is to sell such items, goods, products, wares, chattels, or articles when new to the consumer.

**Sec. 7-54. License required; posting of license.**

No person shall operate as a metal recycler/secondhand metal dealer, ~~or secondhand dealer or own any such business unless such operation or business is conducted from a fixed location.~~ No person shall operate as a metal recycler/secondhand metal dealer or secondhand dealer or own any such business without a license as herein provided. Any person who engages in more than one business described herein at the same location must obtain a license ~~for each business activity conducted at that location only for his principal business activity and not for the other businesses.~~ ~~The provisions of section 7-58, requiring that certain records be kept, apply to all businesses carried on at a single location.~~ A separate license shall be required for each permanent location of any such business. The license shall be posted in a conspicuous place upon the licensed premises.

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**Sec. 7-56. Application for and issuance or refusal of license.**

(a) The director shall require that an applicant for a metal recycler/secondhand metal dealer license or a secondhand reseller license file a bond with the application. The bond must be:

- (1) The full name and residential address of the applicant;
- (2) A statement indicating whether the applicant is a citizen of the United States or an alien legally residing in the United States;
- (3) The applicant(s) social security number or business(es) federal tax identification number;
- (4) The full name and address of each partner if the applicant is a partnership;
- (5) The full name and address of each officer and director if the applicant is a corporation;
- (6) ~~The fixed and permanent~~ location where the business is to be conducted and proof of his ownership of the private property or a written statement including the name, address and telephone number of the property owner or authorized agent, granting permission for operation of the business at the proposed location where his business will be in operation. If the property owner is a partnership or corporation, the statement shall include

Scrap Metal UPDATED REDLINE 11-18

the name, address, and telephone number of one of the partners or one of the principals prior to issuance of any license;

- (7) A copy of the certificate of occupancy for the business location;
- (8) The regular days and hours of operation;
- (9) The applicant's date of birth, place of birth, and each address where he has resided in the five years immediately preceding his application;
- (10) A statement of whether the individual applicant, any partner in a partnership, or any officer or director of a corporation, has been arrested, charged, or convicted for any criminal offense in this state or any other state or country. If he has been arrested or jailed for any such offense, he shall set out the offense for which he was arrested, jailed, or imprisoned, the date of the arrest or confinement, and the place, court and case number of the case.
- (11) A statement that neither he nor any business partner, nor, in the case of a corporation, any corporate officer or director, has had a license under this chapter or any preceding city ordinance governing the businesses described herein revoked;
- (12) The signature of the applicant;
- (13) A sworn and notarized statement that all matters stated in the application are true and correct;
- (14) Evidence that he is at least 18 years of age by presentation of valid identification, including a photograph showing the face of the applicant, in the form of:
  - a. A current driver's license from Texas or another state within the United States;
  - b. An identification card issued by the Texas Department of Public Safety; or
  - c. A United States military identification card;
- (15) Such other information as the director finds relevant.

(b) The director shall review and approve the application and issue a license unless he finds:

## Scrap Metal UPDATED REDLINE 11-18

- (1) The information provided in the application is incomplete, materially false or incorrect or the applicant has failed in any material way to comply with this article and applicable rules and regulations; and
  - (2) The applicant has had a license revoked during the preceding one year period.
- (c) In the event that the director rejects or refuses to issue an application, the provisions of section 7-75 shall apply.

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### **Sec. 7-58. Records required to be kept by metal recyclers/secondhand metal dealers.**

(a) ~~The provisions of this section apply to all businesses carried on at a single location.~~ With the exception of the sale or transfer of aluminum cans, a metal recycler/secondhand metal dealer shall keep at his place of business a record in a real-time electronic web-based database, in a form and method approved by the chief of police, in which he shall enter daily, in English, a full description of each transaction in which personal property is purchased or otherwise received at his place of business. Such description shall include:

- (1) The date and time of receipt of any item;
- (2) The full name and current address of the person or place of business from whom each item was received;
- (3) A clear thumbprint impression of the person from whom each item is received, which shall be excluded from the requirement for electronic transmission set forth in subsection (b) of this section but shall be maintained by the metal recycler/secondhand metal dealer for not less than two years and made available to the director in accordance with rules promulgated by the director for administration of this article and peace officers in accordance with rules promulgated by the chief of police for administration of this article;
- (4) Verified evidence that the person transferring, selling or otherwise giving the items is at least 18 years of age by presentation of valid identification, including a photograph of the face of person transferring, selling or otherwise giving the item, in the form of:
  - a. A current driver's license from Texas or another state within the United States;

Scrap Metal UPDATED REDLINE 11-18

- b. An identification card issued by the Texas Department of Public Safety; or
  - c. A United States military identification card.
- (5) A description of the motor vehicle and/or trailer or other mode of transportation in or on which each item received was carried to, delivered or transported to the metal recycler/secondhand metal dealer, or secondhand dealer's place of business, including state and license plate number, if applicable;
- (6) The individual transaction number assigned by the licensee to each item received;
- (7) A description of the items received as part of the transaction including, where customary in the business, the size, weight, material, length, capacity, and any other designations or descriptions customarily employed in the sale and purchase of such items;
- (8) A digital photograph of sufficient quality to enable the identification of each item received;
- (9) If the item received is a junked, abandoned or wrecked automotive vehicle, documentation of ownership and any other information required for receipt of such vehicles as provided in state or federal laws or regulations and any provision of this Code;
- (10) The name or employee number of the employee who facilitates or conducts the transaction.
- (11) Whether the person either:
- a. Presented a written document evidencing that the person is the legal owner or is lawfully entitled to sell the regulated material; or
  - b. Signed a written statement that the person is the legal owner of or is lawfully entitled to sell the regulated material offered for sale.

(b) The real-time electronic web-based database described in subsection (a) of this section shall be created and maintained by the police department. The metal recycler/secondhand metal dealer shall forward the required record and descriptions set forth in subsection (a) of this section in an electronic format to the designated police department web site before the close of business on each day on which the metal recycler/secondhand metal dealer is open for business. Failure to comply with any provision of this section shall be grounds for the revocation of or the refusal to issue or renew any license required of a metal recycler/secondhand metal dealer under this

## Scrap Metal UPDATED REDLINE 11-18

Code. Any person violating any provision of this section shall be punished as provided by section 1-6 of this Code.

(c) The metal recycler/secondhand metal dealer, his agents or employees shall obtain a consecutively numbered receipt from the seller or transferor of the property. Such receipt shall be dated on the actual date of the transaction and shall list the items sold or otherwise transferred. A printed version of the record input and transmitted to the real-time electronic web-based database as described in this section shall satisfy this requirement. An accurate copy or record of receipts obtained shall be retained for a period of not less than three years.

(d) A metal recycler/secondhand metal dealer shall, upon request, submit and exhibit the various business records that are required to be maintained under this section for inspection or copying by any peace officer or authorized inspector of the director. Failure to maintain or to so permit the examination or copying of such records when requested shall be a misdemeanor.

~~(e) Each transaction shall be recorded via video device, and each recording medium shall be maintained for a period of one year from the date of the latest transaction recorded thereon. A metal recycler/secondhand metal dealer shall post a notice in each place of business regarding the recording of the transaction via video device pursuant to specifications established by the director and the chief of police. The director shall specify the information to be set out on the notice, the size of the print, the colors, and the location where the notice shall be placed. Failure to comply with any provision of this section shall be grounds for the revocation of or the refusal to issue or renew any license required of a metal recycler/secondhand metal dealer under this Code. Any person violating any provision of this section shall be punished as provided by section 1-6 of this Code.~~

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### **Sec. 7-74. Operation of yards used by metal recyclers/secondhand metal dealers; hours for purchasing materials.**

(a) *Compliance.* All lots or tracts of land used for the purpose of carrying on the business or trade of metal recyclers/secondhand metal dealers and secondhand resellers who store inventory outside of a structure shall comply with the requirements of this section.

(b) *Removal of flammable liquids from vehicles.* All gasoline, gasohol and diesel fuel shall be completely drained and removed from any junked, wrecked or abandoned automotive vehicle before the vehicle is placed in any yard owned or operated by a metal recycler/secondhand metal dealer in the city. All flammable liquids drained from any vehicle shall be stored in a safe manner and in strict accordance with the city Fire Code.

Scrap Metal UPDATED REDLINE 11-18

(c) *Fencing, wall requirements.* Every equipment and inventory storage and processing yard owned or operated by a metal recycler/secondhand metal dealer within the city shall be completely surrounded and enclosed by a solid fence or wall as follows:

- (1) Any side of such yard which extends generally parallel to, and within 100 feet of any public street right-of-way shall be bounded by a solid fence or wall at least six feet in height.
- (2) All sides of such yard not included in item (1) above shall be bounded by a solid fence or wall at least six feet in height.
- (3) The term "solid" as used herein shall mean constructed and maintained so that the outer surface thereof is continuous and without interstices, gaps, spaces or holes. This shall not be construed to prohibit any spaces or gaps left by a properly constructed and maintained chain link fence with strips or slats as hereinafter provided.

(d) *Construction, maintenance of fence or wall.* Every fence or wall herein required shall be constructed and maintained in good repair as follows:

- (1) All fences shall be constructed of wood, masonry, corrugated sheet metal, chain link, or any combination thereof; provided, however, that any one side shall be bounded by a fence or wall constructed of only one of the above materials.
- (2) Chain link fences shall be constructed of galvanized chain link fencing with wood or metal slats or strips run through all links of the chain link fence.
- (3) All fences or walls shall extend downward to within three inches of the ground and shall test plumb and square at all times.
- (4) All fences or walls shall be constructed in compliance with all applicable provisions of the Construction Code.

(e) *Use of wall, door of building as part of fence or wall.* Any part of a fence or wall required by subsection (c) hereof may consist, in whole or in part, of a solid wall and door, or walls and doors of any completely enclosed building on said premises, if such wall or door meets all construction requirements hereinabove set forth.

(f) *Gates at openings in enclosure.* Openings in the prescribed enclosure which are necessary to permit reasonable access to such yards shall be equipped with a gate or gates, constructed and maintained in accordance with the requirements for a fence or wall hereinabove set forth. Such gates shall be closed and securely locked at all times except during normal business hours.

## Scrap Metal UPDATED REDLINE 11-18

(g) *Use of premises outside enclosure.* It shall be unlawful for an owner, operator, his agents or employees, to display, store or work on any junked or wrecked automotive vehicle, or the parts, accessories or junk therefrom or any other new or used metal materials outside of the herein required fence or wall.

(h) *Arrangement of materials.* All automotive vehicles, parts and other materials located in or on the premises of any yard owned or operated by a metal recycler/secondhand metal dealer in the city shall be so arranged to allow reasonable access to, and inspection of, the premises by authorized fire, health and police officials and the neighborhood protection official of the city. No materials shall be stored at a height greater than six feet within ten feet of the fence required herein.

(i) *Control of vegetation.* It shall be unlawful for the owners or operators of any yard used by a metal recycler/secondhand metal dealer to allow grass or other vegetation to grow to a height of more than nine inches above the ground.

(j) *Compliance with regulations and ordinances.* All yards used by a metal recycler/secondhand metal dealer must at all times be in full compliance with all city ordinances regarding health and safety, including specifically, without limitation, all requirements of the city Fire Code.

(k) *Improved surface.* All lots or tracts of land used as a yard by a metal recycler/secondhand metal dealer must have an all-weather surface of concrete, asphalt, black-top, stone, macadam, limestone, iron ore, gravel, shell, slag or other hard fill surface and appropriate drainage. This subsection shall not include those areas of a yard which are utilized for purposes of inventory storage and processing.

(l) *Vector and rodent control.* Any materials stored in a yard owned and operated by a metal recycler/secondhand metal dealer must be stored in a manner which will allow adequate vector and rodent control measures. An owner or operator shall provide for vector and rodent control at least once within a 90-day period or more frequently as needed.

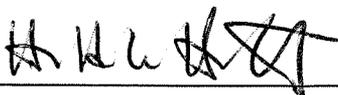
(m) *Violations and penalties.* Failure to comply with any provisions of this section shall be grounds for the revocation of or the refusal to issue or renew any license required of a metal recycler/secondhand metal dealer under this Code. Any person violating any provision of this section shall be punished as provided by section 1-6 of this Code.

(n) A metal recycler/secondhand metal dealer may only purchase regulated material from the general public on Monday through ~~Friday~~ Saturday between the hours of 6:00 a.m. and 7:00 p.m. ~~and Saturday between the hours of 9:00 a.m. and 5:00 p.m.~~

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

<b>SUBJECT:</b> Amendments to City Code of Ordinances §8-117, Notice to registered owner of vehicle when vehicle towed on order of police without owner's consent, and §8-128, Wreckers not to solicit business at scene of accident until police investigation completed	<b>Page</b> 1 of 1	<b>Agenda Item #</b>  19
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<b>FROM: (Department or other point of origin):</b> Houston Police Department	<b>Origination Date:</b> 12-10-09	<b>Agenda Date:</b> DEC 16 2009
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<b>DIRECTOR'S SIGNATURE:</b> Harold L. Hurtt, Chief of Police 	<b>Council District affected:</b> All
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<b>For additional information contact:</b> V. L. King Phone: (713) 308-1560 Assistant Chief	<b>Date and identification of prior authorizing Council action:</b> Ord. No. 04-497, § 3, 5-26-04
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**RECOMMENDATION:** Adopt an ordinance approving amendments to City Code of Ordinances § 8-117 related to the notice to the registered owner of a vehicle when the vehicle is towed upon the order of a police officer without the owner's consent and § 8-128 related to solicitation of business at the scene of an accident.

**Amount and Source of Funding:** N/A

The current City Ordinance § 8-117(a) requires that in the case of a police-authorized, non-consent tow that notification be mailed to the last known registered owner within 48 hours of the vehicle being towed. This notification is to contain information on the name and address of the storage lot where the vehicle is being held. This notification requirement duplicates a much more comprehensive notice provision found in City Ordinance § 8-191 where the burden to notify is placed on the storage lot itself. The Houston Police Department currently complies with § 8-117(a) via a postcard notification system that is cumbersome and costly in terms of man hours and resources required. Further, the need for this kind of a notification system will be greatly diminished upon the implementation of the web-based towing system already approved by City Council. In that system, citizens will be able to go on-line and directly check to see if a particular vehicle has been towed. As the Police Department upgrades its computer and records management system, it would save costs and be more efficient not to have to incorporate the redundant notification system required by § 8-117(a). The provision in § 8-117(b) related to prohibiting a tow from being converted from a non-consent tow to a consent tow (and thus losing the cost controls of a non-consent tow) will remain intact.

City Ordinance § 8-128 is intended to set out when a solicitation of business at the scene of an accident may be safely undertaken. As it is currently written, there has been confusion as to exactly when business may be solicited because the term "... until such time as a law enforcement officer has completed his investigation ..." is open to various interpretations. Consistent with the premise of the SafeClear program, it is a matter of safety that the officer controlling the scene be able to complete the investigation as quickly as possible. Wrecker drivers soliciting business in terms of towing, removing or repairing a vehicle at a police scene such as the scene of an accident can result in a congestion of people and vehicles at the scene and can be a distraction to those involved in the accident. For an officer to efficiently control a scene and quickly complete the investigation needed, the presence of vehicles and people milling about should be kept to a minimum. Further it is much more efficient if an officer does not have to compete for the attention of the involved drivers and/or witnesses who would otherwise be distracted by the wrecker operator's efforts to solicit business. Therefore, to create an easily understood guideline, while the proposed amendment does not prohibit the solicitation of business by wrecker drivers, it does set out that such business solicitation must wait until the investigating officer or officers have left the scene.

**REQUIRED AUTHORIZATION** 10MJH002

<b>Finance:</b>	<b>Other Authorization:</b>	<b>Other Authorization:</b>
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REDLINE for Auto Wrecker Ordinance

**Sec. 8-117. Nonconsent tow ~~Notice to registered owner of vehicle when vehicle towed on order of police without owner's consent.~~**

(a) ~~Whenever a motor vehicle registered with the State of Texas has been towed without the consent of the vehicle owner but upon authorization of a law enforcement officer acting in his official capacity, the responsible law enforcement agency shall endeavor to give notice by regular mail to the last known registered owner within 48 hours of the time the vehicle was towed. The notice shall inform the vehicle owner of the name and address of the storage lot where the vehicle is being held.~~

(b) ~~Once a law enforcement officer has authorized a tow under this section, the wrecker slip has been signed and the services commenced, the services shall remain nonconsent towing services under the auspices of the authorizing agency and may not be changed to a consent tow.~~

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**Sec. 8-128. Wreckers not to solicit business at scene of accident until police depart scene investigation completed.**

It shall be unlawful for any wrecker driver to solicit the business of towing, removing or repairing any abandoned or disabled vehicle at a police scene by words, cards, circulars or gestures, until such time as a all law enforcement officers ~~has completed his investigation or authorized the action~~ have departed the scene.

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

<b>SUBJECT:</b> Airport Hazard Area Regulations and maps related to City of Houston's airports.		<b>Category #</b>	<b>Page</b> 1 of 2	<b>Agenda Item #</b> <b>20</b>
<b>FROM (Department or other point of origin):</b> Houston Airport System		<b>Origination Date</b> December 4, 2009		<b>Agenda Date</b> DEC 16 2009
<b>DIRECTOR'S SIGNATURE:</b> <i>Am Kae</i> <i>Eric R. Potts</i>		<b>Council District affected:</b> All		
<b>For additional information contact:</b> Eric Potts <b>Phone:</b> 281-233-1877		<b>Date and identification of prior authorizing Council action:</b> 10/7/2009 (O) 2009-954		
<b>AMOUNT &amp; SOURCE OF FUNDING:</b> Not Applicable		<b>Prior appropriations:</b> N/A		

**RECOMMENDATION: (Summary)**

Adopt an ordinance amending Chapter 9 of the Code of Ordinances by adding a new Article VII (Airport Hazard Area Regulations) and related maps establishing airport hazard areas around George Bush Intercontinental Airport/Houston (IAH), William P. Hobby Airport (HOU), and Ellington Airport (EFD) and within the City.

**SPECIFIC EXPLANATION:** As a recipient of Federal Aviation Administration (FAA) airport development grants, the City of Houston is required to sign grant assurances affirming that appropriate actions have been taken to protect the airspace around the airports. The City must adopt and enforce regulations to restrict the height of structures or objects of natural growth in airport hazard areas adjacent to or near each of the three Houston Airport System (HAS) airports, within the City limits for obstructions over 200 feet above average ground level, and to restrict other airport hazards that may interfere with airport operations or capacity.

The proposed ordinance will limit the height of certain new construction and objects of natural growth and control other potential hazards to aircraft operations, and will replace existing airport hazard ordinances and maps currently in effect at George Bush Intercontinental Airport/Houston (IAH) and William P. Hobby Airport (HOU). The ordinance will include all current and future runways at these airports as well as at Ellington Airport (EFD), and will provide more effective tools for timely analyzing and permitting proposed construction. The ordinance also brings the city into full compliance with the FAA regulations and the provisions of the federal development grant agreements that support existing and future funding of airport projects.

Pursuant to Texas Local Government Code Chapter 241, the ordinance establishes an airport hazard area (AHA) around IAH and one around both HOU and EFD combined. Within these AHAs, the ordinance relies on FAA criteria to limit the heights of new structures that have the potential to impact the safety of aircraft operations and the efficient operation of the airports. The ordinance also applies to those portions of these AHAs that are outside the Houston city limits and within other county or municipal jurisdictions. HAS will continue working with those other jurisdictions to develop cooperative methods of enforcement. The ordinance also requires compliance with FAA regulations for structures above 200 feet tall anywhere within the City. Finally, the ordinance allows the City to control other potential hazards. These other hazards include intrusive electronic emissions, highly reflective surfaces or other objects or activities that might adversely affect aircraft operations within the airport hazard areas.

HAS and Planning Department staff have worked with the Airport Commission and affected stakeholders throughout the drafting process. The Airport Commission has held two public hearings on these proposed regulations and maps and has made a final recommendation to Council for approval and adoption. City Council held a public hearing on the proposed regulations on December 9, 2009.

**REQUIRED AUTHORIZATION**

<b>Finance Department</b>	<b>Other Authorization:</b>	<b>Other Authorization:</b>
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# FOUNDED 1830

## HOUSTON

### RECORDER RESPONSE

FROM: Eric R. Potts  
Interim Director  
Houston Airport System

DATE: December 11, 2009

SUBJECT: Staff Changes to an Airport Hazard  
Area Ordinance Amending Chapter  
9 of the City Code

~~Commission's~~ Commission's final report on November 19, 2009, Staff has  
~~as made~~ the following changes to the ordinance. We do not  
~~nature,~~ nor do they contradict the tone and intent of the  
~~the section~~ references below are to the ordinance contained in  
~~of change~~ s are shown in underlined text.

~~ns.~~

~~area means~~ the areas described in section 9-706  
~~and water contained within the composite~~  
~~port, and the area within the city limits at or above~~  
~~level, on which an airport hazard could exist.~~

~~hazard~~ hazard areas.

~~airport~~ airport hazard areas are hereby established:

~~within the~~ within the IAH composite perimeter;  
~~area within~~ area within the HOU/EFD combined composite  
~~and~~  
~~or above~~ or above 200 feet above ground level within the city;

~~within the city~~ within the city on which an object or activity described in  
~~9 of this~~ 9 of this Code exists or is proposed.

~~where~~ where airport hazard areas are described in the text,  
~~to the list~~ to the list of areas twice is eliminated.

~~reals~~ reals [to ~~the~~ the Airport Board of Adjustment]

~~The board~~ The board may reverse or affirm, in whole or in part, or  
~~the director's~~ the director's order, requirement, decision, or

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# CITY OF HOUSTON

## INTEROFFICE CORRESPONDENCE

TO: Marty Stein  
Agenda Director  
Office of the Mayor

FROM: Eric R. Potts  
Interim Director  
Houston Airport System

DATE: December 11, 2009

SUBJECT: Staff Changes to an Airport Hazard  
Area Ordinance Amending Chapter  
9 of the City Code

Since the Adoption of the Airport Commission's final report on November 19, 2009, Staff has continued to review the ordinance, and has made the following changes to the ordinance. We do not believe these changes are substantial in nature, nor do they contradict the tone and intent of the Airport Commission's Final Report. The section references below are to the ordinance contained in the Council packet, and the proposed staff changes are shown in underlined text.

### 1. **Sec. 9-901. Definitions.**

*Airport hazard area* means the areas described in section 9-706 of this Code. ~~of land and water contained within the composite perimeter of each airport, and the area within the city limits at or above 200 feet above ground level, on which an airport hazard could exist.~~

### **Sec. 9-706. Airport hazard areas.**

- (a) The following airport hazard areas are hereby established:
- (1) The land area within the IAH composite perimeter;
  - (2) The land area within the HOU/EFD combined composite perimeter; ~~and~~
  - (3) Airspace at or above 200 feet above ground level within the city; and
  - (4) Any area within the city on which an object or activity described in section 9-709 of this Code exists or is proposed.

By referring to the section where airport hazard areas are described in the text, the necessity of referring to the list of areas twice is eliminated.

### 2. **Sec. 9-1001. Appeals [to the Airport Board of Adjustment]**

- (5) *Decision.* The board may reverse or affirm, in whole or in part, or modify the director's order, requirement, decision, or

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determination from which an appeal is taken and make the correct order, requirement, decision, or determination, and for this purpose the board of adjustment has the same authority as the department. The board, however, may not issue a decision that would result in the issuance of an AHA permit that would allow the creation of an airport hazard.

This is identical to language already in the draft for variances in Section 9-1002, and brings this section into conformity with state law limitations on not issuing a permit that would create an airport hazard.

**3. Sec. 9-1004. Time for submittal.**

~~(a) Complete applications that require action by the board and that are submitted to the department by 11:00 a.m. on the Monday of the week before the next regularly scheduled meeting of the board shall be placed on the agenda for consideration by the board at that meeting. If the Monday of the week preceding a regularly scheduled board meeting is a city holiday, complete applications that are submitted to the department on the first city business day following the Monday holiday shall be placed on the agenda for consideration by the board at that meeting.~~

~~(b) Complete applications shall be reviewed and approved, where appropriate, or referred to the board by the director not later than ten days from the date the complete application was submitted. Applications referred to the board under this subsection shall be placed on the board agenda for the next meeting for which proper notice pursuant to section 9-1005 of this Code can be given.~~

~~(c) Applications that require notice to property owners pursuant to section 9-1005 of this Code shall be placed on the board agenda for the next meeting for which proper notice can be given.~~

This simplifies the application submittal section to fit better with the board of adjustment's practices and notice requirements.

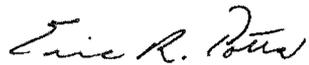
**4. Sec. 9-1101. Actions authorized to enforce article.**

(a) The city, acting through the city attorney or any other attorney representing the city, is hereby authorized to file an action in a court of competent jurisdiction to:

- (1) Enjoin any person from violating the terms, conditions and restrictions of

- an AHA permit issued under this article;  
(2) Enjoin or abate any airport hazard; ~~the violation of the provisions of this article; . . .~~

This change simplifies the language.



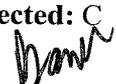
Eric R. Potts

ERP:mmn

cc: Anthony W. Hall, Jr.  
Council Members

<b>SUBJECT:</b> Ordinance authorizing the abandonment and sale of Cameron Street, from Kirby Drive west to its terminus and the two adjacent sidewalk easements, in exchange for the conveyance to the City of a 50-foot-wide utility easement, located in the College Heights Addition and the College Heights Addition Partial Replat No. 1. <b>Parcels SY9-049A, SY9-049B, SY9-049C, and VY9-029</b>	<b>Page</b> <u>1</u> of <u>2</u>	<b>Agenda Item #</b>  <div style="text-align: right; font-size: 2em;">21</div>
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<b>FROM (Department or other point of origin):</b> Department of Public Works and Engineering	<b>Origination Date</b> 12-10-09	<b>Agenda Date</b> DEC 16 2009
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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 492U 
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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> C.M. 2009-0694 (09/23/09)
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**RECOMMENDATION: (Summary)** It is recommended City Council approve an ordinance authorizing the abandonment and sale of Cameron Street, from Kirby Drive west to its terminus, and the two adjacent sidewalk easements, in exchange for a consideration of \$1,495,284.00 plus the conveyance to the City of a 50-foot-wide utility easement, located in the College Heights Addition and the College Heights Addition Partial Replat No. 1. **Parcels SY9-049A, SY9-049B, SY9-049C, and VY9-029**

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

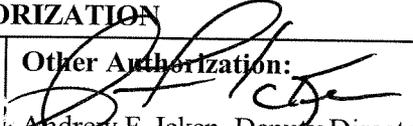
By Council Motion 2009-0694, City Council authorized the subject transaction. Thereafter the abutting property ownership changed from LG West Avenue Project LP, [Gables GP, Inc. (Benjamin Pisklak, Regional Vice President), General Partner]; Austin Trust Company, (Dell Boykin, Senior Vice President); Dickey Realty, Ltd., a limited partnership, [Dickey-Kirby Corp., a Texas corporation, (William J. Hudspeth, President), General Partner]; and Thomas M. Lippincott to LG West Avenue Project LP [Gables GP, Inc., a Texas Corporation, (Benjamin Pisklak, Vice President), General Partner]; William T. Dickey Generation-Skipping Trust under the will of William M. Dickey (Austin Trust Company, an Independent Trust Company, Trustee); Lynn Dickey Wiseheart Generation-Skipping Trust under the will of William M. Dickey (Austin Trust Company, an Independent Trust Company, Trustee); Catherine Wiley Lippincott Generation-Skipping Trust under the will of William M. Dickey (Austin Trust Company, an Independent Trust Company, Trustee); Thomas Merritt Lippincott Generation-Skipping Trust under the will of William M. Dickey (Austin Trust Company, an Independent Trust Company, Trustee); William Matthew Dickey Generation-Skipping Trust under the will of William M. Dickey (Austin Trust Company, an Independent Trust Company, Trustee); Laura Lynn Dickey Generation-Skipping Trust under the will of William M. Dickey (Austin Trust Company, an Independent Trust Company, Trustee); William T. Dickey Trust under the will of William M. Dickey (Austin Trust Company, an Independent Trust Company, Trustee); Lynn Dickey Wiseheart Trust under the will of William M. Dickey (Austin Trust Company, an Independent Trust Company, Trustee); Dickey Realty Limited, a Texas limited partnership, [Dickey-Kirby Corp. (William J. Hudspeth Jr., President), General Partner]; Thomas M. Lippincott; William T. Dickey; and Lynn Dickey Wiseheart, collectively referred to as "the abutting property owners." The abutting property owners plan to utilize the property being abandoned and sold as a private street with a pedestrian walkway.

The abutting property owners have complied with the council motion requirements, have accepted the City's offer, and have agreed to tender payment in full upon passage of the ordinance and obtain a "Consent to Encroachment over City Easement" through the Utility Analysis Section, Public Works and Engineering Department, within 90 days of passage of the ordinance.

The City will abandon and sell to the abutting property owners:

**Parcel SY9-049A**  
 15,039 square feet of street right-of-way \$1,503,900.00  
 Valued at \$100.00 per square foot

s:\bam\sy9-049.rca2.doc CUIC #20BAM18

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> Ordinance authorizing the abandonment and sale of Cameron Street, from Kirby Drive west to its terminus, and the two adjacent sidewalk easements, in exchange for the conveyance to the City of a 50-foot-wide utility easement, located in the College Heights Addition and the College Heights Addition Partial Replat No. 1. <b>Parcels SY9-049A, SY9-049B, SY9-049C, and VY9-029</b>	<b>Originator's Initials</b>	<b>Page</b> <u>2</u> of <u>2</u>
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<b><u>Parcel SY9-049B</u></b>	
1,149 square feet of sidewalk easement	\$ 114,900.00
Valued at \$100.00 per square foot	
<b><u>Parcel SY9-049C</u></b>	
5,382 square feet of sidewalk easement	\$ 538,200.00
Valued at \$100.00 per square foot	
Depreciated Value of street improvements	\$ 90,234.00
<b>TOTAL ABANDONMENTS</b>	<b><u>\$2,247,234.00</u></b>

In exchange, the abutting property owners will pay:

Cash	\$1,495,284.00
<b><u>Parcel VY9-029</u></b>	
15,039 square foot utility easement	\$ 751,950.00
Valued at \$50.00 per square foot	
<b>TOTAL CASH AND CONVEYANCES</b>	<b><u>\$2,247,234.00</u></b>

Therefore, it is recommended City Council approve an ordinance authorizing the abandonment and sale of Cameron Street, from Kirby Drive west to its terminus, and the two adjacent sidewalk easements, in exchange for a consideration of \$1,495,284.00 plus the conveyance to the City of a 50-foot-wide utility easement, located in the College Heights Addition and the College Heights Addition Partial Replat No. 1.

MSM: NPC:bam

- c: Phil Boriski
- Jun Chang, P.E.
- Marlene Gafrick
- Daniel Menendez, P.E.
- Marty Stein
- Jeffrey Weatherford, P.E., P.T.O.E.

PARCEL MAP

SUBJECT: Abandonment and sale of Cameron Street, from Kirby Drive west to its terminus, and the two adjacent sidewalk easements, in exchange for the conveyance to the City of a 50-foot-wide utility easement, located in the College Heights Addition and the College Heights Addition Partial Replat No. 1. Parcels SY9-049A, SY9-049B, SY9-049C, and VY9-029



1 inch equals 140 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.



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 Referrai Committee, on request from Nathan Robert of Jacobs Engineering Group, Inc., 55 Waugh Drive, Suite 801, Houston, Texas 77007, on behalf of LG West Avenue Project LP, (Gables GP, Inc. [Benjamin Pisklak, Regional Vice President], General Partner), Austin Trust Company, (Dell Boykin, Senior Vice President), Dickey Realty, Ltd., a limited partnership, (Dickey-Kirby Corp., a Texas corporation, [William J. Hudspeth, President], General Partner), and Thomas M. Lippincott, for the abandonment and sale of Cameron Street, from Kirby Drive west to its terminus, and the two adjacent sidewalk easements, in exchange for the conveyance to the City of a 50-foot-wide utility easement, located in the College Heights Addition and the College Heights Addition Partial Replat No. 1, Parcels SY9-049A, SY9-049B, SY9-049C and VY9-029, be adopted as follows:

1. The City abandon and sell the Cameron Street, from Kirby Drive west to its terminus, and the two adjacent sidewalk easements, in exchange for the conveyance to the City of a 50-foot-wide utility easement, located in the College Heights Addition and the College Heights Addition Partial Replat No. 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 eliminate the appearance of the public street at the intersection of Cameron Street and Kirby Drive by way of installing a commercial driveway and extending the sidewalk across Cameron Street;

4. The applicant be required to obtain a "Consent to Encroachment over City Easement" through the Utility Analysis Section for encroachments into the utility easement (VY9-029) to be effective upon approval of the Ordinance abandoning Cameron Street;
5. Inasmuch as the value of the City's property interest is expected to exceed \$1,000,000.00, Mr. Scott Stephens and Ms. Sheila Stewart, independent appraisers are appointed to appraise the value.

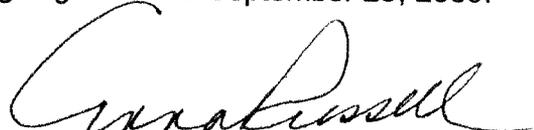
Seconded by Council Member Lovell and carried.

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

Council Member Noriega absent on personal business

PASSED AND ADOPTED this 23rd day of September 2009.

Pursuant to Article VI, Section 6 of the City Charter, the  
effective date of the foregoing motion is September 29, 2009.

  
City Secretary

<p><b>SUBJECT:</b> Ordinance authorizing the abandonment and sale of Hohl Street, from the west line of Lot 2, Block 2, east to its terminus, and the sale of two tracts of fee-owned land, in exchange for the conveyance to the City of a full-width utility easement, a 40-foot-wide storm sewer easement, and right-of-way necessary for the construction of a cul-de-sac at the terminus of Hohl Street, located in the E. O. Greiner Subdivision, out of the J. T. Harrell Survey, A-329. <b>Parcels SY9-030A-C, VY9-027, LY9-030, and AY9-020</b></p>	<p><b>Page</b> <u>1 of 2</u></p>	<p><b>Agenda Item #</b>  <i>22</i></p>
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<p><b>FROM (Department or other point of origin):</b>  Department of Public Works and Engineering</p>	<p><b>Origination Date</b>  <i>12/10/09</i></p>	<p><b>Agenda Date</b>  DEC 16 2009</p>
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<p><b>DIRECTOR'S SIGNATURE:</b> <i>[Signature]</i> Michael S. Marcotte, P.E., D.WRE, BCEE, Director</p>	<p><b>Council District affected:</b> H Key Map 454E <i>GA.</i></p>
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<p><b>For additional information contact:</b>  <i>[Signature]</i> Nancy P. Collins <b>Phone:</b> (713) 837-0881 Senior Assistant Director-Real Estate</p>	<p><b>Date and identification of prior authorizing Council Action:</b>  C.M. 2009-0081 (2/18/09)</p>
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**RECOMMENDATION: (Summary)** It is recommended City Council approve an ordinance authorizing the abandonment and sale of Hohl Street, from the west line of Lot 2, Block 2, east to its terminus, and the sale of two tracts of fee-owned land, in exchange for a consideration of \$43,043.00 plus the conveyance to the City of a full-width utility easement, a 40-foot-wide storm sewer easement, and right-of-way necessary for the construction of a cul-de-sac at the terminus of Hohl Street, located in the E. O. Greiner Subdivision, out of the J. T. Harrell Survey, A-329. **Parcels SY9-030A-C, VY9-027, LY9-030, and AY9-020.**

<p><b>Amount and Source of Funding:</b> Not Applicable</p>	
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**SPECIFIC EXPLANATION:**  
By Council Motion 2009-0081, City Council authorized the subject transaction. MBI, Ltd., a Texas limited partnership [MBGP, Inc. (Rex L Mosser, President), General Partner] the abutting owner, plans to use the property being abandoned and sold to expand its current storage area.

MBI, Ltd., has complied with the council motion requirements, has accepted the City's offer, and has rendered payment in full.

The City will abandon and sell to MBI, Ltd:

<b>Parcel SY9-030A</b>	
11,413-square-foot portion of Hohl Street	\$ 22,826.00
Valued at \$2.00 PSF	
<b>Parcel SY9-030B</b>	
15,899-square-foot fee-owned land	\$ 31,798.00
Valued at \$2.00 PSF	

<p>s:\gg\sy9-030.rca2.doc</p>	<p>CUIC #20GG005</p>
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**REQUIRED AUTHORIZATION**

<p><b>Finance Department</b></p>	<p><b>Other Authorization:</b></p>	<p><b>Other Authorization:</b> <i>[Signature]</i> Andrew F. Icken, Deputy Director Planning and Development Services Division</p>
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<b>Date:</b>	<b>Subject:</b> Ordinance authorizing the abandonment and sale of Hohl Street, from the west line of Lot 2, Block 2, east to its terminus, and the sale of two tracts of fee-owned land, in exchange for the conveyance to the City of a full-width utility easement, a 40-foot-wide storm sewer easement, and right-of-way necessary for the construction of a cul-de-sac at the terminus of Hohl Street, located in the E. O. Greiner Subdivision, out of the J. T. Harrell Survey, A-329. <b>Parcels SY9-030A-C, VY9-027, LY9-030, and AY9-020</b>	<b>Originator's Initials</b>  G.G.	<b>Page</b> <u>2</u> of <u>2</u>
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**Parcel SY9-030C**

18,644-square-foot fee-owned land \$ 37,288.00  
 Valued at \$2.00 PSF

**TOTAL ABANDONMENTS: \$91,912.00**

In exchange, MBI, Ltd., will pay:

Cash \$43,043.00  
 Plus convey to the City:

**Parcel VY9-027**

9,011-square-foot utility easement \$9,011.00  
 Valued at \$1.00 PSF  
 2,402-square-foot common area with LY9-030 \$1,201.00  
 Valued at \$0.50 PSF

**Parcel LY9-030**

22,122-square-foot storm sewer easement \$22,122.00  
 Valued at \$1.00 PSF  
 2,402-square-foot common area with VY9-027 \$1,201.00  
 Valued at \$0.50 PSF

**Parcel AY9-020**

7,667-square-foot excess right-of-way \$15,334.00  
 Valued at \$2.00 PSF

**TOTAL CASH AND CONVEYANCE \$91,912.00**

Therefore, it is recommended City Council approve an ordinance authorizing the abandonment and sale of Hohl Street, from the west line of Lot 2, Block 2, east to its terminus, and the sale of two tracts of fee-owned land, in exchange for a consideration of \$43,043.00 plus the conveyance to the City of a full-width utility easement, a 40-foot-wide storm sewer easement, and right-of-way necessary for the construction of a cul-de-sac at the terminus of Hohl Street, located in the E. O. Greiner Subdivision, out of the J. T. Harrell Survey, A-329.

NPC:WSB:gg

- c: Jun Chang, P.E.
- Daniel Menendez, P.E
- Marty Stein
- Jeffrey Weatherford, P.E., PTOE



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 Greg Travis, Travis Law Firm, Inc., 2700 Post Oak Boulevard, Suite 900, Houston, Texas 77056, on behalf of MBI, Ltd., [MBGP, Inc., (Rex L. Mosser, President), General Partner], for the abandonment and sale of Hohl Street, from the west line of Lot 2, Block 2, east to its terminus, and two tracts of fee-owned land, located in the E. O. Greiner Subdivision, out of the J. T. Harrel Survey, Parcels SY9-030A-C, VY9-027, LY9-030 and AY9-020, be adopted as follows:

1. The City abandon and sell Hohl Street, from the west line of Lot 2, Block 2, east to its terminus, and sell two tracts of fee-owned land, in exchange for the conveyance to the City of a full-width utility easement, a 40-foot storm sewer easement, and right-of-way necessary for the construction of a cul de-sac at the terminus of Hohl Street, located in the E. O. Greiner Subdivision, out of the J. T. Harrel Survey;
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 street and fee-owned land being abandoned and sold;
4. The applicant be required to construct a cul-de-sac at the terminus of Hohl Street, within the right-of-way being conveyed to the City, all at no cost to the City and under the proper permits;
5. The Legal Department be authorized to prepare the necessary transaction documents; and

6. Inasmuch as the value of the property interests is not expected to exceed \$50,000.00, that the value be established by a staff appraiser.

Seconded by Council Member Green and carried.

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

Council Member Johnson out of the City on City business

PASSED AND ADOPTED this 18th day of February, 2009.

Pursuant to Article VI, Section 6 of the City Charter, the  
effective date of the foregoing motion is February 24, 2009.

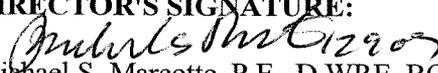
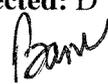


City Secretary

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

<b>SUBJECT:</b> Ordinance authorizing the sale to Harris County Flood Control District of a 0.7675-acre drainage easement, a 0.4262-acre drainage easement, and a 0.0566-acre drainage easement, being a portion of the Buxley Street Waste Water Treatment Plant, WCID #51, all out the J. Bailey Survey, A-145. <b>Parcels SY9-088A, SY9-088B, and SY9-088C</b>	<b>Page</b> <u>1</u> of <u>1</u>	<b>Agenda Item #</b>  <div style="text-align: right; font-size: 2em; font-family: cursive;">23</div>
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<b>FROM (Department or other point of origin):</b> Department of Public Works and Engineering	<b>Origination Date</b> 12-10-09	<b>Agenda Date</b> DEC 16 2009
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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 571R 
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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 an ordinance authorizing the sale to Harris County Flood Control District of a 0.7675-acre drainage easement, a 0.4262-acre drainage easement, and a 0.0566-acre drainage easement, being a portion of the Buxley Street Waste Water Treatment Plant, WCID #51, all out the J. Bailey Survey, A-145. **Parcels SY9-088A, SY9-088B, and SY9-088C**

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

Tina Williams, Deputy General Manager, Harris County Right-of-Way Division, Public Infrastructure Department, 10555 Northwest Freeway, Suite 210, Houston, Texas 77092, on behalf of Harris County Flood Control District, requested to acquire from the City a 0.7675-acre drainage easement, a 0.4262-acre drainage easement, and a 0.0566-acre drainage easement, all out of the J. Bailey Survey, A-145. The City acquired the property by annexation via ordinance 56-3351 effective December 31, 1956. The property was formerly a waste water treatment plant known as the Buxley Street Waste Water Treatment Plant, WCID #51. Because the treatment facility is no longer operating as such the Public Works and Engineering Department, Public Utilities Division does not object to the requested sale of easements to Harris County Flood Control District. The Harris County Flood Control District requires the requested easements for improvements to the Sims Bayou drainage facility. The Joint Referral Committee reviewed and approved this request subject to the Harris County Flood Control District assuming full maintenance responsibility of the outfall structure currently within Parcel SY9-088B.

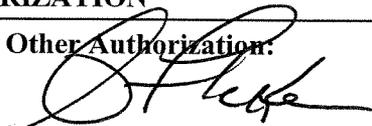
Section 272.001(b)(5) of the Local Government Code, pertaining to the sale of real property interests to a governmental entity that has the power of eminent domain, provides for the payment of a consideration based upon the appraised fair market value. Harris County submitted its appraisal report with its purchase offer to the City. A staff appraiser in the Department of Public Works and Engineering has reviewed the appraisal report and offer and finds it acceptable. Therefore, it is recommended City Council approve an ordinance authorizing:

The sale to Harris County Flood Control District of:

**Parcel SY9-088A**  
 33,430-square-foot (0.7674 acre) drainage easement: \$7,940.00 (rounded)  
 Valued at \$0.2375 per square foot

**Parcel SY9-088B**  
 18,567-square-foot (0.4262 acre) drainage easement: \$ 441.00 (rounded)  
 Valued at \$0.02375per square foot

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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

<p><b>Date:</b></p>	<p><b>Subject:</b> Ordinance authorizing the sale to Harris County Flood Control District of a 0.7675-acre drainage easement, a 0.4262-acre drainage easement, and a 0.0566-acre drainage easement, being a portion of the Buxley Street Waste Water Treatment Plant, WCID #51, all out the J. Bailey Survey, A-145. <b>Parcels SY9-088A, SY9-088B, and SY9-088C</b></p>	<p><b>Originator's Initials</b></p> 	<p><b>Page</b> <u>2</u> of <u>2</u></p>
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**Parcel SY9-088C**

2,467-square-foot (0.0566 acre) drainage easement: \$1,172.00 (rounded)  
Valued at \$0.475 per square foot

Depreciated value of improvement (200 LF fence) \$3,750.00  
Valued at \$18.75 per linear foot

Curative cost to restore fence (187 LF fence) \$925.00 (rounded)  
Valued at \$4.95 per linear foot

**TOTAL SALE** **\$14,228.00 (rounded)**

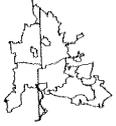
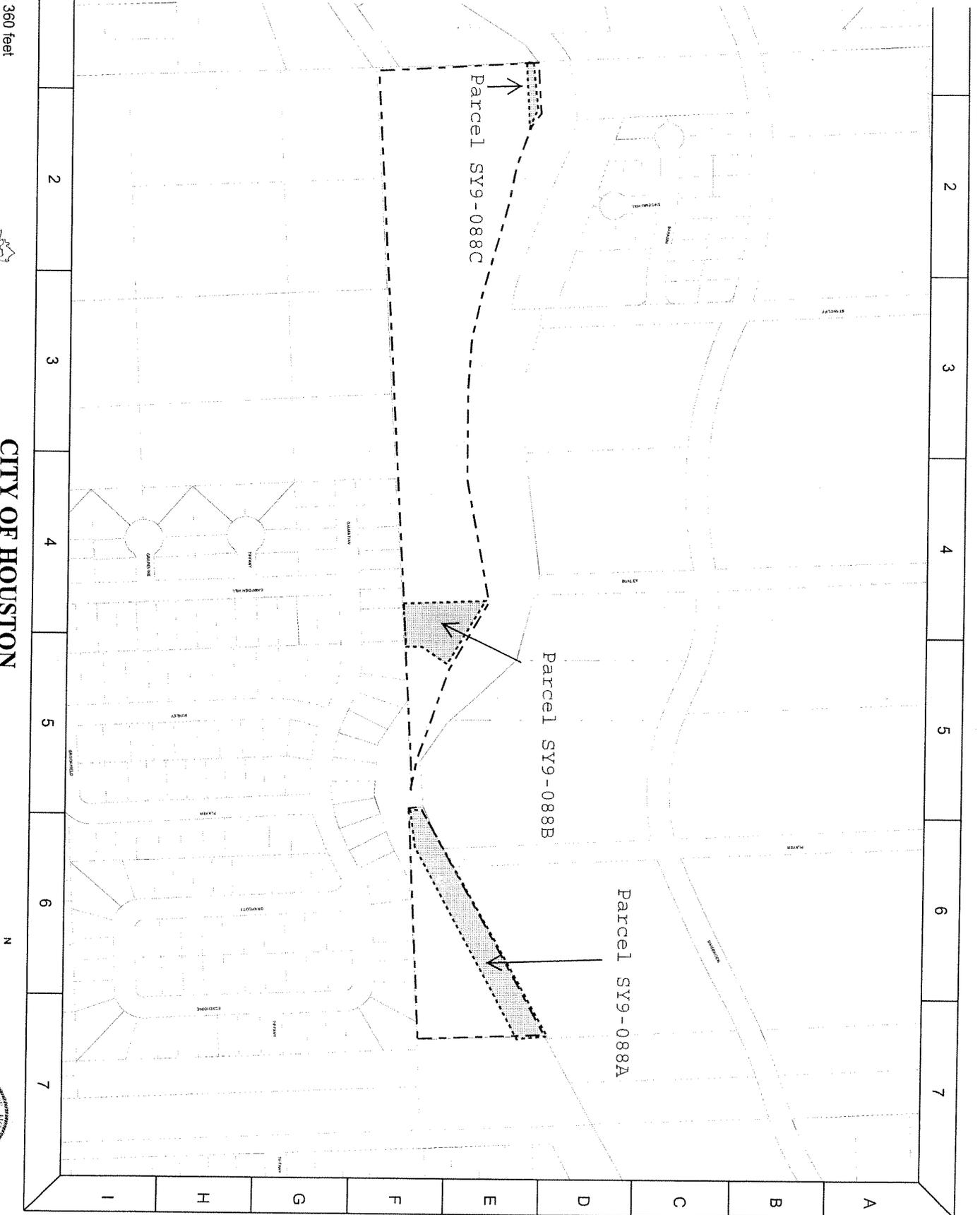
Therefore, it is recommended City Council approve an ordinance authorizing the sale to Harris County Flood Control District of a 0.7675-acre drainage easement, a 0.4262-acre drainage easement, and a 0.0566-acre drainage easement, being a portion of the Buxley Street Waste Water Treatment Plant, WCID #51, all out the J. Bailey Survey, A-145.

MSM: NPC:bam

- c: Jun Chang, P.E.
- Daniel Menendez, P.E.
- Marty Stein

PARCEL MAP

SUBJECT: Ordinance authorizing the sale to Harris County of a 0.7675-acre drainage easement, a 0.4262-acre drainage easement, and a 0.0566-acre drainage easement, being a portion of the Buxley Street waste water treatment plant, WCID #51, all out the J. Bailey Survey, A-145.



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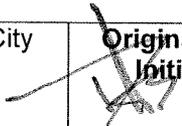


TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

09-Reed Parque

<b>SUBJECT:</b> An Ordinance authorizing an Agreement between the City of Houston and Reed Parque Limited Partnership		<b>Category #</b>	<b>Page</b> 1 of 2	<b>Agenda Item #</b> 24
<b>FROM (Department or other point of origin):</b> Richard S. Celli, Director Housing and Community Development Department		<b>Origination Date</b> 11/30/09	<b>Agenda Date</b> DEC 16 2009	
<b>DIRECTOR'S SIGNATURE:</b> 		<b>Council District affected:</b> District "D"		
<b>For additional information contact:</b> Donald Sampley, Assistant Director Phone: 713-868-8458		<b>Date and identification of prior authorizing Council action:</b>		
<b>RECOMMENDATION: (Summary)</b> The Department recommends approval of an Ordinance authorizing an Agreement between the City of Houston and Reed Parque Limited Partnership to rehabilitate the Reed Parque Apartments.				
<b>Amount of Funding:</b> \$1,317,585 Special CDBG - DR			<b>Finance Budget:</b>	
<b>SOURCE OF FUNDING</b> <input type="checkbox"/> General Fund <input checked="" type="checkbox"/> Grant Fund <input type="checkbox"/> Enterprise Fund				
<input type="checkbox"/> Other (Specify) CDBG FUNDS – DR Funds				
<b>SPECIFIC EXPLANATION:</b> Reed Parque Limited Partnership (Owner) developed and owns the Reed Parque Townhomes, a 192-unit multifamily project located at 2725 Reed Road, at its intersection with Texas 288 in District "D". RPT was constructed in the year 2000 and suffered damage as a result of Hurricane Ike that included roofs and building exteriors. The tenants of RPT will benefit from both exterior and interior repairs and updates to increase the property's useful life.  The Owner entity is comprised of two limited liability companies: Reed Parque Group, LLC (with 0.01% ownership) is the general partner, with John Barineau acting as its Manager, and Boston Financial Reed Parque, LLC (with 99.99% ownership) is the limited partner. Radney Management, of which Barineau is a principal, is the property management company for RPT. Radney Management has extensive experience managing income and rent restricted properties.  The structure of the Reed Parque Townhomes suffered physical damage from Hurricane Ike that required immediate repairs, as well as reduced useful life of the composition shingle roofs. There are two primary aspects of the proposed rehab project. First, is to replace the roofs on all 27 buildings to alleviate the storm damage that reduced useful life of the existing shingles to an estimated one to two years from today. Second, are interior updating and exterior building repairs and improvements intended to extend the useful life of the Property for 20 years. Additionally, the budget includes funds for ceasing operation of and demolishing an existing sewer treatment plant, and connecting RPT to a recently constructed City of Houston sanitary sewer line with capacity to handle RPT's wastewater.				
<b>REQUIRED AUTHORIZATION</b>				
<b>Finance Director:</b>		<b>Other Authorization:</b>		<b>Other Authorization:</b>

<b>Date</b> 11/30/09	<b>Subject:</b> An Ordinance authorizing an Agreement between the City of Houston and Reed Parque Limited Partnership	<b>Originator's Initials</b> 	<b>Page</b> <u>2</u> of <u>2</u>
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Fifty-one percent (51%), or 98 units, will be restricted as CDBG Affordable Floating Units comprised of all floor plans distributed throughout the complex for a period of five (5) years. The residents eligible to reside in these units can earn no more than 80% of the Area Median Income (AMI), and rents will be capped at High HOME Rents. The property was constructed in the year 2000 with low income housing tax credits. That financing agreement requires that 115 units be reserved for tenants who earn no more than 60% of AMI, and 50 units must be reserved for tenants who make no more than 50% AMI. That agreement is for a term of twenty-five (25) years

The City Performance Based Loan (PBL) will have an interest rate of 0% and a term of five (5) years. The PBL will be forgiven at the end of the 5-year period so long as the Borrower complies with all City loan agreement terms and conditions, and the property is in compliance with all HUD and City requirements. The subject property will be subject to a first lien mortgage held by Massachusetts Mutual Life Insurance Company with an eighteen (18) year term. While the City's loan will be inferior to this lien, the City's LURA will prime the loan through a subordination agreement. The Owner will guarantee 100% of the City loan until completion of the rehab construction satisfactory to the City.

<u>Source of Funds</u>	<u>Overall Project</u>	<u>Per Unit</u>	<u>Per Sq. Ft</u>
City of Houston PBL	\$1,317,585	\$6,862	\$7.13
Owner Equity	100,000	521	0.54
<b>Total</b>	<b>\$1,417,585</b>	<b>\$7,383</b>	<b>\$7.67</b>

<u>Use of Funds</u>	<u>Overall Project</u>	<u>Per Unit</u>	<u>Per Sq. Ft</u>
Hard Construction Costs	\$1,317,585	\$6,862	\$7.13
Soft Construction Costs	100,000	521	0.54
<b>Total</b>	<b>\$1,417,585</b>	<b>\$7,383</b>	<b>\$7.67</b>

The City's performance based loan proceeds will be used for costs associated with the rehabilitation of the project.

This project is consistent with the City of Houston Consolidated Plan to provide affordable housing for low-income families. The City's participation in the project will contribute to the goal of increasing the number of affordable rental housing units for low-income residents.

The Department recommends approval of an agreement between the City and Reed Parque Limited Partnership.

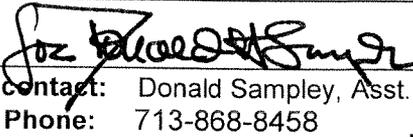
RC:DS:LC:SG  
cc: Finance  
Legal Department  
City Secretary  
Mayor's Office

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

HC009-136

09- Catalina Apartments

<b>SUBJECT:</b> An Ordinance authorizing an Agreement between City of Houston and Regency Crossing, LLC		<b>Category #</b>	<b>Page</b> 1 of 2	<b>Agenda Item #</b> 25
<b>FROM (Department or other point of origin):</b> Richard S. Celli Director, Housing and Community Development Department		<b>Origination Date:</b> 12/1/09	<b>Agenda Date:</b> DEC 1 6 2009	
<b>DIRECTOR'S SIGNATURE:</b> 		<b>Council District affected:</b> District "F"		
<b>For additional information contact:</b> Donald Sampley, Asst. Director Phone: 713-868-8458		<b>Date and identification of prior authorizing Council action:</b>		
<b>RECOMMENDATION: (Summary)</b> The Department recommends approval of an Ordinance authorizing an Agreement between the City of Houston and Regency Crossing, LLC to rehabilitate the Catalina Apartments				
<b>Amount of Funding:</b> \$10,315,816 CDBG Disaster Relief			<b>Finance Budget:</b>	
<b>SOURCE OF FUNDING</b> <input type="checkbox"/> General Fund <input checked="" type="checkbox"/> Grant Fund <input type="checkbox"/> Enterprise Fund				
<input type="checkbox"/> Other (Specify) CDBG DR				
<b>SPECIFIC EXPLANATION:</b> Regency Crossing, LLC is the owner of Catalina Apartments, a 432-unit multifamily apartment community at 11555 and 11455 Bissonnet, on the south side of Bissonnet about 1 mile west of U.S. 59 and the Sam Houston Tollway. Built in 1982 and purchased by Regency Crossing in 1997, the project suffered significant uninsured windstorm damage during Hurricane Ike and is in need of extensive repair and renovation of both interior and exterior.  The ownership of Regency Crossing is Feroze "Fred" Bhandara. In addition to this property, he owns and manages several commercial real estate projects in Houston, including office buildings, shopping centers and a 142-bed hospital. Additionally he has built over 300 homes in the Houston area and owns 205 acres in Katy for future development as a master-planned community. He has been a director of the Sharpstown Management District since 2005, Chairman of the Security Committee and vice-chair and director of the International Management District. Additionally he is a member of the Health Care Policy Advisory Committee and other subcommittees of the Greater Houston Partnership.  Construction is brick veneer with wood and hardiplank siding on poured-in-place post tension concrete slabs. The exterior and many of the other components of the property are in need of updating and/or replacement. The focus of dollars spent will be on exterior structural repairs/replacement. The rehab will include new roofs, replacement of all wood siding with hardi-plank, replacement of all windows and flashing, total exterior repainting, replacement of all HVAC units, repair or removal of exterior balconies, additional lighting and security cameras, upgrade landscaping, repair/replacement of parking lot concrete, conversion of tennis courts into parking and activity areas, and conversion of one (of three) pool(s) to park/playground/garden. Interior repairs include new cabinets and countertops as well as replacement of all fixtures.				
<b>REQUIRED AUTHORIZATION</b>				
<b>Finance Director:</b> Date		<b>Other Authorization:</b>		<b>Other Authorization:</b>

MT

10

Date  
12/1/09Subject: An Ordinance authorizing an Agreement between City  
of Houston and Regency Crossing, LLCOriginator's  
InitialsPage  
2 of 2

Of the total 432 units, the property will be required to follow the CDBG guidelines which requires 221 units restricted to CDBG standards all of which must be leased to tenants with 80% or less of the AMI at rents not to exceed High HOME rent restrictions.

The City Performance Based Loan (PBL) will have a 0% interest rate with a five year term, personally guaranteed by Feroze Bhandara, the sole owner of Regency Crossing, LLC until completion of the rehab construction satisfactory to the City. The loan may be forgiven at the end of the term so long as the Borrower complies with the City loan terms and conditions, and the property is in full compliance with HUD and City guidelines. The property is subject to a first (Wells Fargo Bank) lien of about \$4,700,000 and a second lien mortgage to the Bhandara Family Trust of about \$4,900,000. While the City's loan will be inferior to the bank loan, the City's LURA will be primary to both of these loans through subordination agreements.

	Total Dollars	432 Per Unit	325,996 Per Foot
<b>Total Sources of Funds</b>			
City of Houston PBL	\$ 10,315,816	\$ 23,879	\$ 31.64
Equity	1,610,500	3,728	4.94
<b>Total Development Sources</b>	<b>\$ 11,926,316</b>	<b>\$ 27,607</b>	<b>\$ 36.58</b>

<b>Total Uses of Funds</b>			
Hard Construction Costs	\$ 9,159,833	\$ 21,203	\$ 28.10
Hard Cost Contingency 10%	915,983	2,120	2.81
Tenant Relocation	240,000	556	0.74
Soft Costs Allowances/Equity	1,610,500	3,728	4.94
<b>Total Development Uses</b>	<b>\$ 11,926,316</b>	<b>\$ 27,607</b>	<b>\$ 36.58</b>

This project is consistent with the City of Houston Consolidated Plan to improve and provide affordable housing in target neighborhoods.

The Department recommends approval of an agreement between the City of Houston and Regency Crossing LLC.

RC:DS:LC:EP

cc: Mayor's Office  
City Secretary  
Legal Department  
Finance

<b>SUBJECT:</b> An Ordinance renaming a small portion of Montrose Boulevard, Hermann Loop Drive and Golf Course Drive to Hermann Park Drive.		<b>Category #</b>	<b>Page</b> 1 of 1	<b>Agenda Item #</b> <b>26</b>
<b>FROM (Department or other point of origin):</b> Marlene L. Gafrick, Director Planning and Development Department		<b>Origination Date</b> 12/10/09		<b>Agenda Date</b> DEC 16 2009
<b>DIRECTOR'S SIGNATURE:</b> <i>Marlene L. Gafrick</i>		<b>Council District affected:</b> D		
<b>For additional information contact: Jennifer Ostlind</b> Phone: 713-837-7871		<b>Date and identification of prior authorizing Council action:</b>		
<b>RECOMMENDATION: (Summary)</b> Approval of an ordinance renaming a small portion of Montrose Boulevard, all of Hermann Loop Drive and all of Golf Course Drive to Hermann Park Drive.				
<b>Amount and Source of Funding: NA</b>			<b>Finance Budget:</b>	
<b>SPECIFIC EXPLANATION:</b> The Parks and Recreation Department has requested renaming Montrose Boulevard south of Mecom Fountain, a remnant of Hermann Loop Drive and all of Golf Course Drive to a single street named "Hermann Park Drive". This will provide a common name to a single street from beginning to end, thus minimizing confusion. In support of the proposal is the fact that the golf facility is no longer on Golf Course Drive. Those streets and portions of streets mentioned are all within the boundaries of Hermann Park. All impacted park venues including Houston Zoo, Houston Museum of Natural Science, Convention and Entertainment Facilities Department as operators of Miller Outdoor Theater, Miller Theater Advisory Board, Garden Center Advisory Board and Hermann Park Conservancy support the change to "Hermann Park Drive".  This name change will affect the street numbering, and the following addresses have been determined for effected properties: <ul style="list-style-type: none"> <li>Houston Museum of Natural Science – 5555 Hermann Park Drive</li> <li>Houston Garden Center – 5925 Hermann Park Drive</li> <li>Miller Outdoor Theatre – 6000 Hermann Park Drive</li> <li>Lake Plaza – 6100 Hermann Park Drive</li> <li>Hermann Park Conservancy Gift Shop – 6102 Hermann Park Drive</li> <li>Hermann Park Conservancy Food Facility – 6104 Hermann Park Drive</li> <li>Houston Zoo – 6200 Hermann Park Drive</li> <li>Historic Golf Club House – 6201 Hermann Park Drive</li> </ul> The Planning and Development Department has notified the following entities of the proposed change and has not received any objections: Centerpoint Energy, Greater Harris County 911 Network, Reliant Energy, AT&T, United States Post Office, Houston Fire Department, Houston Police Department and Houston Emergency Center.  The impacted properties are all within the boundaries of Hermann Park.				
cc: Michael Marcotte, Director, Public Works and Engineering Arturo Michel, City Attorney Bill Hlavacek, Public Works and Engineering Max Samfield, Deputy Director, Planning and Development Department				
<b>REQUIRED AUTHORIZATION</b>				
<b>Finance Director:</b>		<b>Other Authorization:</b>		<b>Other Authorization:</b>



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

<b>SUBJECT:</b> An Ordinance renaming Southmore with its varying suffixes to Southmore Boulevard. Location is between Main Street and Gertin Street.	<b>Category #</b>	<b>Page 1 of</b>	<b>Agenda Item #</b> <span style="font-size: 2em; font-weight: bold;">27</span>
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<b>FROM (Department or other point of origin):</b> Marlene L. Gafrick, Director Planning and Development Department	<b>Origination Date</b> 11/12/09	<b>Agenda Date</b> DEC 16 2009
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<b>DIRECTOR'S SIGNATURE:</b> <i>MS Marlene L. Gafrick</i>	<b>Council District affected:</b> D
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<b>For additional information contact: Jennifer Ostlind</b> Phone: 7-7871	<b>Date and identification of prior authorizing Council action:</b>
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**RECOMMENDATION: (Summary)**  
 Approval of an ordinance renaming Southmore with its varying suffixes to Southmore Boulevard. It is located between the limits of Main Street and Gertin Street.

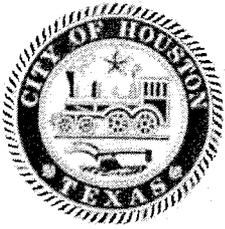
<b>Amount and Source of Funding:</b> N/A	<b>Finance Budget:</b>
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**SPECIFIC EXPLANATION:**  
 The Planning and Development Department is requesting to rename Southmore with it varying suffixes to Southmore Boulevard. The proposed Southmore Boulevard is located between Main Street to the north and Gertin Street to the south. Various sections of Southmore were platted with different suffixes including boulevard, avenue, and street or without a suffix. This action would establish one suffix for the entire length of Southmore. A community meeting was held and notification letters were sent to affected property owners advising them of the change. We did not receive any opposition.

The proposed street name complies with the street naming standards. The Planning and Development Department has support letters from property owners, Police, Post Office and 911 regarding the name change. This name change will not affect the street numbering.

- cc: Marty Stein, Agenda Director  
 Anna Russell, City Secretary  
 Michael Marcotte, Director, Public Works and Engineering  
 Arturo Michel, City Attorney  
 Bill Hlavacek, Public Works and Engineering  
 Max Samfield, Deputy Director  
 Wanda Adams, Council Member, District D  
 Joe Turner, Director, Parks and Recreation

REQUIRED AUTHORIZATION		
<b>Finance Director:</b>	<b>Other Authorization:</b>	<b>Other Authorization:</b>



# CITY OF HOUSTON

Planning and Development

**Bill White**

Mayor

Marlene L. Gafrick  
Director  
P.O. Box 1562  
Houston, Texas 77251-1562  
611 Walker, 6th Floor  
Houston, Texas 77002

T. 713.837.7760  
F. 713.837.7703  
[www.houston.tx.gov](http://www.houston.tx.gov)

September 14, 2009

TO: Centerpoint Energy  
Greater Harris County 911 Emergency Network  
Reliant Energy  
AT&T  
United States Post Office  
Fire Department  
Police Department  
Houston Emergency Center (HEC)

FROM: Jennifer Ostlind   
Division Manager/ Development Services Division

SUBJECT: STREET NAME CHANGE

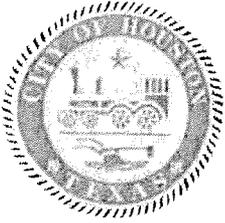
The Planning and Development Department has received a request to rename Southmore with its various suffixes to Southmore Boulevard. The enclosed, two sided page, shows the current suffixes for Southmore and the proposed Southmore Boulevard. Location is between the limits of Main Street and Gertin Street (see enclosed map).

Please review this proposed name and advise us by **Monday, October 12, 2009** of any objections you may have. If a response is not received by that date, we will assume the name is acceptable and will proceed to submit a recommendation to City Council for approval. The City Secretary will notify you of the effective date of the name change.

Should you have questions or concerns, please contact Jennifer Ostlind via email at [jennifer.ostlind@cityofhouston.net](mailto:jennifer.ostlind@cityofhouston.net), by phone at (713) 837-7871, or by mail at Planning and Development Department, Development Services Division, Post Office Box 1562, Houston, Texas 77251-1562 at (713) 837-7871.

JO: Et  
Enclosure: Locator Map

cc: Wanda Adams, Council Member, District D



# CITY OF HOUSTON

Planning and Development

**Bill White**

Mayor

Marlene L. Gafrick  
Director  
P.O. Box 1562  
Houston, Texas 77251-1562  
611 Walker, 6th Floor  
Houston, Texas 77002

T. 713.837.7760  
F. 713.837.7703  
[www.houstontx.gov](http://www.houstontx.gov)

September 14, 2009

Dear Property Owner:

**SUBJECT:** Southmore Boulevard

The Planning and Development Department received a request to rename Southmore with its various suffixes to Southmore Boulevard between the limits of Main Street and Gertin Street. The enclosed, two sided page, shows the current suffixes for Southmore and the proposed Southmore Boulevard. This name change will not affect the street numbering and the US Postal Service and Greater Harris County 911 indicate there will be no interruption of services after the street signs are changed.

Please advise us by **Monday, October 12, 2009** of any objection you may have. After this notification period has elapsed, we will submit the proposed name change to City Council for consideration. Your support or objection of this proposal will be considered by the Council.

Should you have questions or concerns, please contact Jennifer Ostlind via email at [jennifer.ostlind@cityofhouston.net](mailto:jennifer.ostlind@cityofhouston.net), by phone at (713) 837-7871, or by mail at Planning and Development Department, Development Services Division, Post Office Box 1562, Houston, Texas 77251-1562.

Sincerely,

Jennifer Ostlind  
Division Manager  
Development Services  
Planning and Development

JO/Et

Enclosure: Locator Map



TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

<b>SUBJECT:</b> Amendment No. 2 – Lease Agreement between the City of Houston and Ellington Partners, L.P. – Ellington Airport.	<b>Category #</b>	<b>Page</b> 1 of 2	<b>Agenda Item #</b> 28
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<b>FROM (Department or other point of origin):</b> Houston Airport System	<b>Origination Date</b> December 4, 2009	<b>Agenda Date</b> DEC 16 2009
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<b>DIRECTOR'S SIGNATURE:</b> <i>Am</i> <i>Eric R. Potter</i>	<b>Council District affected:</b> E
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<b>For additional information contact:</b> Janet Schafer <i>J</i> Phone: 281/233-1796	<b>Date and identification of prior authorizing Council action:</b> 05/30/01 (O) 01-0472 04/20/05 (O) 05-0387
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<b>AMOUNT &amp; SOURCE OF FUNDING:</b> <b>REVENUE</b> <i>INW</i> \$229,219.80 per year (\$19,101.65 monthly)	<b>Prior appropriations:</b> N/A
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**RECOMMENDATION: (Summary)**

Enact an ordinance approving and authorizing the execution of Amendment No. 2 to a Lease Agreement between the City of Houston and Ellington Partners, L.P. at Ellington Airport (EFD).

**SPECIFIC EXPLANATION:**

On May 30, 2001, the City approved Lease Agreement No. 52752 with Ellington Partners, L.P. (Lessee), in which Lessee leased both land and improvements at Ellington Airport and was granted the non-exclusive right to provide the aircraft fueling, maintenance, servicing and repair services of a general aviation fixed base operator (FBO). On April 20, 2005, the City approved Amendment No. 1 to the Lease Agreement and added additional leased premises and extended the lease term in exchange for Lessee constructing additional improvements and paying an increased rental rate. Lessee was required to construct a total of \$2,175,000.00 in new improvements to the leased premises which it subsequently made. Lessee now requests to amend the Lease Agreement to delete approximately 1,220 square feet of unimproved land from the leased premises and to define the use of Hangar 396 in consideration for Lessee paying rent for the hangar and other lease modifications.

The pertinent terms and conditions of Amendment No. 2 are as follows:

1. Term: The term remains unchanged, ending June 12, 2031.

REQUIRED AUTHORIZATION		
<b>Finance Department:</b>	<b>Other Authorization:</b>	<b>Other Authorization:</b>

<b>Date</b> December 4, 2009	<b>Subject:</b> Amendment No. 2 – Lease Agreement between the City of Houston and Ellington Partners, L.P. – Ellington Airport	<b>Originator's Initials</b>	<b>Page</b> 2 of 2
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2. Option: The option remains unchanged, two 5-year option periods.
3. Leased Premises Reduction: An area of unimproved land (18,270 square feet) used as a truck parking lot is reduced by 1,220 square feet to 17,050 square feet.
4. Total Rent: Effective on countersignature date, monthly rent will be as follows:
- |                              |             |
|------------------------------|-------------|
|                              | Monthly     |
| 6/13/2006 – Countersignature | \$15,115.38 |
| Countersignature – 6/12/2011 | \$19,101.65 |
- Monthly rent increases by fifteen percent on 6/13/2016, and subsequently at the end of each five years of term.
- If exercised, option period rent will be established by appraisal of land and improvements.
5. Maintenance: Lessee will not demolish Hangar No. 396 and will maintain the hangar in accordance with State Historic Preservation Office requirements for historical structures.
6. Insurance: Lessee shall provide the required insurance in the limits as stated in the Amendment.

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

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

<b>SUBJECT:</b> Amendment No. 3 to Engagement Letter with the Washington, D. C. law firm Zuckert, Scoutt & Rasenberger, L.L.P.	<b>Category #</b>	<b>Page</b> 1 of 2	<b>Agenda Item #</b>  29
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<b>FROM (Department or other point of origin):</b> Houston Airport System	<b>Origination Date</b> December 8, 2009	<b>Agenda Date</b> DEC 16 2009
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<b>DIRECTOR'S SIGNATURE:</b> <i>[Signature]</i> <i>[Signature]</i>	<b>Council District affected:</b> B , E, I
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<b>For additional information contact:</b> Randy Rivin (Legal) Phone: 832-393-6428 Robert Wigington (HAS) Phone: 281-233-1854	<b>Date and identification of prior authorizing Council action:</b> 01/10/01 (O) 01-0027 12/23/03 (O) 03-1360 05/03/06 (O) 06-0377
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<b>AMOUNT &amp; SOURCE OF FUNDING:</b> FY10 \$ 350,000.00 <i>INW</i> Out Years \$1,750,000.00 Total \$2,100,000.00 HAS Revenue Fund (8001)	<b>Prior appropriations:</b> <u>01/10/01</u> Engagement Letter Amount...\$1,450,000.00 <u>12/23/03</u> Amendment No. 1.....\$1,540,000.00 <u>05/03/06</u> Amendment No. 2.....\$1,800,000.00 Total: \$4,790,000.00
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**RECOMMENDATION: (Summary)**  
 Ordinance approving Amendment No. 3 to Engagement Letter with Zuckert, Scoutt & Rasenberger, L.L.P. to extend the term for three years and provide additional funding.

**SPECIFIC EXPLANATION:** In October of 2000, representatives of the Legal Department and the Houston Airport System (HAS) interviewed five Washington, D.C. law firms in an effort to secure legal representation for the City in aviation related matters requiring a high level of national and international experience and sophistication. Following the interviews, a unanimous decision was made by the City representatives to retain Zuckert, Scoutt & Rasenberger, L.L.P. (ZSR), the City's provider of such services since 1991. City Council approved a three-year Engagement Letter with ZSR in January 2001 and extended the agreement for three years in December 2003 and again in March 2006.

The Legal Department and HAS are requesting a three-year extension of the ZSR Engagement Letter and additional funding for continuation of these specialized legal services.

Specific accomplishments of ZSR for the City's benefit include:

- 1) Securing air routes to Colombia and Brazil and representing the City's interests as they relate to the Star Alliance's anti-trust immunity filing and the alliance's entry into Houston.

<b>REQUIRED AUTHORIZATION</b>			NDT
<b>Finance Department:</b>	<b>Other Authorization:</b>	<b>Other Authorization:</b>	

<b>Date</b> December 4, 2009	<b>Subject:</b> Amendment No. 3 to Engagement Letter with the Washington, D. C. law firm Zuckert, Scutt & Rasenberger, L.L.P.	<b>Originator's Initials</b>	<b>Page 2 of 2</b>
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- 2) Representation of the City's interests in securing Federal Aviation Administration (FAA) grant funding and the establishment of a new TRACON at George Bush Intercontinental Airport/Houston (IAH).
- 3) Representing the City's interests with the Department of Homeland Security Customs and Border Protection agency, especially as they relate to IAH's status as a "Model Port" and the facilitation of international passenger traffic through IAH.
- 4) Assistance in the development of studies for air service proposals for new routes to China, South Korea, and India, and business development projects for the IAH CargoCenter.
- 5) Representation in numerous airport security issues with the Transportation Security Administration.
- 6) Interaction with Houston's congressional delegation to advance HAS' interests in various areas.

Due to the unique and specialized legal services provided by ZSR, this contract has been approved for zero-percent M/WBE participation.

**REQUEST FOR COUNCIL ACTION**

**TO: Mayor via City Secretary**

**RCA #**

**SUBJECT:** Ordinances amending Ordinance 2008-1149 and Ordinance 2008-1198 to correct Historic Site Tax Exemptions for Contributing Structures in Designated Historic Districts for the two (2) properties located at 1524 Allston Street, 77008 and 1132 Rutland Street, 77008.

**Category #**

**Page 1 of 1**

**Agenda Item#**

*30+31*

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

Michelle Mitchell, Director  
Finance Department

Marlene Gafrick, Director  
Planning and Development

**Origination Date**

*12/10/09*

**Agenda Date**

*DEC 16 2009*

**DIRECTOR'S SIGNATURE:**

*[Signature]*

*Marlene Gafrick*

**Council Districts affected:**

H

**For additional information contact:**

Tim Douglass  
Julia Gee

**Phone:** (713) 837-9857  
**Phone:** (713) 837-7828

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

Ord. 2007-658, 12/6/2007; 2008-1149, 12/10/08; 2008-1198, 12/17/08; Res. 2007-48, 12/19/07

**RECOMMENDATION: (Summary)**

Adopt Ordinances amending Ordinance 2008-1149 and Ordinance 2008-1198 to correct Historic Site Tax Exemptions for Contributing Structures in Designated Historic Districts for the two (2) properties located at 1524 Allston Street, 77008 and 1132 Rutland Street, 77008

**Amount of Funding:** No funding required

**Finance Budget:**

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

**SPECIFIC EXPLANATION:**

The owners of the subject contributing structures in an historic district were approved for historic site tax exemptions in December 2008 by Ordinance No. 2008-1149 and Ordinance No. 2008-1198, respectively. The ordinances incorrectly described the exemption criteria, which had the effect of decreasing the amount of each exemption. The ordinances stated the exemption was for an amount equal to qualifying restoration expenditures. Section 44-5 of the Code of Ordinances provides that qualifying historic sites are entitled to an annual ad valorem tax exemption equal to the assessed value of improvements in the year following City Council approval. The proposed amendments would correct the amount of the exemptions consistent with the provisions Section 44-5, in this case to the assessed value of improvements (not land) in tax year 2009. The exemption is for a 15-year period.

The table below shows the base value of improvement (pre-restoration), the amount of the restoration investment made by the property owner, the approximate dollar amount of the taxes that will be foregone for the first year based on HCAD's 2009 property valuation and the City's current property tax rate, and the maximum amount that will be exempt over 15 years:

Contributing Structure	Historic District	Base Value of Improvement	Restoration Investment	Estimated Year-One Exemption	Maximum Exemption over 15 years
1524 Allston Street	Houston Heights	\$ 115,500	\$ 159,167	\$ 1,354	\$ 20,312
1132 Rutland Street	Houston Heights	\$ 94,328	\$ 120,000	\$ 2,168	\$ 32,515

Each owner will pay the 2009 property tax statement as billed. Upon receiving the revised City ordinance, Harris County Appraisal District will correct the tax records and issue a refund to the owner in 60 days.

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

**REQUIRED AUTHORIZATION**

**Finance Director:**

**Other Authorization:**

*[Signature]*

**Other Authorization:**

**1524 Allston Street**

**HISTORIC SITE TAX EXEMPTION**  
**15 YEAR ANALYSIS**

Initial Exemption Criteria				
2006 Values (base year)		Preservation Expenditures *	2009 Values	
Land	Structure		Land	Structure
\$132,000	\$115,500	\$159,167	\$198,000	\$212,000

Expenditures as % of Base Value

138%

Maximum Exemption on Structure/Improvement equal to TY2009 value

\$212,000

Projected Annual Tax Revenue (Based upon 100% of Improvements)			
Year	Tax Year	Revenue to be received (Land)*	Revenue exempt (Structure)*
1	2010	\$1,265	\$1,354
2	2011	\$1,315	\$1,354
3	2012	\$1,368	\$1,354
4	2013	\$1,423	\$1,354
5	2014	\$1,480	\$1,354
6	2015	\$1,539	\$1,354
7	2016	\$1,600	\$1,354
8	2017	\$1,664	\$1,354
9	2018	\$1,731	\$1,354
10	2019	\$1,800	\$1,354
11	2020	\$1,872	\$1,354
12	2021	\$1,947	\$1,354
13	2022	\$2,025	\$1,354
14	2023	\$2,106	\$1,354
15	2024	\$2,190	\$1,354
<b>Total</b>		<b>\$25,324</b>	<b>\$20,312</b>

**\* REVISED**

Projection based on latest rate (Tax Year 2009): \$.63875 per \$100 of taxable value

Assumes a 4% increase in land value each year.

\* The tax exemption for the Structure (Improvement) remains the same.

The tax revenue may change relative to the tax rate.

**1132 Rutland Street**  
**HISTORIC SITE TAX EXEMPTION**  
**15 YEAR ANALYSIS**

Initial Exemption Criteria				
2007 Values (base year)		Preservation Expenditures *	2009 Values	
Land	Structure		Land	Structure
\$145,200	\$94,328	\$120,000	\$198,000	\$339,356

Expenditures as % of Base Value

127%

Maximum Exemption on Structure/Improvement equal to TY2009 value

\$339,356

Projected Annual Tax Revenue (Based upon 100% of Improvements)			
Year	Tax Year	Revenue to be received (Land)*	Revenue exempt (Structure)*
1	2010	\$1,265	\$2,168
2	2011	\$1,315	\$2,168
3	2012	\$1,368	\$2,168
4	2013	\$1,423	\$2,168
5	2014	\$1,480	\$2,168
6	2015	\$1,539	\$2,168
7	2016	\$1,600	\$2,168
8	2017	\$1,664	\$2,168
9	2018	\$1,731	\$2,168
10	2019	\$1,800	\$2,168
11	2020	\$1,872	\$2,168
12	2021	\$1,947	\$2,168
13	2022	\$2,025	\$2,168
14	2023	\$2,106	\$2,168
15	2024	\$2,190	\$2,168
<b>Total</b>		<b>\$25,324</b>	<b>\$32,515</b>

**\* REVISED**

Projection based on latest rate (Tax Year 2009): \$.63875 per \$100 of taxable value

Assumes a 4% increase in land value each year.

\* The tax exemption for the Structure (Improvement) remains the same.

The tax revenue may change relative to the tax rate.



Date:	<b>An Ordinance authorizing for the earlier collection of the delinquent personal property taxes and penalties under Section 33.11 of the Texas Tax Code and amending a contract between the City and Linebarger Goggan Blair &amp; Sampson LLP for the same purpose.</b>	Originator's Initials	Page 2 of 2
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The Harris County Tax Office and Linebarger will implement necessary notices and referral of specific delinquent personal property accounts if all taxing units for that account formally agree by January 4<sup>th</sup>, 2010 to participate. These taxing units include Harris County, City of Houston, HISD and Houston Community College. Harris County Commissioners Court has recently passed an order authorizing and imposing penalties for delinquent taxes pursuant to Section 33.11. The Harris County Tax Office would like to have all jurisdictions Harris County Tax Office collects to follow their lead to pass an ordinance imposing Section 33.11.

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

**REQUEST FOR COUNCIL ACTION**

**TO:** Mayor via City Secretary

**RCA #**

**SUBJECT:** Three-year contract between the City of Houston and Craig T. Mason for pension related consulting services.

**Category #**

**Page 1 of 2**

**Agenda Item#** **33**

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

Michelle Mitchell, Director  
Finance Department

**Origination Date**

**Agenda Date**  
DEC 16 2009

**DIRECTOR'S SIGNATURE:**

Finance Department *Michelle Mitchell*

**Council Districts affected:**

**For additional information contact:**

Michelle Mitchell                      Phone: 713-221-9035  
Phone:

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

**RECOMMENDATION: (Summary)**

Approve a three-year contract between the City of Houston and Craig T. Mason for pension related consulting services.

**Maximum contract amount:** \$302,699.88 (including expenses, as may be approved by the Director, not to exceed \$2,400.00 annually) for a three year period.  
**FY2010:** \$49,250.00, plus expenses not to exceed \$1,200.00

**Finance Budget:**

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

**SPECIFIC EXPLANATION:**

The Director of Finance recommends that City Council approve a three-year professional Services Contract with Craig Mason, Independent Contractor, in an amount not to exceed \$302,699.88. This Contract specifies that the Contractor agrees to provide services to the City related to the three (3) pension systems serving City employees and other duties, as may be assigned by the Director of Finance or her designee, for a three-year term beginning January 02, 2010 through December 31, 2013. The three previous contracts between the City of Houston and Craig Mason for pension related consulting services were written for two one-year terms and one two year term.

**Position Specification**

- This is a contract service position with the primary responsibility to act on behalf of the City as an “overseer” and internal auditor/consultant or trustee for the City’s three (3) defined benefit pension funds.
- The three (3) pension funds include:
  1. Houston Police Officers’ Pension System (HPOPS):
    - \$2.5 billion in assets
    - Over 7,500 participants
  2. Houston Municipal Employees Pension System (HMEPS):
    - \$2.0 billion in assets
    - Over 26,000 participants
  3. Houston Firefighters’ Relief & Retirement Fund (HFRRF):
    - \$2.3 billion in assets
    - Over 6,300 participants

**Major Responsibilities:**

- Critically review, analyze and evaluate the funds to gain a thorough understanding of each and then articulate the current structure and position of each fund.
- In a consultative manner, continually ask insightful, probing questions to gain pertinent information and identify and articulate issues for each plan.
- Work with the Executive Directors of all three Pension Funds.
- Help create effective modeling processes to better analyze and understand the fund variances and the impact to the funds of various financial changes.
- Develop and implement processes and procedures to ensure timely variance analysis for each fund including resolution for any issues identified. Routinely prepare and present current and ongoing findings to the Mayor and City Council Pension Review Committee.
- Monitor the funds’ valuations on a daily basis. Monitor Distribution Rules.

**REQUIRED AUTHORIZATION**

**Finance Director:**

**Other Authorization:**

**Other Authorization:**

**REQUEST FOR COUNCIL ACTION**

**TO:** Mayor via City Secretary

**Subject:**

Second Amendment to the Concession Agreement with Hermann Park Conservancy

Category #

Page 1 of 1

Agenda Item

**34**

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

Houston Parks and Recreation Department

**Origination Date:**

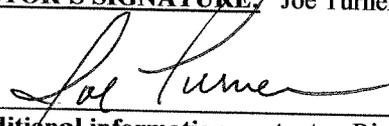
12/7/09

**Agenda Date**

DEC 16 2009

**DIRECTOR'S SIGNATURE:**

Joe Turner, Director



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

**For additional information contact:** Rick Dewees, 713-284-8555  
Dan Pederson, 832-395-7062

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

Ord 2002-418, May 15, 2002  
Ord 07-0661, June 27, 2007

**RECOMMENDATION: (Summary):**

Adopt an ordinance approving the Second Amendment to the Hermann Park Conservancy concession agreement titled "Hermann Park Pedal Boat and Other Concessions"

**Amount of Funding:**

**REVENUE**

**Finance Budget:**

**SPECIFIC EXPLANATION:**

The Director of the Houston Parks and Recreation Department recommends that City Council approve an ordinance to amend the concession agreement with Hermann Park Conservancy (HPC) to add the new food facility and amend related City fees.

The City and HPC have had a very successful partnership in the renovation of Hermann Park, resulting in over \$40 million in improvements to the park since entering into a Development Agreement in 2002. The most recent addition includes the \$16 million Lake Plaza, restrooms, train station, and a new food facility. The food facility will be managed by a subcontractor to the Conservancy. Under the proposed amendment, fees paid to the City will be reduced from 10% to 3%. In exchange, HPC will provide maintenance services to the area valued at approximately \$50,000 annually.

**REQUIRED AUTHORIZATION**

Finance Director:

Other Authorization:

Other Authorization:

**REQUEST FOR COUNCIL ACTION**

TO: Mayor via City Secretary

RCA#

<b>Subject:</b> Amend various agreements relating to health care and dental insurance benefits and various Medicare health plans for City Employees, Retirees, Deferred Retirees, Survivors, and certain dependents.	Category #	Page 1 of 3	Agenda Item <b>35</b>
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<b>FROM (Department or other point of origin):</b> Human Resources	<b>Origination Date</b> 12-10-2009	<b>Agenda Date</b> DEC 16 2009
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<b>DIRECTOR'S SIGNATURE</b> <i>Cathy Aldridge</i>	<b>Council District(s) affected</b> All
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<b>For additional information contact:</b> <b>Phone:</b> Candy Clarke Aldridge                    (713) 837-9333 Gerri Walker                                    (713) 837-9360	<b>Date and Identification of prior authorizing Council Action:</b> November 10, 2009, 2009-1107 - Six Medicare Plans April 15, 2009, 2006- 0196- HMO and PPO November 8, 2006, 2006-1145- Aetna PFFS
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**RECOMMENDATION: (Summary)**  
 Approving amendments to various agreements relating to Healthcare Benefits and Medicare Health Plans for City Employees, Retirees, Deferred Retirees, Survivors, and certain dependents; approving amendments to various plans and agreements regarding healthcare, dental insurance and Medicare health plans for the respective aforementioned beneficiaries; authorizing the Mayor, upon concurrence of the Director of Human Resources and the City Attorney, to amend the above agreements and plans without further City Council approval.

<b>Amount of Funding:</b> Additional funding is not required	<b>Finance Budget</b>
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**SOURCE OF FUNDING:**                     **General Fund**                     **Grant Fund**                     **Enterprise Fund**

**Other (Specify)**  
 Funding and funding sources approved in Ordinance 2009-1107, Ordinance 06-0196, and Ordinance 2006-1145

**SPECIFIC EXPLANATION:**

**1. OPT-OUT OPT-IN PROVISION**

**Recommendation:** Amend the Health Benefits Plans to allow retiring employees and retirees to waive medical coverage and retain eligibility to re-enroll in a city medical plan at a later date. Enrollment eligibility rules, applicable to active employees, will apply to retirees who re-enroll in a city medical plan. This provision will be effective January 1, 2010 and will apply to current and future retirees.

**Comments:** Currently for retirees, a waiver of city medical coverage is irrevocable. Some retirees pay for the city's retiree coverage while they work for a subsequent employer who also offers health coverage. Offering this new opt-out provision allows the retiree and the city to save money during this period. Retirees will be allowed to opt in according to the city's enrollment practices without evidence of insurability. Under the HMO, an under-age 65 retiree now pays \$172 /month, the family rate is \$791/month. For the PPO, the monthly rates are \$581 and \$2,087.

**REQUIRED AUTHORIZATION**

Finance Director:	Other Authorization:	Other Authorization:
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Date: 12-10-2009	Amend various agreements relating to health care and dental insurance benefits and various Medicare health plans for City Employees, Retirees, Deferred Retirees, Survivors, and certain dependents.	Originator's Initials	Page 2 of 3
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**Financial Impact**

This new provision has the potential to save money for the retiree and the city. Actual savings will be based on the number of retirees opting out, and when they later re-enroll in a plan. Future premiums will increase based on the risk to the plans after retirees return.

**2. PLAN DESIGN**

**Recommendation:** The annual increase for the HMO is 8 percent, effective May 1, 2010. To mitigate the proposed renewal rate increases of 8 percent in the HMO and 16.49 percent in the PPO, we propose the following plan design changes effective May 1, 2010, the final option year of the City's contracts with BCBSTX.

PLAN DESIGN CHANGES IN THE HMO	FY10 IMPACT	FY11 IMPACT
Increase copayments for physician office visits from \$20/PCP and \$45/specialist to \$25 and \$50	\$99,000	\$597,000
Change the prescription copayment from \$10/\$30/\$45 retail to \$10/\$35/\$50 and mail order from \$20/\$60/\$90 to \$20/\$70/\$100.	\$259,000	\$1,554,000

Similar plan design changes will be made to the PPO. This will reduce the health plan increase to about 7% in the HMO, and 15.5% in the PPO. About 65,000 members are enrolled in the HMO and 1,200 in the PPO.

**3. TIERED CONTRIBUTIONS**

For your information, Human Resources, Finance and Benefits Consultants are reviewing alternative measures that may help the City mitigate financial impact of retiree health costs.

Effective January 1, 2010, employees who come to work for the city, and who retire eligible for retiree health coverage, will have a different contribution structure. Upon retirement, their contributions will be tiered based on their length of service at retirement. Those with longer service will have the most favorable contributions. Those with less than 10 years of service may pay the full premium, and those with 30 years of service would contribute slightly less than the current contribution. This structure will be refined and reviewed based on plans and laws in effect at the time the first employees retire on or after January 1, 2020. This structure will improve the city's GASB45 liability in the short term, and cashflow in the long term.

**Example of Tiered Contribution Schedule**

Service at Retirement	Contribution Ratio	
	City	Retiree
0 - 9	0	100%
10-14	50%	50%
15-20	60%	40%
20-24	65%	35%
25-29	70%	30%
30+	75%	25%

Further addressing retiree health costs, on January 2010, seven Medicare Plans are available to City retirees/dependents covered under Medicare. These plans are expected to help the city to "cost-avoid" more than \$10 million. Retirees will have 7 health plan choices that cost less than \$100/month in addition to the HMO and PPO.

The Opt-Out Provision, noted above, will also improve GASB reporting of postretirement obligations.

Date: 12-10-2009	Amend various agreements relating to health care and dental insurance benefits and various Medicare health plans for City Employees, Retirees, Deferred Retirees, Survivors, and certain dependents.	Originator's Initials	Page 3 of 3
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**RECOMMENDATION**

1. Approve amending the eligibility provisions of the HMO and PPO Plans, Medicare Health Plans, and the dental plans to provide the opt-out opt-in provision.
2. Approve plan design changes to the HMO and PPO plans to increase copayments for doctor visits to primary care doctors and specialists, and copayments for prescription drugs.
3. Authorize the Mayor, with concurrence of the Human Resources Director and City Attorney, to amend the agreements and the health plans.

**REQUEST FOR COUNCIL ACTION**

<b>SUBJECT:</b> An Ordinance establishing a single non-profit trust to allow the City of Houston to be exempt from insurance premium taxes under Section 222.002(c)(5) of the Texas Insurance Code; establishing the "City of Houston, Texas Single Non-Profit Trust Fund" to receive and disburse payments relative to premiums for employee group health and life insurance; appointing the Mayor as Trustee and the Human Resources Director as Plan Administrator of the Trust; approving and authorizing a single non-profit trust fund agreement between the City and the Mayor as Trustee; authorizing the Mayor to take such related actions as are necessary to secure the premium tax exemptions.		Page 1 of 2	Agenda Item #  <b>36</b>
<b>FROM (Department or other point of origin):</b> Human Resources Department		<b>Origination Date</b> December 11, 2009	<b>Agenda Date</b> DEC 16 2009
<b>DIRECTOR'S SIGNATURE:</b> <i>C. Aldridge</i>	<b>Council District affected:</b>  <b>ALL</b>		
<b>For additional information contact:</b> Candy Clarke Aldridge 713-837-9333 or Ramiro Cano 713-837-9350	<b>Date and identification of prior authorizing Council action:</b> <i>None</i>		
<b>RECOMMENDATION: (Summary)</b> Approve and authorize a Single Non-Profit Trust Fund and related Agreement to allow the City of Houston to be exempt from insurance premium taxes under Section 222.002(c)(5) of the Texas Insurance Code, appointing the Mayor as Trustee and the Human Resources Director as the Plan Administrator, and authorizing the Mayor to take such related actions as are necessary to secure the premium tax exemptions.			
<b>Amount and Source of Funding:</b> \$0 (zero) – Funding is provided by the Health Benefits Fund (9000) for further payment of health, life and dental insurance premiums.			
<b>SPECIFIC EXPLANATION:</b>  The HR Department is requesting City Council approval for a Single Non-Profit Trust (SNPT) to allow the City of Houston to be exempt from the state's insurance premium taxes.  Fully insured life, accident and health plans are subject to state premium tax under Chapter 222 Section 222.002 (c)(5), Texas Insurance Code. In the statute, there are certain exclusions from "gross taxable premiums." Among the exclusions are premiums received from "certain" political subdivisions of the state for group health, accident and life benefits for their employees. In order for the insurer to claim the gross premium tax exclusion, such as the City of Houston, the political subdivisions must first establish a "single non-profit trust" and fund their premiums through the trust.  Establishment of the trust will exempt the City of Houston from paying a 1.75% premium tax, which will yield an approximate savings of \$5.2 million in total for the City and subscribers.  The Human Resources (HR) Department is requesting approval to establish the "City of Houston, Texas Single Non-Profit Trust Fund" for the sole purpose of paying premiums for group health, dental and life insurance benefits of employees and retirees as a qualifying governmental entity of the state. Included in this request is further approval of the agreement and appointing the Mayor as Trustee and the Human Resources Director as the Plan Administrator of the City of Houston, Texas Single Non-Profit Trust Fund.  In addition, the HR Department is requesting approval to authorize the Mayor to take such related actions as are necessary to secure the premium tax exemptions, such as the transfer of the insurance policies to the trust or other actions if it is determined to be legally necessary. Funding will be provided by the Health Benefits Fund to the SNPT for subsequent payment to the providers.			
<b>REQUIRED AUTHORIZATION</b>			
<b>Finance Director:</b> <i>[Signature]</i> for M. L. Williams	<b>Other Authorization:</b>	<b>Other Authorization:</b>	

<b>DATE</b> December 11, 2009	<b>Subject:</b> Houston Single Non-Profit Trust	<b>Originator's Initials</b>	<b>Page</b> 2 of 2
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Currently, monthly premiums are paid to health/dental/life insurance providers from the Health Benefits (HB) Fund. Once the trust is established, the monthly premium will be paid from the Trust, funded by the HB Fund. The deposits to the Trust will be the amount of the monthly premiums.

Based on Chapter 222 Section 222.002 (c)(5), Texas Insurance Code the following explanatory information is provided:

- A. Qualifying political subdivisions are municipalities, counties and hospital districts, including county of municipal hospitals.
- B. More than one qualifying subdivision may participate in such a "single non-profit trust" for the funding of group insurance benefits. Political subdivisions that do not qualify for the exemption by themselves may participate in the funding of employees and retirees group benefits under a single non-profit trust covering multiple governmental entities as long as the total number of participants covered under the group insurance funded through such a trust, in the aggregate, primarily covers employees and retirees of qualifying governmental entities. "Primarily" for this purpose means greater than 50 percent of the total participant population covered under the group insurance benefits.
- C. Other than the payment of trust fees and expenses related to the funding of group benefits for employees and retirees, no other expenses may be paid from such a trust.
- D. The trustee may invest funds in the trust and pay fund management fees from the proceeds of the investment.
- E. The trust and the trustee must meet the requirements of being a trust and trustee as defined under Texas Law.

**RECOMMENDATION:**

Approve Ordinance establishing a single non-profit trust to allow the City of Houston to be exempt from insurance premium taxes under Section 222.002(c)(5) of the Texas Insurance Code; establishing the "City of Houston, Texas Single Non-Profit Trust Fund" to receive and disburse payments relative to premiums for employee group health and life insurance; appointing the Mayor as Trustee and the Human Resources Director as Plan Administrator of the Trust; approving and authorizing a single non-profit trust fund agreement between the City and the Mayor as Trustee; authorizing the Mayor to take such related actions as are necessary to secure the premium tax exemptions.

<b>SUBJECT:</b> An ordinance approving the first amendments to 12 HIV/STD agreements between the Houston Department of Health and Human Services and various contractors extending the agreements for two additional years	<b>Category #</b>	<b>Page</b> 1 of 2	<b>Agenda Item #</b> 37
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<b>FROM (Department or other point of origin):</b> Stephen L. Williams, M.Ed., M.P.A. Director-Houston Department of Health and Human Services	<b>Origination Date</b> 12/7/09	<b>Agenda Date</b> DEC 16 2009
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<b>DIRECTOR'S SIGNATURE:</b> <i>Celma Ganga Ridge for sew</i>	<b>Council District affected:</b> ALL
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<b>For additional information contact:</b>  Kathy Barton - Telephone: 713-794-9998 ; 713-826-5801	<b>Date and identification of prior authorizing Council action:</b> 10-10-07, 2007-1119; 11-14-2007, 2007-1288; 01-09-08, 2008-0019; 06-25-08, 2008-0602
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**RECOMMENDATION: (Summary)**  
 Approval of an ordinance approving the first amendments to 12 HIV/STD agreements between the Houston Department of Health and Human Services and various service providers extending the agreements for two additional years

<b>Amount of Funding:</b>  Total additional spending authority for 12 contracts: \$5,997,178.50 Fund: Federal Grant (5000)	<b>F&amp;A Budget:</b>
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**SOURCE OF FUNDING:** [ ] General Fund [ X ] Grant Fund [ ] Enterprise Fund [ ] Other ( Specify )

**SPECIFIC EXPLANATION:**

The Houston Department of Health and Human Services (HDHHS) requests City Council approval of an ordinance to amend 12 HIV/STD agreements with various service providers to extend the agreements for two additional years. The amendments will extend the terms of the original agreements from December 31, 2009 to December 31, 2011.

All of the providers are non-profit corporations with the exception of the University of Texas Health Science Center at Houston, which is a component of the University of Texas System, an institution of higher education organized under the laws of the State of Texas.

In October and November of 2007 and January and June 2008, City Council approved ordinances to enter into agreements with the 11 contractors to provide the following services pertaining to HIV/STD education, prevention and treatment: 1) health education risk reduction; 2) counseling, testing and referral service; 3) routine, HIV screening; and 4) school-based HIV prevention intervention training programs. The coordinated effort with these 11 providers facilitated the process of diagnosing and treating STDs in the Houston area. Extending the terms of the original agreements for two additional years will provide for the continuation of HIV/STD services to the community without interruption.

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

<b>Date</b>	Subject: An ordinance approving the first amendments to 12 HIV/STD agreements between the Houston Department of Health and Human Services and various contractors extending the agreements for two additional years	<b>Originator's Initials</b>	Page 2 of 2
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The list of providers, the services they provide, and the maximum contract amount for each are as follows:

Agency	Funded Intervention	Original Contract Amount	Amount of additional funding	New Maximum Contract Amount
AIDS Foundation Houston, Inc.	Health Education Risk Reduction	\$1,125,000.00	\$731,250.00	\$1,856,250.00
Bee Busy Learning Academy, Inc.	Health Education Risk Reduction	\$975,000.00	\$1,391,500.00	\$2,366,500.00
Career & Recovery Resources, Inc.	Counseling, Testing, and Referral Services	\$600,000.00	\$392,397.50	\$992,397.50
Houston Area Community Services, Inc.	Health Education Risk Reduction	\$1,050,000.00	\$437,500.00	\$1,487,500.00
Legacy Community Health Services, Inc.	Health Education Risk Reduction	\$2,500,000.00	\$177,431.00	\$2,677,431.00
Montrose Counseling Center, Inc.	Health Education Risk Reduction	\$1,125,000.00	\$735,990.00	\$1,860,990.00
National Association for the Advancement of Colored People, Inc. – Houston Branch	Health Education Risk Reduction	\$575,000.00	\$356,250.00	\$931,250.00
Positive Efforts, Inc.	Health Education Risk Reduction	\$1,125,000.00	\$750,000.00	\$1,875,000.00
St. Hope Foundation, Inc.	Counseling, Testing, and Referral Services	\$575,000.00	\$375,000.00	\$950,000.00
University of Texas Health Science Center at Houston	Routine, Opt-Out HIV Screening	\$177,431.00	\$249,930.00	\$624,930.00
University of Texas Health Science Center at Houston	School-Based Programs	\$750,000.00	\$249,930.00	\$999,930.00
Young Women's Christian Association of Houston	Health Education Risk Reduction	\$225,000.00	\$150,000.00	\$375,000.00
<b>Total</b>		<b>\$10,802,431.00</b>	<b>\$5,997,178.50</b>	<b>\$16,997,178.50</b>

cc: Agenda Director  
Finance Department  
Legal Department

<b>SUBJECT:</b> Approve an ordinance authorizing a contract with TexHealth Harris County to support the purchase of health benefit plans for the uninsured; including the appropriation of funds accumulated in the Contractor Responsibility Fund under the Pay or Play Program through June 30, 2010	<b>Page</b> 1 of 2	<b>Agenda Item #</b> <span style="font-size: 2em; font-family: cursive;">38</span>
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<b>FROM (Department or other point of origin):</b> Mayor's Office of Health and Environmental Policy	<b>Origination Date</b> December 4, 2009	<b>Agenda Date</b> DEC 16 2009
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<b>DIRECTOR'S SIGNATURE:</b> 	<b>Council District affected:</b>
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<b>For additional information contact:</b> Elena Marks – 832.393.1081	<b>Date and identification of prior authorizing Council action:</b>
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**RECOMMENDATION: (Summary)**  
Approve an ordinance authorizing a contract with TexHealth Harris County and appropriate funds accumulated in the Contractor Responsibility Fund through June 30, 2010

**Amount and Source of Funding: Contractor Responsibility Fund**

**SPECIFIC EXPLANATION:** This contract enables the release of funds accumulated in the Contractor Responsibility Fund under the Pay or Play Program to support the purchase of health benefit plans for the uninsured. The Contractor Responsibility Fund holds the monies contributed by city contractors who participate in the Pay or Play program by paying into this fund in lieu of providing health benefits to their full time employees who work on city contracts. As of November 30, 2009, the Fund held \$828,572.63. Under the proposed contract, \$750,000 will be disbursed immediately to TexHealth Harris County, a subsidiary of the Harris County Healthcare Alliance, a nonprofit membership organization of which the City is a member. Additional monies accumulated in the Fund will be distributed to TexHealth on January 31, April 30, and July 31, 2010.

TexHealth will use the City's funds exclusively to provide a subsidy to income eligible (under 300% of the federal poverty guidelines) employees of small businesses who purchase health benefit plans through TexHealth's 3-Share Program. A 3-Share Program is a plan through which employers can provide health benefits to their employees at reasonable rates beginning as low as \$100 per member per month. The monthly premium is paid in part by the employer, in part by the employee, and for lower income employees, a third share is paid by a subsidy fund. TexHealth's subsidy fund currently includes commitments from the state and the hospital district totaling \$3.6 million. The addition of the City's monies, which are anticipated to be \$1.5 million through the end of this contract/fiscal year, and an additional \$700,000 which is being raised from private sources, will enable TexHealth to provide two years of subsidies for approximately 5,600 people.

By investing the Contractor Responsibility Fund in a 3-Share Program, we are leveraging the value of our dollars. Each dollar we contribute to the subsidy fund will be matched by \$2 additional dollars. A study on the economic impact of 3-Share Programs in Texas concludes that each subsidy dollar invested in a 3-Share Program results in significant economic benefits to the participating community.

Per the contract terms, TexHealth will account to the City on a quarterly basis regarding the use of the funds and the City's continued payments under the contract will be based upon our receiving proper documentation on the use of funds already expended and the plans for the use of the additional funds.

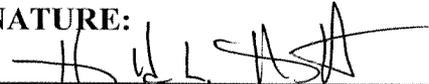
**ACTION RECOMMENDED:** Approve Contract with TexHealth Harris County and the disbursement of funds accumulated in the Contractor Responsibility Fund.

<b>REQUIRED AUTHORIZATION</b>		
<b>Finance Department:</b>	<b>Other Authorization:</b>	<b>Other Authorization:</b>

TO: Mayor via City Secretary REQUEST FOR COUNCIL ACTION

<b>SUBJECT:</b> Approve an Ordinance Authorizing a Contract between the City of Houston and Houston Clean City Commission, Inc., d/b/a Keep Houston Beautiful for Services related to cleaning and clearing Neighborhood Lots for the Houston Police Department.	<b>Category #</b> 4	<b>Page</b> 1 of 1	<b>Agenda Item #</b> 39
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<b>FROM (Department or other point of origin):</b> Harold L. Hurtt, Chief of Police Houston Police Department	<b>Origination Date</b> 12-10-09	<b>Agenda Date</b> DEC 16 2009
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<b>DIRECTOR'S SIGNATURE:</b> 	<b>Council District affected:</b> All
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<b>For additional information contact:</b> Joseph A. Fenninger, CFO & Deputy Director Phone: 713-308-1770  12/10/09	<b>Date and identification of prior authorizing Council action:</b> N/A
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**RECOMMENDATION: (Summary)** Approve an ordinance authorizing a contract between the City of Houston and Houston Clean City Commission, Inc. d/b/a Keep Houston Beautiful in an amount not to exceed \$450,000.00 for services related to the cleaning and clearing of neighborhood lots for the Houston Police Department

<b>Amount and Source of Funding:</b> Total: \$450,000.00 – General Fund No. 1000 FY10 - \$50,000.00; Out Years - \$400,000.00	<b>Finance/Budget:</b>
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**SPECIFIC EXPLANATION:**

The Chief of Police recommends that City Council approve an ordinance authorizing a one-year contract with two additional one-year option periods with Houston Clean City Commission, Inc. d/b/a Keep Houston Beautiful in an amount not to exceed \$450,000.00 for services related to cleaning and clearing neighborhood lots for the Houston Police Department (HPD). The Chief of Police may terminate this agreement at any time upon 30-days written notice to the contractor.

The scope of work requires the contractor to establish and maintain a business operation to supply, assign and maintain tools and equipment for use in the cleaning and clearing of lots identified by the HPD as well as the abatement of graffiti on properties identified by the Department. The contractor shall dispense the equipment to neighborhood organizations, probationers and civic organizations as approved by HPD. Further, the contractor shall coordinate the use of volunteers in City-designated clean-up campaigns and shall respond to citizens, volunteers, and/or neighborhood organization inquiries regarding program participation. The contractor shall not coordinate the clearing of lots on private property or abatement of graffiti on private property without prior approval of the Department.

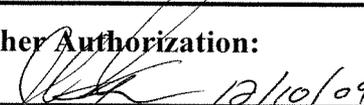
The contractor will invoice the Houston Police Department on a monthly basis based on the pricing structure detailed in the contract. City representatives may perform, or engage a third party to perform, audits of the contractor's books and records and inspections of all places where work is undertaken in connection with the agreement.

This is the sixth year the Neighborhood Protection Corps has engaged Keep Houston Beautiful to provide these services and HPD has been satisfied with their performance to date. During FY 09, the contractor contributed to the following level of service:

Clean-ups – 619	Probationers - 3,143	Volunteers – 15,732
Vacant lots mowed – 933	Graffiti sites abated – 61	Volunteer hours – 62,928
Lbs of trash removed - 1,373,240	Tires removed - 2,299	Value of volunteer hours - \$1,274, 292
Illegal dump sites cleaned – 219		

**M/WBE:**  
The Affirmative Action and Contract Compliance Division has identified an 11% M/WBE goal for this contract.

**REQUIRED AUTHORIZATION 10TRC003B** NOT

<b>Finance Department</b>	<b>Other Authorization:</b>  12/10/09	<b>Other Authorization:</b>
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**REQUEST FOR COUNCIL ACTION**

**TO:** Mayor via City Secretary

**RCA# 8588**

**Subject:** Approve an Ordinance Awarding a Contract to Perficient, Inc. for 3-1-1 Houston Helpline Services for the Information Technology Department

Category #  
9

Page 1 of 2

Agenda Item

40

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

Richard Lewis  
Chief Information Officer  
Information Technology

**Origination Date**

December 01, 2009

**Agenda Date**

DEC 16 2009

**DIRECTOR'S SIGNATURE**

*[Handwritten Signature]*

**Council District(s) affected**  
All

**For additional information contact:**

Mark Stinnett Phone: (832) 393-0200  
Frank Rodriguez Phone: (832) 393-0205

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

**RECOMMENDATION: (Summary)**

Approve an ordinance awarding a contract to Perficient, Inc. in an amount not to exceed \$2,250,000.00 for 3-1-1 Houston Helpline Services for the Information Technology Department.

Maximum Contract Amount: \$2,250,000.00

**Finance Budget**

*[Handwritten Signature: Michelle Mitchell]*

\$2,250,000.00 - Central Service Revolving Fund ( 1002 )

**SPECIFIC EXPLANATION:**

The Information Technology Department (ITD) recommends that City Council approve an ordinance awarding a one-year contract, with two one-year options to renew for a total three-year term, to Perficient, Inc. in an amount not to exceed \$2,250,000.00 for consulting support services to the 3-1-1 Houston Helpline Services.

**Background**

The City of Houston launched the 3-1-1 Helpline in August 2001 to receive non-emergency calls for city services and to provide access to city government for Houston's citizens. The 3-1-1 system centralizes the call-taking functionality for many city services and handles non-emergency requests from citizens in a timely and effective manner. At the present time, the call center answers over 48,000 calls per week, 5,000 of which result in the creation of an electronic service request.

The City's current Genesys and Motorola customer service request (CSR) application was deployed eight years ago. The Genesys application provides the Call Center functionality and the Motorola CSR application provides customer request tracking case management.

The scope of work requires the contractor to provide all technical supervision and labor, necessary to enhance, administer and support the 3-1-1 Houston Helpline Services.

A request for qualifications (RFQ) was published on the City's website on July 30th, 2009. Despite having 55 prospective respondents download the RFQ, the City received only one official response, from Perficient, Inc. Nevertheless, ITD personnel were able to negotiate a 15% reduction in billing rates and to realign staffing requirements to realize a 37% reduction from the original bid price.

**MWBE Subcontracting**

This is a goal-oriented contract with a 17% MWBE participation level. Perficient, Inc. has designated the below named company as its certified MWBE subcontractor.

**REQUIRED AUTHORIZATION**

NDT

Finance Department:

Other Authorization:

Other Authorization:

MS

MS

44

Date: 12/1/2009	Subject: Approve an Ordinance Awarding a Contract to Perficient, Inc. for 3-1-1 Houston Helpline Services for the Information Technology Department	Originator's Initials JB	Page 2 of 2
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<b><u>Subcontractor</u></b> Jefferson Associates, Inc.	<b><u>Type of Work</u></b> Deskside Support	<b><u>Amount</u></b> \$382,500.00
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The Affirmative Action Department will monitor this contract in accordance with its procedures. The proposed contract requires compliance with the City's "Pay or Play" ordinance regarding health benefits to eligible employees of City contractors. In this case, the contractor provides health benefits to eligible employees in compliance with City policy.

**Estimated Spending Authority**

<b>DEPARTMENT</b>	<b>FY2010</b>	<b>OUTYEARS</b>	<b>TOTAL</b>
Information Technology	\$380,000.00	\$1,870,000.00	\$2,250,000.00

**REQUEST FOR COUNCIL ACTION**

**TO:** Mayor via City Secretary

**RCA# 8547**

**Subject:** Approve an Ordinance Awarding a Contract for Elevators, Escalators, Wheelchair Lifts and Moving Sidewalk Systems Maintenance Services for the Houston Airport System S33-T23263

Category #  
4

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Agenda Item

41

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

**Origination Date**  
December 04, 2009

**Agenda Date**  
DEC 16 2009

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

**Council District(s) affected** B, F

**For additional information contact:**  
Dallas Evans Phone: (281) 230-8001  
Douglas Moore Phone: (832) 393-8724

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

**RECOMMENDATION: (Summary)**  
Approve an ordinance awarding a contract to Mid-American / E.R.S. Joint Venture in a total amount not to exceed \$26,425,722.00 for Elevators, Escalators, Wheelchair Lifts and Moving Sidewalk Systems Maintenance Services for the Houston Airport System.

Maximum Contract Amount: \$26,425,722.00

**Finance Budget**

\$26,425,722.00 - HAS Revenue Fund (8001)

**SPECIFIC EXPLANATION:**  
The City Purchasing Agent recommends that City Council approve an ordinance awarding a five-year contract to Mid-American / E.R.S. Joint Venture on its best value bid in an amount not to exceed \$ 26,425,722.00 for elevators, escalators, wheelchair lifts and moving sidewalk systems maintenance services for the Houston Airport System (HAS). The City Purchasing Agent or the Director may terminate this contract at any time upon 30-days written notice to the contractor.

The scope of work requires the contractor to provide all labor, supervision, materials, supplies, tools and equipment necessary to provide preventative maintenance for elevators, escalators, wheelchair lifts and moving sidewalk systems. The service locations will include both the George Bush Intercontinental and William P. Hobby Airports.

The Best Value Bid was advertised in accordance with the requirements of the State bid laws. Twenty-seven prospective bidders downloaded the solicitation document from the Strategic Purchasing Division website. Bids were received from A&F Elevator Co., Inc, EMR Elevator, Inc, Mid-American/E.R.S. Joint Venture, KONE Inc and ThyssenKrupp Elevator. The Evaluation Committee consisted of five evaluators. The proposals were evaluated based upon the following criteria:

- Professional background and experience of the proposer, operating philosophy, management staff, and Project Manager.
- Proven track record with elevators, escalators, moving sidewalks, and wheelchair lifts of comparable size and complexity especially of large airports (for example: ATL, ORD, LAX, DFW, DEN, JFK, LAS, PHX, EWR).
- Cost
- Bidder's Financial Stability
- Bidder's demonstrated level of commitment and ability to provide all services, parts and equipment as outlined in the agreement, including willingness to agree to all legal requirements.
- MWBE Participation

**REQUIRED AUTHORIZATION**

NDT

Finance Department:

Other Authorization:

Other Authorization:

MC

myl

3

46

Date: 12/4/2009	Subject: Approve an Ordinance Awarding a Contract for Elevators, Escalators, Wheelchair Lifts and Moving Sidewalk Systems Maintenance Services for the Houston Airport System S33-T23263	Originator's Initials CJ	Page 2 of 2
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Mid-American / E.R.S Joint Venture received the highest overall score.

**M/WBE Subcontractor:**

This Best Value Bid was issued as a goal-oriented contract with a 10% M/WBE participation level. Mid-American / E.R.S. Joint Venture has designated the below named companies as its certified M/WBE subcontractors:

Subcontractor Name	Type of Service	Dollar Amount	Percentage
Grey-Chem Inc.	Janitorial Supplies	\$100,000.00	0.4%
Custom Precision Sheet Metal	Metal Welding & Fabricating	\$100,000.00	0.4%
Office Effects	Office Supplies & Materials	\$125,000.00	0.5%
Henderson & Rodgers Inc.	Structural Engineering	\$100,000.00	0.4%
Taylor Smith Consulting LLC	Staffing and Sup. Personnel	\$380,000.00	1.4%
RE Mitchell LLC	Cleaning Staff	\$1,840,000.00	6.9%
<b>Total</b>		<b>\$2,645,000.00</b>	<b>10%</b>

This award will be monitored by the Affirmative Action Division.

**Pay or Play Program**

The proposed contract requires compliance with City's 'Pay or Play' ordinance regarding health benefits for employees of City contractors. In this case, the contractor provides health benefits to eligible employees in compliance with City policy.

Buyer: Conley Jackson

**Estimated Spending Authority**

Department	FY10	Out Years	Amount
Houston Airport System	\$2,373,919.90	\$24,051,802.10	\$26,425,722.00

**REQUEST FOR COUNCIL ACTION**

TO: Mayor via City Secretary

RCA# 8532

**Subject:** Approve an Ordinance Awarding a Contract for Golf Cart Leasing Services for Various Departments  
S30-L23276

Category #  
4

Page 1 of 2

Agenda Item  
*42*

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

**Origination Date**  
November 25, 2009

**Agenda Date**  
DEC 16 2009

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

**Council District(s) affected**  
B, D, F, G

**For additional information contact:**  
Daniel Pederson Phone: (832) 395-7062  
Ray DuRousseau Phone: (832) 393-8726

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

**RECOMMENDATION: (Summary)**  
Approve an ordinance awarding a contract to Yamaha Golf-Car Company on its low bid in an amount not to exceed \$2,494,000.72 for golf cart leasing services for the Parks and Recreation Department and the Mayor's Office of Special Events.

Maximum Contract Amount: \$2,494,000.72

**Finance Budget**

\$2,238,312.00 - Parks Special Revenue Fund (2100)  
\$ 255,688.72 - General Fund (1000)  
\$2,494,000.72 - Total

**SPECIFIC EXPLANATION:**  
The City Purchasing Agent recommends that City Council approve an ordinance awarding a three-year contract, with two one-year options, to Yamaha Golf-Car Company on its low bid in an amount not to exceed \$2,494,000.72 for golf cart leasing services for the Parks and Recreation Department and the Mayor's Office of Special Events. 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. Four prospective bidders downloaded the solicitation from SPD's e-bidding website and four bids were received as outlined below:

	<u>COMPANY</u>	<u>TOTAL AMOUNT</u>
1.	Yamaha Golf-Car Company	\$2,494,000.72
2.	Conroe Golf Cars	\$2,511,526.68
3.	Golf Cars of Conroe	\$2,985,528.76
4.	E-Z-Go Division of Textron Inc.	\$3,226,093.08

The scope of work requires the contractor to furnish golf carts, personnel carriers, and electric- and gasoline-powered utility vehicles on a long- and short-term lease basis. The contractor is also required to provide all labor, materials, parts, tools and transportation necessary to repair and perform preventative maintenance on the lease equipment, as well as, provide replacement equipment should the preventative maintenance or repairs take more than 24 hours to complete.

The long-term lease of golf carts and utility vehicles consists of eighty-five (85) electric golf carts, two (2) electric utility vehicles and two (2) range pickers for the Memorial Park Golf Course; eighty-five (85) electric golf carts and two (2) electric utility vehicles for the Sharpstown Park Golf Course; seventy (70) electric golf carts, one (1) electric utility vehicle and one (1) range picker for the Gus Wortham Golf Course; eighty (80)

**REQUIRED AUTHORIZATION**

Finance Department:

Other Authorization:

Other Authorization:

*NO*

*NO*

Date: 11/25/2009	Subject: Approve an Ordinance Awarding a Contract for Golf Cart Leasing Services for Various Departments S30-L23276	Originator's Initials RM	Page 2 of 2
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electric golf carts and two (2) gasoline-powered utility vehicles for the Brock Park Golf Course; two (2) electric golf carts and one (1) gasoline-powered utility vehicle for the F. M. Law Park Junior Golf Course; two (2) electric-powered personnel carriers for Miller Outdoor Theatre; and five (5) gasoline-powered utility vehicles for the Department's Hermann and Memorial Park Maintenance Sections. The contract also includes short-term lease rental of golf carts and utility vehicles, as needed, for special events held citywide.

This contract also provides additional rental of golf carts, as needed, for golf tournaments and will generate approximately \$1,200,000.00 in annual revenue for the City of Houston.

Pay or Play Program

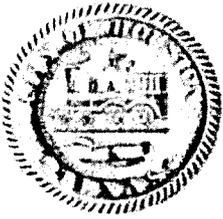
The proposed contract requires compliance with the City's 'Pay or Play' ordinance regarding health benefits for employees of City Contractors. In this case, the contractor provides health benefits to eligible employees in compliance with City policy.

**ESTIMATED SPENDING AUTHORITY**

Department	FY 10	Out Years	Total
Parks and Recreation	\$332,533.50	\$2,121,467.22	\$2,454,000.72
Mayor's Office of Special Events	\$ 4,000.00	\$ 36,000.00	\$ 40,000.00
<b>Grand Total</b>			<b>\$2,494,000.72</b>

Buyer: Richard Morris

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



# CITY OF HOUSTON

# Interoffice

Administration & Regulatory Affairs Department  
Strategic Purchasing Division

Correspondence

To: Calvin D. Wells, Deputy Director  
City Purchasing

RECEIVED

From: Richard Morris  
Procurement Specialist

NOV 04 2009

Date: October 29, 2009

CITY OF HOUSTON

Affirmative Action

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%

Yes  No  0%

I am requesting a revision of the MWBE Goal:

Yes  No

Original Goal:

4% New Goal: 0%

If requesting a revision, how many solicitations were received:

4

Solicitation Number: S30-L22376

Estimated Dollar Amount: \$2,400,000.00

Anticipated Advertisement

Solicitation Due

Date: \_\_\_\_\_

Date:

7/16/2009

Goal On Last

0

Was Goal met:

Yes  No

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

Name and Intent of this Solicitation: Golf Cart Leasing Services for Various Departments – The contractor will supply and maintain golf carts at various City golf courses.

**Rationale for requesting a Waiver or Revision:** The only potential for MWBE subcontracting on this procurement is to provide experienced labor for vehicle maintenance. The buyer and vendor reviewed the current MWBE Directory published by the Affirmative Action Division and could not find any technicians of the aforementioned service. Therefore, there is no MWBE subcontracting possibility on this procurement and the recommendation is for a zero MWBE goal on the procurement.

Concurrence:

Initiator

Deputy Assistant Director

Robert Gallegos, Deputy Assistant Director  
\*Affirmative Action

Calvin D. Wells, Deputy Director  
City Purchasing Agent

**REQUEST FOR COUNCIL ACTION**

**TO:** Mayor via City Secretary

**RCA# 8527**

**Subject:** The Houston Fire Department requests approval of an Ordinance appropriating funds from the Fire Department Training Services Fund.

Category #  
1

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Agenda Item

**43**

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

Phil Boriskie  
Fire Chief  
Fire



**Origination Date**

December 03, 2009

**Agenda Date**

DEC 16 2009

**DIRECTOR'S SIGNATURE**

**Council District(s) affected**  
All

**For additional information contact:**

Karen Dupont  
Jack Williams

Phone: (713) 859-4934  
Phone: (713) 247-8793

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

2007-251 passed on 2-21-07

**RECOMMENDATION: (Summary)**

Approval of an Ordinance authorizing the appropriation of the current unexpended Fund balance and future net revenues deposited into the Fund to be used for improvement projects at the Val Jahnke Fire Training Academy.

Fund 2210 - Fire Dept Training Services Fund - \$148,700.00

**Finance Budget**

Net revenue received from providing fire and life safety training at the Val Jahnke Fire Training Academy (VJFTA) to outside third parties.

**SPECIFIC EXPLANATION:**

The Houston Fire Department requests City Council approve an Ordinance appropriating \$148,700.00 from the Fire Department Training Services Fund (Fund 2210). HFD also requests future net revenues deposited into the Fire Department Training Services Fund (Fund 2210) be appropriated according to a budget requested by HFD from the Finance Department annually. All appropriated funds will be used for purposes of the Fund.

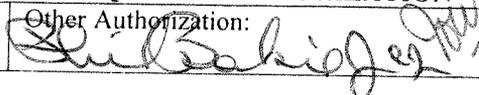
The Fire Department Training Services Fund (Fund 2210) was created by ordinance number 2007-251 on February 21, 2007. At the time of the creation of the Fund the necessary appropriation and spending mechanism was not included in the original Ordinance language. Approval of this Ordinance allows funds that have been and will be collected to be appropriated annually and spent as originally intended. HFD will request a budget from the Finance Department commensurate with the unexpended Fund balance. Funds are currently needed to build props, install electrical service to existing props, and update software in the Simulator Building. This type expenditure is consistent with our Strategic Plan for training services at the VJFTA. All purchases using appropriated funds will be done according to procurement rules including City Council approval when appropriate.

The Special Revenue Fund receives all funds generated by the Houston Fire Department from fees charged to non-City of Houston entities for training in various fire protection disciplines including rescue and hazardous materials. The General Fund will be reimbursed for the direct costs of providing such training. Current unexpended balance of the Fund carries forward from fiscal year to fiscal year. The revenue stream is not necessarily predictable and will vary with market demand for our training services. Funds spent to upgrade props and software will keep VJFTA on the cutting edge and competitive in the training marketplace. Houston Firefighters are the primary beneficiaries of any enhancements to the facility as we train our own using the same equipment and software.

**REQUIRED AUTHORIZATION**

Finance Department:

Other Authorization:



Other Authorization:

**REQUEST FOR COUNCIL ACTION**

**TO: Mayor via City Secretary**

**RCA #**

**SUBJECT:** Approval of an Ordinance de-appropriating from the Reimbursement of Equipment/Project Fund (1850) and re-appropriating from the Miscellaneous Capital Projects/ Acquisitions CP Series E Fund (4039).

**Category #**

**Page**  
1 of 1

**Agenda Item#**

44

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

Finance Department

**Origination Date**

10/29/09

**Agenda Date**

DEC 16 2009

**DIRECTOR'S SIGNATURE:**

*Michelle Mitchell*

Michelle Mitchell, Director

**Council Districts affected:**

I, D

**For additional information contact:**

Charles Leal (713) 837-9892

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

Ordinance No. 2009-116; Dated February 18, 2009  
Ordinance No. 2009-397; Dated May 13, 2009  
Ordinance No. 2009-629; Dated June 30, 2009

**RECOMMENDATION: (Summary)**

Approval of an Ordinance de-appropriating from the Reimbursement of Equipment/Project Fund (1850) and re-appropriating from the Miscellaneous Capital Projects/ Acquisitions CP Series E Fund (4039).

**Amount and Source of Funding:**

\$1,716,709.00 from the Miscellaneous Capital Projects/ Acquisitions CP Series E Fund No. 4039  
De-Appropriation of original (previous) appropriations of:  
\$445,300.00 from the Reimbursement of Equipment/Project Fund No. 1850 (WBS No: D-000113-0007-4)  
\$1,221,409.00 from the Reimbursement of Equipment/Project Fund No. 1850 (WBS No: C-000178-0001-3, C-000178-0001-4)  
\$50,000.00 from the Reimbursement of Equipment/Project Fund No. 1850 (WBS No: F-000585-0002-4)

**SPECIFIC EXPLANATION:**

The City of Houston was heavily impacted during Hurricane Ike. Fire Station 20, Denver Harbor Multiservice Center, and the Sunnyside Community Center sustained a variety of structural damage as a result of the storm. The City's General Services Department has proceeded with repairs and renovations to these projects. These projects were appropriated using available funds in the Reimbursement of Equipment/Project Fund No. 1850. However, the nature of the projects are more consistent with Fund 4039, the Miscellaneous Capital Projects/ Acquisitions CP Series E Fund. The City has sufficient debt capacity to sustain the associated debt service.

cc: Marty Stein, Agenda Director

**REQUIRED AUTHORIZATION**

**Finance Director:**

**Other Authorization:**

**Other Authorization:**

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

<b>SUBJECT:</b> Appropriate/allocate funds and Authorize Issuance of a Purchase Order to T.F. Harper & Associates L.P. through the Texas Local Government Purchasing Cooperative (Buy Board) for Lake Houston Park WBS No. F-000695-0002-4	Page 1 of 1	Agenda Item <b>45</b>
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<b>FROM (Department or other point of origin):</b> General Services Department	<b>Origination Date</b> 12/03/09	<b>Agenda Date</b> DEC 16 2009
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<b>DIRECTOR'S SIGNATURE</b> Issa Z. Dadoush, P.E. <i>Issa Z. Dadoush 11/17/09</i>	<b>Council District(s) affected:</b> ETJ
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<b>For additional information contact:</b> Jacquelyn L. Nisby <i>JLN</i> Phone: 832-393-8023	<b>Date and identification of prior authorizing Council action:</b>
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**RECOMMENDATION:** Appropriate/allocate funds and authorize issuance of a purchase order in the amount of \$448,600.00 to T.F. Harper & Associates L.P. through the Texas Local Government Purchasing Cooperative (Buy Board) for the Parks and Recreation Department.

<b>Amount and Source Of Funding:</b> \$ 348,600.00 – Woodlands Regional Participation Fund (2425) \$ 100,000.00 – State - Grant Funded (5010) Texas Parks and Wildlife Department \$ 448,600.00 Total	<b>Finance Budget:</b> <i>J. Fooks for Mitchell Mitchell 11-25-09</i>
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**SPECIFIC EXPLANATION:** The General Services Department recommends that City Council appropriate/allocate \$448,600.00 and authorize issuance of a purchase order to T.F. Harper & Associates LP., through the Buy Board, for improvements to Lake Houston Park for the Houston Parks and Recreation Department.

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

**PROJECT DESCRIPTION:** Phase I improvements consist of the installation of site utilities and accessible concrete walks for the new west side restroom facility. Construction of a new deck overlook at Peach Creek, and two one-lane railroad flat car bridges over intermittent streams to connect five miles of newly constructed roads within the park.

The following is a breakdown of expected expenditures:  
 \$ 83,705.00 Restroom utilities and sidewalks  
 \$ 103,900.00 Peach Creek overlook  
 \$ 260,995.00 Two one-lane bridges  
 \$ 448,600.00 Total Appropriation

**PAY OR PLAY PROGRAM:** The proposed contract requires compliance with the City's 'Pay or Play' Ordinance regarding health benefits for employees of City contractors. In this case, the contractor has elected to pay into the Contractor Responsibility Fund in compliance with City policy.

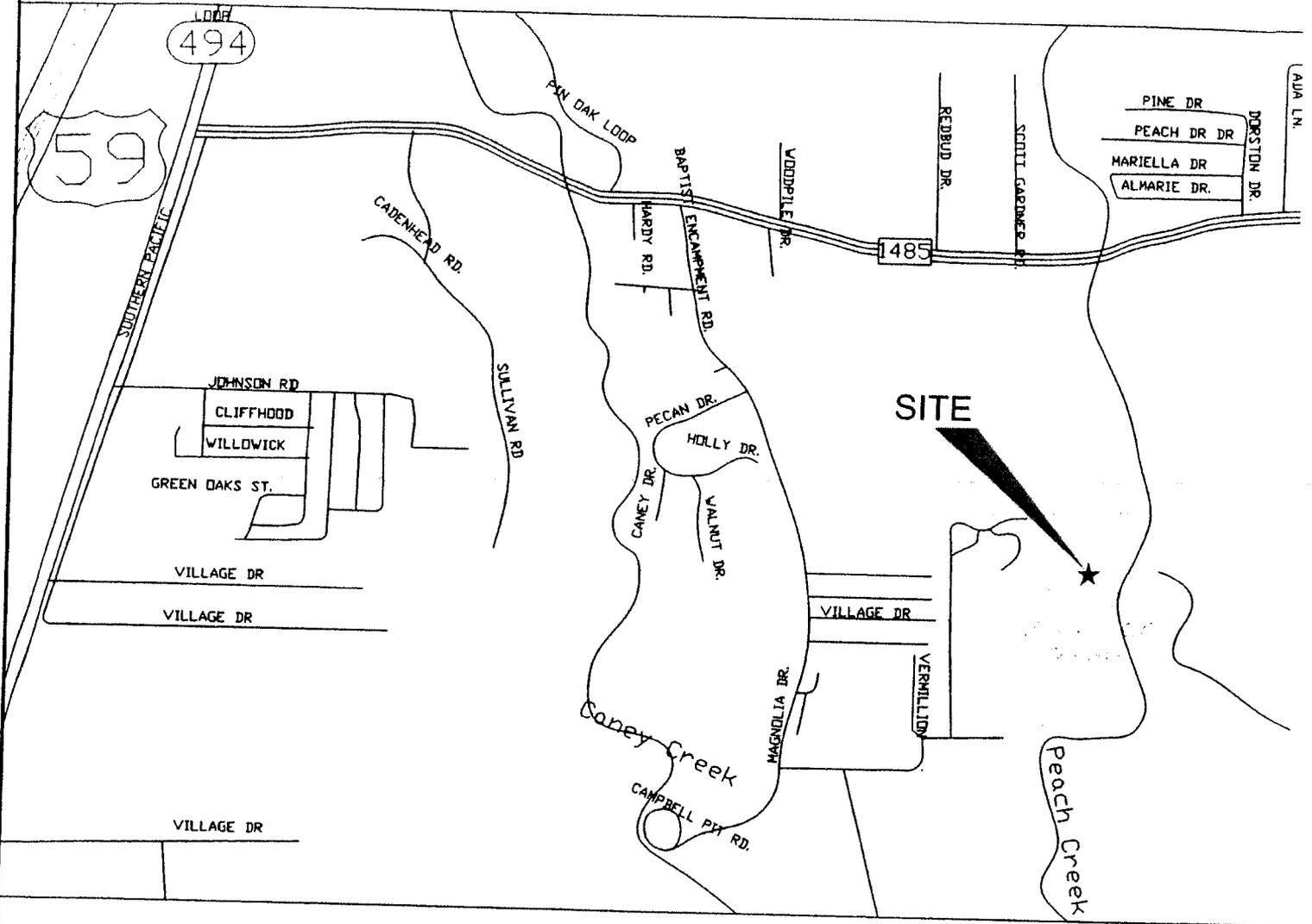
IZD:JLN:LU:CP:cp

c: Marty Stein, Jacquelyn L. Nisby, Calvin Curtis, Yvette Burton, Mark Ross, Angela Jackson, Roy Korthals, Daniel Pederson, Chris Gonzales, File 812

**REQUIRED AUTHORIZATION** CUIC#25PARK96

<b>General Services Department:</b>  <i>Humberto Bautista</i> Humberto Bautista, P.E. Chief of Design & Construction Division	<b>Houston Parks and Recreation Department:</b>  <i>Joe Turner</i> Joe Turner Director
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CITY OF HOUSTON  
HARRIS COUNTY, TEXAS



**LAKE HOUSTON PARK**  
BAPTIST ENCAMPMENT RD  
HOUSTON, TX

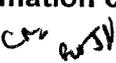
COUNCIL DISTRICT "ETJ"

KEYMAP No. 257P

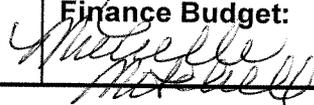
<b>SUBJECT:</b> Professional Architectural Services Contract Jackson & Ryan Architects, Inc. Bureau of Animal Regulation and Care (BARC) Facility Expansion / Renovation WBS No. H-000011-0002-3	<b>Page</b> 1 of 2	<b>Agenda Item</b>  46
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<b>FROM (Department or other point of origin):</b> General Services Department	<b>Origination Date</b> 12/10/09	<b>Agenda Date</b> DEC 16 2009
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<b>DIRECTOR'S SIGNATURE:</b> Issa Z. Dadoush, P.E.  12/8/09	<b>Council District(s) affected:</b> B
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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:** Approve architectural services contract and appropriate funds for the project.

<b>Amount and Source Of Funding:</b> \$351,156.00 Public Health Consolidated Construction Fund (4508)	<b>Finance Budget:</b> 
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**SPECIFIC EXPLANATION:** The General Services Department recommends that City Council approve an architectural services contract with Jackson & Ryan Architects, Inc., to perform design and construction phase services for the BARC Facility Expansion / Renovation.

Jackson & Ryan Architects, Inc. is a Houston-based firm nationally known for design of animal shelters. They are credited with design of several animal shelters in Texas and around the country. They are the architect of record for the design and construction of the South Kennel building at 3200 Carr. Jackson & Ryan offers the best value for the City based on their experience.

**PROJECT LOCATION:** 3200 Carr (Key Map 454W)

**PROJECT DESCRIPTION:** BARC currently operates out of three buildings – the North Kennel, South Kennel and administration building. The current facilities are inadequate to meet an increased demand for animal regulation and care services. This project will provide a new kennel building with 200 appropriately sized cages; replace the first floor kennels in the North building with cat “condos”; renovate and enlarge the first floor surgical area in the North building to provide a higher volume of spay/neuter services (up to 50/day); and improve public access by adding a new public parking area.

The new kennel building will utilize the LEED™ (Leadership in Energy and Environmental Design) Green Building rating system to achieve certification.

**REQUIRED AUTHORIZATION**

CUIC ID# 25DSGN51

**General Services Department:**



Humberto Bautista, P.E.  
 Chief of Design & Construction Division

**Mayor's Office:**



Elena M. Marks, JD, MPH  
 Director of Health and Environmental Policy

<b>Date</b>	<b>SUBJECT:</b> Professional Architectural Services Contract Jackson & Ryan Architects, Inc. Bureau of Animal Regulation and Care (BARC) Facility Expansion / Renovation WBS No. H-000011-0002-3	<b>Originator's Initials</b>  VTN	<b>Page</b>  2 of 2
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**SCOPE OF CONTRACT AND FEE:** The contract provides for a Basic Services Fee to be paid as a lump sum and certain Additional Services to be paid on a reimbursable basis.

\$ 302,116.00	Basic Services
\$ 25,000.00	Additional Services
\$ <u>18,000.00</u>	Reimbursable Expenses
\$ <b>345,116.00</b>	<b>Total Contract Services</b>
\$ <u>6,040.00</u>	Civic Art (1.75%)
\$ <b>351,156.00</b>	<b>Total Funding</b>

**M/WBE INFORMATION:** A MWBE goal of 24% has been established for this contract. The architect has submitted the following certified firms to achieve the goal:

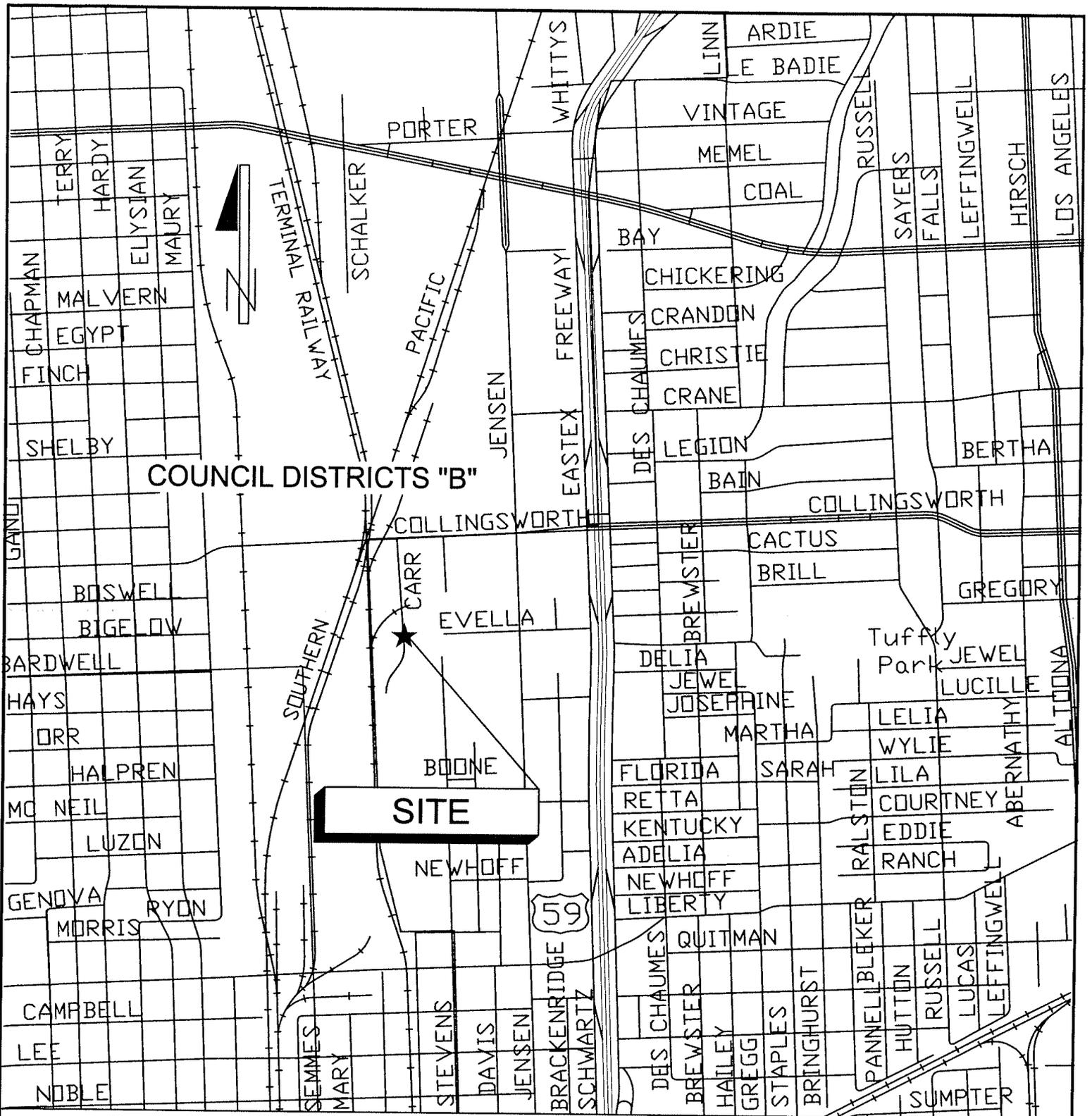
<u>Firm</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
M.F. Hirsch & Associates, Inc.	MEP Engineering Services LEED MEP Services	\$ 65,500.00	18.98
Matrix Structural Engineers, Inc.	Structural Engineering Services	\$ 18,750.00	5.43
<b>Total</b>		<b>\$ 84,250.00</b>	<b>24.41</b>

**PAY OR PLAY PROGRAM:** The proposed contract requires compliance with the City's "Pay or Play" Ordinance regarding health benefits for employees of City contractors. In this case, the consultant provides health benefits to eligible employees in compliance with City policy.

*X VLN*

IZD:JLN:HB:RAV:VTN:vtn

c: Marty Stein, Issa Z. Dadoush, P.E., Jacquelyn L. Nisby, Esq., Calvin Curtis, Esq. Gabriel Mussio, Mary Villarreal, Morris Scott, Kim Nguyen, File E-000011-0002-3/101



**Bureau of Animal Regulation and Care (BARC)**  
**Facility Expansion / Renovation**  
**3200 Carr**  
**Houston, TX 77026**

<b>SUBJECT:</b> Professional Services Contract Wiss, Janney, Elstner Associates, Inc. Jones Hall Stone Cladding Assessment WBS No. B-000071-0002-3		<b>Page</b> 1 of 1	<b>Agenda Item</b> 47
<b>FROM (Department or other point of origin):</b> General Services Department	<b>Origination Date</b> 12/03/09	<b>Agenda Date</b> DEC 16 2009	
<b>DIRECTOR'S SIGNATURE:</b> Issa Z. Dadoush, P.E. <i>Issa Dadoush 11/5/09</i>		<b>Council District(s) affected:</b> 1	
<b>For additional information contact:</b> Jacquelyn L. Nisby Phone: 832.393.8023		<b>Date and identification of prior authorizing Council action:</b>	

**RECOMMENDATION:** Approve and authorize a Professional Services Contract and appropriate funds for the project.

**Amount and Source Of Funding:** \$140,000.00 Convention and Entertainment Construction Fund (8611)

**Finance Budget:** *Michelle Mitchell*

**SPECIFIC EXPLANATION:** The General Services Department recommends that City Council approve a professional services contract with Wiss, Janney, Elstner Associates Inc. (WJE) to provide professional services in connection with the exterior stone cladding on the Jones Hall for the Performing Arts for the Convention and Entertainment Facilities Department.

The General Services Department selected WJE based on their experience and expertise in the area of evaluating the condition of the exterior cladding at Jones Hall. WJE assisted the City of Houston in 2004 with oversight on a construction project that removed and replaced the Jones Hall travertine. Due to the nature of this material, it is necessary to perform periodic inspections to verify that the structural integrity of the stone and the fastening mechanisms are secure.

**PROJECT LOCATION:** 615 Louisiana (493L)

**PROJECT DESCRIPTION:** The scope of work consists of the visual inspection of the cladding material on the walls, columns and soffits of the exterior of the building. In addition, the consultant will provide the equipment necessary to perform the work, lane closure permits and a report of findings that will include maintenance and budget recommendations.

**SCOPE OF CONTRACT AND FEE:** The contract provides for Basic Services Fees to be paid as a lump sum and certain Additional Services to be paid on a reimbursable basis.

\$ 81,800.00	Basic Services
\$ 58,200.00	Additional Services and Reimbursable Expenses
<b>\$140,000.00</b>	<b>Total Contract Services</b>

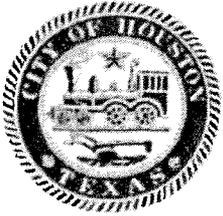
**M/WBE INFORMATION:** The contract provides for an assessment and preliminary engineering report; it does not include design or construction phase services. Therefore, due to the specialized nature of the contract, there is no opportunity to include sub-consultant services as described in the attached correspondence from the Affirmative Action and Contract Compliance Division.

**PAY OR PLAY PROGRAM:** The proposed contract requires compliance with the City's 'Pay or Play' ordinance regarding health benefits for employees of City contractors. In this case, the contractor provides health benefits to eligible employees in compliance with City policy.

IZD:HB:MCP:JLN:JJR:jr

c: Marty Stein, Jacquelyn L. Nisby, Esq., Calvin R. Curtis, Yvette Burton, Christopher Gonzales, Deyanira Rodriguez

<b>REQUIRED AUTHORIZATION</b>		CUIC ID# 25DSGN45
<b>General Services Department:</b> <i>Humberto Bautista</i> Humberto Bautista, P.E. Chief of Design & Construction Division	<b>Convention and Entertainment Facilities Department:</b> <i>Dawn R. Ullrich</i> Dawn R. Ullrich Director	NO



**CITY OF HOUSTON**  
General Services Department

**Interoffice**

Correspondence

**To:** Velma Laws, Director  
Affirmative Action Department  
Contract Compliance Division

  
**From:** Humberto Bautista, P.E.  
Chief of Design and Construction Division

**Date:** September 16, 2009

**Subject: Request For M/WBE Requirement  
Concurrence**  
Professional Services Contract  
Wiss, Janney, Elstner Associates, Inc.  
Jones Hall Stone Cladding Assessment  
WBS No. B-000071-0002-3

The General Services Department has selected Wiss, Janney, Elstner Associates, Inc. to provide a Preliminary Engineering Report for the assessment of the stone cladding on the exterior of Jones Hall for the Performing Arts. The scope of work consists of the visual inspection of the cladding material on the walls, columns and soffits of the exterior of the building. In addition, the consultant will provide a report of findings with maintenance and budget recommendations. The contract is only for the investigation and to provide a report of findings; it will not include design or construction phase services.

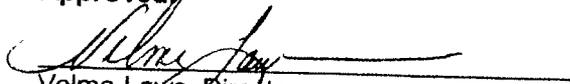
The total appropriation for professional services for this contract shall not exceed \$140,000.00.

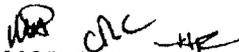
Wiss, Janney, Elstner and Associates, Inc. was selected because of their experience and expertise in the area of evaluating the condition of the exterior cladding specifically at Jones Hall. Due to the specialization of this type of service, the contract limits the opportunity to include sub-consultant services.

Therefore, I request your concurrence that there will be no M/WBE participation goal associated with this contract. If you concur, please sign and return this letter so we can proceed with the RCA and other documents for City Council approval.

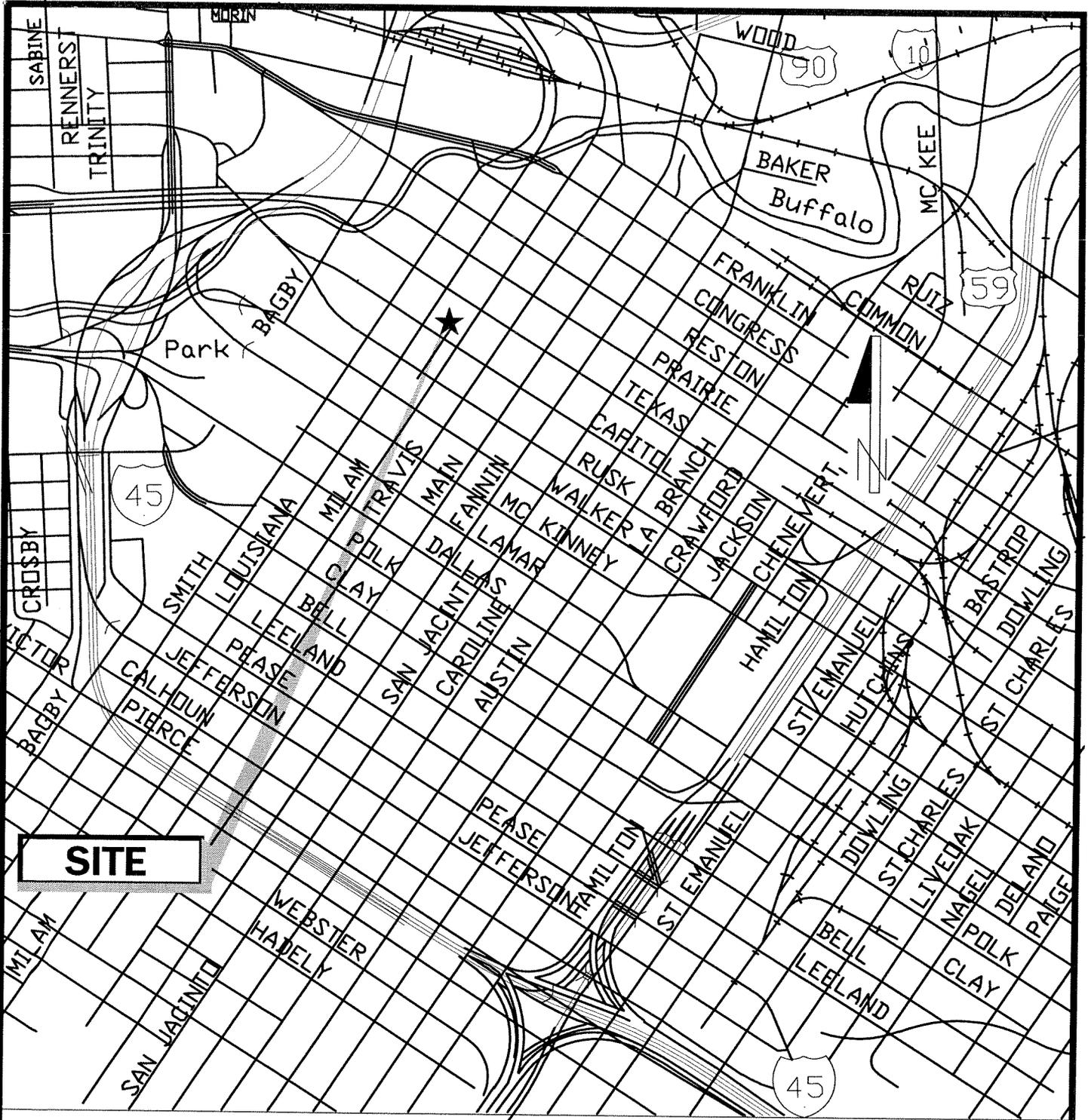
For additional information or clarification, please contact me at 832-393-8027.

**Approved:**

  
Velma Laws, Director  
Affirmative Action Department  
Contract Compliance Division

  
HB:MCP: CRC:JJR:jr

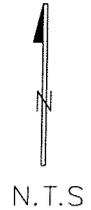
**Cc:** Calvin Curtis, File 101



**SITE**

# Jones Hall For The Performing Arts

## 615 Louisiana - Houston, Tx



COUNCIL DISTRICT "I"

**SITE MAP**

KEY MAP NO. 493L

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Second Amendment to Construction Contract and Appropriate Additional Funds  
Construction Management at Risk Contract  
SpawMaxwell Company LLC  
Julia Ideson Building - Restoration and Addition  
WBS No. E-000155-0001-4

Page  
1 of 3

Agenda  
Item  
48

FROM (Department or other point of origin):

General Services Department

Origination Date

12/10/09

Agenda Date

DEC 16 2009

DIRECTOR'S SIGNATURE:

Issa Z. Dadoush, P.E.

*[Signature]* 12/1/09

Council District(s) affected:

1

For additional information contact:

Jacquelyn L. Nisby

Phone: 832.393.8023

*[Signature]*

Date and identification of prior authorizing Council actions:

Ordinance No. 2007-1471; dated 12/19/07

Ordinance No. 2008-1208; dated 12/30/08

Ordinance No. 2009-0284; dated 04/01/09

RECOMMENDATION: Approve second amendment to construction contract and appropriate additional funds for Phase II of the project.

Amount and Source of Funding:

\$5,000,000.00 General Improvement Consolidated Construction Fund (4509)

\$1,375,000.00 Julia Ideson Library Contributions Fund (4036)

\$ 50,000.00 Public Library Consolidated Construction Fund (4507)

**\$6,425,000.00 Total Funding**

Previous Funding:

\$ 314,800.00 Library Capital Project Fund (4018)

\$ 8,000,000.00 Julia Ideson Library Contributions Fund (4036)

\$6,000,000.00 Reimbursement of Equipment/Projects Fund (1850)

**\$14,314,800.00 Total Funding**

Finance Budget:

*[Signature]*  
*[Signature]*

SPECIFIC EXPLANATION: The General Services Department (GSD) recommends that City Council approve a Second Amendment to the Construction Management at Risk (CMAR) contract with SpawMaxwell Company LLC (SpawMaxwell) to reduce the construction phase fee from 8% to 4%. GSD successfully negotiated with SpawMaxwell to lower the construction phase fee to reflect current market conditions. This represents an approximate savings of \$374,000 to the project. GSD further recommends that City Council appropriate an additional \$6.425 million for Phase II construction services, which consists of the restoration of the existing 66,000 square feet building. The requested appropriation will partially fund Phase II construction costs and contingency. Council will be requested to appropriate the remaining Phase II construction costs in the 4th quarter of FY 2010.

PROJECT DESCRIPTION: This project constructed a new 21,500 square foot state-of-the-art archival wing on the Lamar Avenue side of the building. This addition includes a spacious research/reference room on the first floor and three floors of mobile high-density shelving for the valuable holdings of the Houston Metropolitan Research Center. The wing is complemented by a new south loggia and adjacent palm-shaded outdoor reading room. The two-story loggia, like the addition, is a part of the original plan for the 1926 building, and was never constructed. The loggia provides open-air seating on both levels and a gracious transition from the first floor of the original building to the outdoor reading room.

REQUIRED AUTHORIZATION

CUIC ID # 25CONS135

General Services Department:

*[Signature]*

Humberto Bautista, P.E.

Chief of Design & Construction Division

Houston Public Library:

*[Signature]*  
Rhea Brown Lawson, Ph.D.  
Director

MO

<b>Date:</b>	<b>SUBJECT:</b> Second Amendment to Construction Contract and Appropriate Additional Funds Construction Management at Risk Contract SpawMaxwell Company LLC Julia Ideson Building - Restoration and Addition WBS No. E-000155-0001-4	<b>Originator's Initials</b>  MED	<b>Page</b> 2 of 3
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**PROJECT DESCRIPTION (cont):** Phase II will upgrade the front plaza landscaping and the existing infrastructure of the 66,000 square foot 1926 building and restore the architecturally rich public spaces, including a grand reading room on the second floor and rooms for exhibits, meetings and special events.

The anticipated contract duration for Phase II is 335 calendar days. The design consultant is Gensler.

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

**PREVIOUS HISTORY AND PROJECT SCOPE:** On October 31, 2007, City Council approved the Julia Ideson Restoration and Funding Agreement whereby the Downtown Redevelopment Authority TIRZ #3 agreed to contribute \$10 million to the project and Julia Ideson Library Preservation Partners (JILPP) agreed to raise private funds toward the completion of the project.

On December 19, 2007, City Council awarded a CMAR contract to SpawMaxwell to provide pre-construction and construction phase services, and appropriated \$314,800 for pre-construction phase services.

On December 30, 2008, City Council approved a First Amendment to the CMAR contract, which delegated authority to the director to approve the Guaranteed Maximum Price (GMP) proposal package with two construction phases: Phase I - construction of a new archival wing and Phase II - restoration of the existing building. Council appropriated \$7.5 million, which partially funded construction costs, 5% contingency, high-density shelving, and engineering/materials testing. Of this amount, TIRZ # 3 contributed \$4 million.

On April 1 2009, City Council appropriated an additional \$6.5 million to fully fund the remaining Phase I construction costs. The Reimbursement of Equipment/Projects Fund contributed \$6 million which has been reimbursed by TIRZ #3; thus fulfilling TIRZ # 3's financial obligation under the Agreement.

**FUNDING SUMMARY:**

	<b>Requested Appropriation</b>	<b>4<sup>th</sup> Quarter Phase II Appropriation</b>	<b>Total Phase II Appropriation</b>
Construction Contract Services	\$6,000,000.00	\$ 3,513,838.00	<b>\$9,513,838.00</b>
*Contingency (8.16%)	\$425,000.00	\$ 351,384.00	<b>\$776,384.00</b>
<b>Total Appropriation</b>	<b>\$6,425,000.00</b>	<b>\$3,865,222.00</b>	<b>\$10,290,222.00</b>

\* The total Phase II contingency will be 10%. The remaining contingency amount will be funded out of the unused portion of the Phase I contingency.

<b>Date:</b>	<b>SUBJECT:</b> Second Amendment to Construction Contract and Appropriate Additional Funds Construction Management at Risk Contract SpawMaxwell Company LLC Julia Ideson Building - Restoration and Addition WBS No. E-000155-0001-4	<b>Originator's Initials</b>  MED	<b>Page</b> 3 of 3
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**CONSTRUCTION GOALS:** The contract was awarded with a MBE goal of 14%, WBE goal of 5% and SBE goal of 5%. The contractor submitted documentation of its Good Faith Effort to the Affirmative Action and Contract Compliance Division. Affirmative Action has reviewed the contractor's Good Faith Efforts and determined that a reduced MBE goal of 1.6%, WBE goal of 3.5% and SBE goal of 4.4% are appropriate for this project, as described in the attached correspondence. To date, the contractor has achieved 0.36% MBE participation, 0% WBE participation and 0.84% SBE participation. It is anticipated the contractor will achieve the goals by the completion of the contract.

The contractor has submitted the following revised list of certified firms to achieve the goals:

<u>PROPOSED FIRM (MBE)</u>	<u>SCOPE</u>	<u>AMOUNT</u>	<u>% of CONTRACT</u>
Chavez Service Companies, Inc	Ceramic & Stone Tile	\$12,300.00	0.05
Environmental Allies, Inc.	Erosion Control	\$11,681.00	0.05
FC Designs, Inc.	Architectural Millwork	\$242,405.00	1.08
Distrib Aire, Inc.	HVAC Air Devices and Fans	\$33,000.000	0.15
		<b>\$299,386.00</b>	<b>1.33</b>

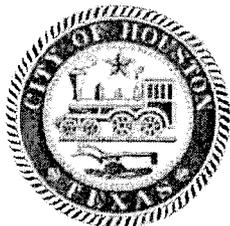
<u>PROPOSED FIRM (WBE)</u>	<u>SCOPE</u>	<u>AMOUNT</u>	<u>% of CONTRACT</u>
Southern Insulation Contractors	HVAC Insulation	\$179,400.00	0.80
Veritas Supply, Inc.	HVAC Equip & Controls	\$1,021,936.00	4.56
		<b>\$1,201,336.00</b>	<b>5.36</b>

<u>PROPOSED FIRM (SBE)</u>	<u>SCOPE</u>	<u>AMOUNT</u>	<u>% of CONTRACT</u>
Arc Light Electric, Inc.	Electrical Material Supplier	\$790,685.00	3.53
Commercial Care Services, Inc.	Construction Cleaning	\$828.00	0.00
North Houston Trucking	Earthwork Hauling	\$ 25,000.00	0.11
Iron Access, Inc.	Handrail & Railing Fabrication	\$65,309.00	0.29
		<b>\$881,822.00</b>	<b>3.93</b>



IZD:HB:MCP:JLN:MED:med

c : Marty Stein, Dr. Rhea Brown Lawson, Jacquelyn L. Nisby, Esq., James Tillman, Mary M. Villarreal, Morris Scott, Kim Nguyen, File E-000155-0001-4 /812



# CITY OF HOUSTON

Office of the Mayor

## Interoffice

Correspondence  
Affirmative Action and  
Contract Compliance  
Division

**To:** Obioma Nwakanma  
Sr. Project Manager  
General Services Department

**From:** Velma Laws  
Director

**Date:** February 3, 2009

**Subject:** Spaw-Maxwell, LP Good Faith Efforts  
Amended: Julia Ideson Building  
Restoration and Addition  
WBS Number E-000155-0001-4  
Contract Number 4600008511

Our office reviewed and evaluated Spaw-Maxwell, LP's Good Faith Efforts (GFEs) as it relates to the project listed above. The following goals apply to this project:

14% MBE  
5% WBE  
5% SBE  
Overall M/W/S/BE goal is 24%

Contract dollar amount on this project is \$22,307,445

- Spaw-Maxwell, LP submitted the following percentages:

MBE 1.6%  
WBE 3.5%  
SBE 4.4%  
Company's overall percentage is 9.50%

- Company stated "We are pleased to report that we were actually able to meet the original 24% S/M/W/BE goal – 14% MBE, 5% WBE and 5% SBE when we submitted the initial Guaranteed Maximum Price (GMP) proposal to GSD Department."
- Company also stated "Unfortunately, the initial GMP did not provide the "best value" to the COH in that there was a premium cost of \$900K (3.7% of total contract value) associated with the use of the minority proposals to meet the goal."
- Company authored Competitive Sealed Proposal (CSP) form. In so doing, company was able to establish that one of the five major criteria to be used for evaluation would be the amount of S/M/W/BE participation.
- Company's Request for Proposal (RFP) ensured sufficient attention was given to the importance of S/M/W/BE goals.
- Company usually sends 100 invitations to bid. However, in this case, company sent over 1,200 invitations to ensure company received feedback from the S/M/W/BE firms.
- Company identified 230 firms that could provide services for this project and proceeded to send invitations to bid to these 230 S/M/W/BE firms.

- As part of their Good Faith Efforts, company also sent notices to S/M/W/BE associations, advertised in El Rumbo (Spanish-English newspaper) and the Houston Business Journal and met with organizations, such as the National Association of Minority Contractors (NAMC).
- Company organized a Pre-Proposal meeting, which was held on November 13, 2008. Eighteen S/M/W/BE firms attended and were invited to bid on this project.
- Company feels that there will be additional opportunities for S/M/W/BE firms, specifically in the Relocation and Storage scope of work. The value of such work could be as much as \$400K.
- Another opportunity is the Final Clean scope of work, which could be as much as \$600K.
- Company sent Affirmative Action & Contract Compliance a request for S/M/W/BE participation. Mr. Juan Padilla blasted an e-mail to those S/M/W/BE firms listed under the construction-related field.
- Company invited NAMC personnel to give a presentation – 39 individuals/companies attended and list was given to Spaw-Maxwell, LP for additional way of procuring qualified S/M/W/BE firms.
- Company stated, “As always, we will endeavor to improve the current S/M/W/BE participation in any way and at every opportunity that we can.”
- Our office recommends to Spaw-Maxwell, LP that some of the major work could be subdivided and thereby allow Spaw-Maxwell, LP to utilize 2<sup>nd</sup> tier S/M/W/BE sub-contractors.

As part of the GFES review process, the Office of Affirmative Action evaluates the general contractor’s S/M/W/BE participation data. Spaw-Maxwell, LP was awarded 2 COH contracts. Both contracts are open. However, the contract for the Frank Branch Library has an S/M/W/BE goal of 18% and they indicated a 31.32% S/M/W/BE participation. The other contract is the one listed above.

Based on our findings, the general scope of services, and based on their previous COH contracts, we recommend approval of Spaw-Maxwell, LP’s Good Faith Efforts.

02/09:08



<b>SUBJECT:</b> (1) Award Job Order Contracts to Hallmark CBIC Joint Venture and P^2MG, LLC; (2) Amend Ordinance No. 2007-0167 to Increase Maximum Contract Amount; and (3) Appropriate Additional Funds for the Job Order Contract Program. WBS Nos. L-000JOC-0001-4; G-000JOC-0001-4, F-000585-0002-4, E-000JOC-0001-4; H-000011-0001-4	<b>Page</b> 1 of 3	<b>Agenda Item</b>  49
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<b>FROM (Department or other point of origin):</b> General Services Department	<b>Origination Date</b> 11-19-09	<b>Agenda Date</b> DEC 16 2009
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<b>DIRECTOR'S SIGNATURE:</b> Issa Z. Dadoush, P.E.  11/16/09	<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. 2007-0167; Dated February 7, 2007 Ordinance No. 2007-0831; Dated July 11, 2007 Ordinance No. 2008-0185; Dated March 5, 2008 Ordinance No. 2008-0583; Dated June 25, 2008 Ordinance No. 2009-0132; Dated February 18, 2009 Ordinance No. 2009-0629; Dated June 30, 2009
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**RECOMMENDATION:** (1) Award Job Order Contracts to Hallmark CBIC Joint Venture and P^2MG, LLC; (2) approve an Ordinance amending Ordinance 2007-0167 (passed February 7, 2007) to increase the maximum contract amount to \$12,500,000 for the Job Order Contracts with Williams & Thomas, LP dba Jamail Construction (Jamail Construction) and RHJ-JOC, Inc.; and (3) appropriate an additional \$3,075,000 for the Job Order Contract Program.

<b>Amount and Source of Funding:</b> Maximum contract amount for each contract with Hallmark CBIC Joint Venture and P^2MG, LLC - <b>\$10,000,000 – 5 years</b>  <b>Additional Appropriation for Job Order Contract Program:</b> \$ 200,000.00 –Solid Waste Consolidated Construction Fund (4503) \$ 170,000.00 –General Improvement Consolidated Construction Fund (4509) \$ 400,000.00 –Parks Consolidated Construction Fund (4502) \$ 850,000.00– Public Library Consolidated Construction Fund (4507) \$1,455,000.00 --Police Consolidated Construction Fund (4504) <b>\$3,075,000.00 Total Appropriation</b>	<b>Finance Budget:</b>  
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**REQUIRED AUTHORIZATION**

CUIC # 25CONS150

<b>General Services Department:</b>   Humberto Bautista, P.E. Chief of Design & Construction Division	<b>Solid Waste Management Department:</b>   Harry J. Hayes Director	<b>Houston Police Department:</b>   Harold L. Hurtt Chief
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<b>Parks and Recreation Department:</b>   Joe Turner Director	<b>Houston Public Library:</b>   Rhea Brown Lawson, Ph.D. Director	(4) NOT
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**SUBJECT:** (1) Award Job Order Contracts to Hallmark CBIC Joint Venture and P^2MG, LLC; (2) Amend Ordinance No. 2007-0167 to Increase Maximum Contract Amount; and (3) Appropriate Additional Funds for the Job Order Contract Program.  
WBS Nos. L-000JOC-0001-4; G-000JOC-0001-4, F-000585-0002-4, E-000JOC-0001-4  
H-000011-0001-4

**Originator's  
Initials**  
EA

**Page**  
2 of 3

**Previous Funding:**

**Maximum contract amount for each contract: \$10,000,000 – 5 years**

\$3,425,000.00—Public Library Consolidated Construction Fund (4507)  
\$4,196,000.00—General Improvement Consolidated Construction Fund (4509)  
\$1,295,000.00—Public Health Consolidated Construction Fund (4508)  
\$1,000,000.00—Police Consolidated Construction Fund (4504)  
\$ 770,000.00—Solid Waste Consolidated Construction Fund (4503)  
\$1,014,000.00—Parks Consolidated Construction Fund (4502)  
\$ 554,400.00—Water & Sewer System Consolidated Construction Fund (8500)  
\$ 205,000.00—Street & Bridge Consolidated Construction Fund (4506)  
\$ 50,000.00—Reimbursement of Equipment/Projects Fund (1850)  
\$ 200,000.00—Fire Consolidated Construction Fund (4500)  
**\$12,709,400.00 Total Funding**

**SPECIFIC EXPLANATION:** Due to the success of the current Job Order Contract Program with Jamail Construction and RHJ-JOC, Inc., the General Services Department (GSD) would like to expand the program to include two new contractors: Hallmark CBIC Joint Venture and P^2MG, LLC. This will increase the department's job order contracting capacity to four contractors, while providing more diversity and opportunities for city-wide contractors. Each contract term is five years. It is anticipated that over the five-year term additional funding will be made available by supplemental allocations from various departmental budgets, or requested from various bond funds up to the maximum contract amount of \$10,000,000.

Hallmark CBIC Joint Venture and P^2MG, LLC were selected through a Request for Proposal (RFP) process. The RFP was advertised in accordance with the requirements of Chapter 271-Subchapter H of the Texas Local Government Code and contained selection criteria that ranked respondents on coefficient factors, experience, references, management plan, contractor's representative, subcontractors and suppliers, safety, and claims history. Nine firms responded: Structura Design and Construction, NexLevel Construction/Jamail & Smith Construction, Times Construction, TLC Engineering, P^2MG, LLC, Hallmark CBIC Joint Venture, Basic IDIQ, All American Brothers, and Weatherproofing Technologies. The evaluation committee consisted of GSD management and technical staff. GSD selected the top two firms. Based on the advertised criteria, Hallmark CBIC Joint Venture and P^2MG, LLC, ranked first and second, respectively.

Therefore, GSD recommends that City Council (1) award two Job Order Contracts to Hallmark CBIC Joint Venture and P^2MG, LLC, and delegate authority to the director to approve supplemental allocations up to the maximum contract amount for each contract of \$10,000,000; (2) approve an Ordinance amending Ordinance No. 2007-0167 to increase the maximum contract amount from \$10,000,000 to \$12,500,000 for each Job Order Contract with Jamail Construction and RHJ-JOC, Inc. The requested funding will allow Jamail Construction and RHJ-JOC, Inc. to complete pending work orders resulting from Hurricane Ike, which will exceed the \$10,000,000 maximum contract amount; and (3) appropriate an additional \$3,075,000 for the Job Order Contract Program for construction services for the Solid Waste, Parks, Library, Health and Police Departments. The funds will be allocated to each job order contract as work orders are issued. Work Orders are issued and approved in accordance with pre-described and pre-priced tasks as established by the *R.S. Means* construction unit price book. The prices are multiplied by a coefficient factor.

**PROJECT LOCATION:** Citywide

**PROJECT DESCRIPTION:** The scope of work consists of minor construction, repairs, rehabilitations or alterations of various facilities.

**SUBJECT:** (1) Award Job Order Contracts to Hallmark CBIC Joint Venture and P^2MG, LLC; (2) Amend Ordinance No. 2007-0167 to Increase Maximum Contract Amount; and (3) Appropriate Additional Funds for the Job Order Contract Program.  
WBS Nos. L-000JOC-0001-4; G-000JOC-0001-4, F-000585-0002-4, E-000JOC-0001-4  
H-000011-0001-4

**Originator's  
Initials**  
EA

**Page**  
3 of 3

**PREVIOUS HISTORY AND PROJECT SCOPE:** On February 7, 2007, City Council awarded a five-year Job Order Contract to Jamail Construction and RHJ-JOC, Inc., and appropriated \$650,000 for both contracts for construction services for various facilities. The maximum contract amount for each contract was \$10,000,000. On July 11, 2007, City Council appropriated an additional \$1,856,400 to both contracts. On March 5, 2008 and June 25, 2008, City Council approved a First Amendment to the Job Order Contracts with Jamail Construction and RHJ-JOC, Inc., respectively, to decrease the performance bond requirement amount from \$2,000,000 to \$500,000, and appropriated an additional \$1,740,000 to each contract. On February 18, 2009, City Council appropriated an additional \$2,536,000 to both contracts for construction services for various facilities. On June 30, 2009, City Council appropriated an additional \$4,187,000 to the Job Order Contracts Program with Jamail Construction and RHJ-JOC, Inc.

**M/WBE PARTICIPATION:** A 15% M/WBE goal and 5% SBE goal have been established for the proposed contracts with Hallmark CBIC Joint Venture and P^2MG, LLC. The contractors will utilize the certified firms on the attached list to achieve the goals.

The job order contracts with Jamail Construction and RHJ-JOC, Inc., and this additional appropriation have a 15% M/WBE goal and 5% SBE goal. To date, Jamail Construction has achieved 11.2% M/WBE participation and 2.2% SBE participation, and RHJ-JOC, Inc. has achieved 31.9% M/WBE participation and 8.9% SBE participation.

**PAY OR PLAY PROGRAM:** The proposed contracts with Hallmark CBIC Joint Venture and P^2MG, LLC require compliance with the City's 'Pay or Play' ordinance regarding health benefits for employees of City contractors. In this case, the contractors have elected to pay into the Contractor Responsibility Fund in compliance with City policy.

IZD:HB:RAV:JLN:EA:ps

c: Marty Stein, Jacquelyn L. Nisby, Velma Laws, Wendy Heger, Kirk Munden, Gary Readore, Mark Ross, Calvin Curtis, Lisa Johnson, Christopher Gonzalez, Yvette Burton, Dan Pederson, Jean Abercrombie, Darien Helton, Project File 813

# CERTIFIED SUBCONTRACTORS FOR HALLMARK CBIC JOINT VENTURE AND P^2MG, LLC:

## Hallmark CBIC Joint Venture:

### Firms

Demolition  
Demolition  
Demolition  
Demolition  
Drywall  
Electrical  
Electrical  
Fire Protection  
Concrete  
Concrete  
General Construction, scheduling/design build  
Fiber Optics, communications  
Voice & data  
Voice & data  
HVAC  
Insurance  
Stone, Granite, Tile, VCT, Carpet  
Janitorial  
Janitorial  
Masonry and concrete  
Metal Fabrication  
Office Supplies  
Photography  
Plumbing  
Landscaping services  
Landscaping services  
Landscaping services  
Landscaping services  
Mobilization services  
Repographics  
Roofing

### Work Description

AD Construction & Development, Inc.  
Cherry Demolition Co.  
Houston Kaco  
Perpetual Development, LLC  
Drywall Services of Houston  
Trade Mark Electric  
Evy's Electric  
Chero-Key Piping  
Reytec Construction Resources  
Lazer Construction Company, Inc.  
CBIC Construction & Development, LLC  
MCA Communications  
DC Services, LLC  
Houston Wifi  
Washington & Sons' A/C and Heating  
Navarro Insurance Group  
Thomason Interiors  
Facility Management Solutions  
Southeast Keller Corporation  
Tenney Brick & Concrete Co  
FCS Fab., Inc  
Savannah Supplies, Inc.  
Al-Fin Photography  
EDH Plumbing Contractors LLC  
Ecung Construction  
Von Younger Landscaping  
Sal Esparza - SEI  
Texas Landscape Co  
Access Data Supply  
Gurrola Repographics  
MIC Construction Services, Inc.

## P^2MG, LLC:

### Firms

CAS Companies  
Washington and Sons  
Veritas Supply  
J's Quality Construction, Inc  
James Gee Construction  
Reytec Construction Resources  
Demco  
Lazer Construction Company  
Primavera Companies

### Work Description

Asbestos, mold abatement and demolition, HVAC  
HVAC  
Electrical  
Interior fit-up and painting  
Concrete  
Exterior paving and underground utility  
Demo and interior construction  
Concrete and underground utilities  
Demo, drywall and interior finishes

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

**SUBJECT:** Appropriate Additional Funds to  
Construction Management at Risk Contract  
Manhattan Construction Company  
Central Permitting Center  
WBS No. D-000145-0001-4

**Page**  
1 of 2

**Agenda Item**  
**50**

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

**Origination Date**  
12/9/09

**Agenda Date**  
DEC 16 2009

**DIRECTOR'S SIGNATURE:** *Issa Z. Dadoush* 12/3/09  
Issa Z. Dadoush, P.E.

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

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

**Date and identification of prior authorizing Council action:**  
Ordinance No. 2009-0811; September 2, 2009

**RECOMMENDATION:** Appropriate additional funds for construction.

**Amount and Source of Funding:**  
\$4,070,000.00 Reimbursement of Equipment/Projects Fund (1850)

**Finance Budget:**  
*Michelle Marshall*

**Previous Funding:**  
\$ 162,500.00 Reimbursement of Equipment/Projects Fund (1850)

**SPECIFIC EXPLANATION:** On September 2, 2009, City Council awarded a Construction Management at Risk Contract (CMAR) to Manhattan Construction Company to provide pre-construction and construction phase services for the Central Permitting Center, and appropriated \$162,500.00 for pre-construction phase services. The construction phase of this project will consist of two Guaranteed Maximum Price (GMP) proposals. The requested appropriation will fund the first GMP proposal, which provides for the early procurement of long lead HVAC and electrical equipment, supply and installation of the elevators, and supply and installation of the glass and glazing systems for the new Central Permitting Center. Procurement of these items during the design phase will expedite construction. City Council will be requested to appropriate funds for the second GMP proposal under a separate Council action. It is expected that the Reimbursement of Equipment/Projects Fund will be reimbursed by PWE and ARA permitting revenues.

**PROJECT LOCATION:** 1002 Washington Avenue (493L)

**PROJECT DESCRIPTION:** This project will renovate the existing 187,000sf four-story building plus basement to centralize City permitting processes from existing locations at 3300 Main and 611 Walker, and will house approximately 500 City employees. The project will utilize the Leadership in Energy & Environmental Design (LEED™) Green Building Rating System to achieve certification.

**REQUIRED AUTHORIZATION** CUIC ID # 25CONS131

<p><b>General Services Department:</b></p> <p><i>Umberto Bautista</i></p> <p>Umberto Bautista, P.E. Chief of Design &amp; Construction Division</p>	<p><b>Administration &amp; Regulatory Affairs Department:</b></p> <p><i>Alfred J. Moran, Jr.</i></p> <p>Alfred J. Moran, Jr. Director</p>	<p><b>Department of Public Works and Engineering:</b></p> <p><i>Michael S. Marcotte</i></p> <p>Michael S. Marcotte, P.E., D.WRE, BCEE, Director</p>
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Date	<b>SUBJECT:</b> Appropriate Additional Funds to Construction Management at Risk Contract Manhattan Construction Company Central Permitting Center WBS No. D-000145-0001-4	<b>Originator's  Initials</b> JB	<b>Page</b> 2 of 2
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**FUNDING SUMMARY:** The following amounts for the long lead procurement items and contingency are based on the construction manager's estimate of costs. The final cost of these items will be submitted to the director for approval as part of the first GMP proposal.

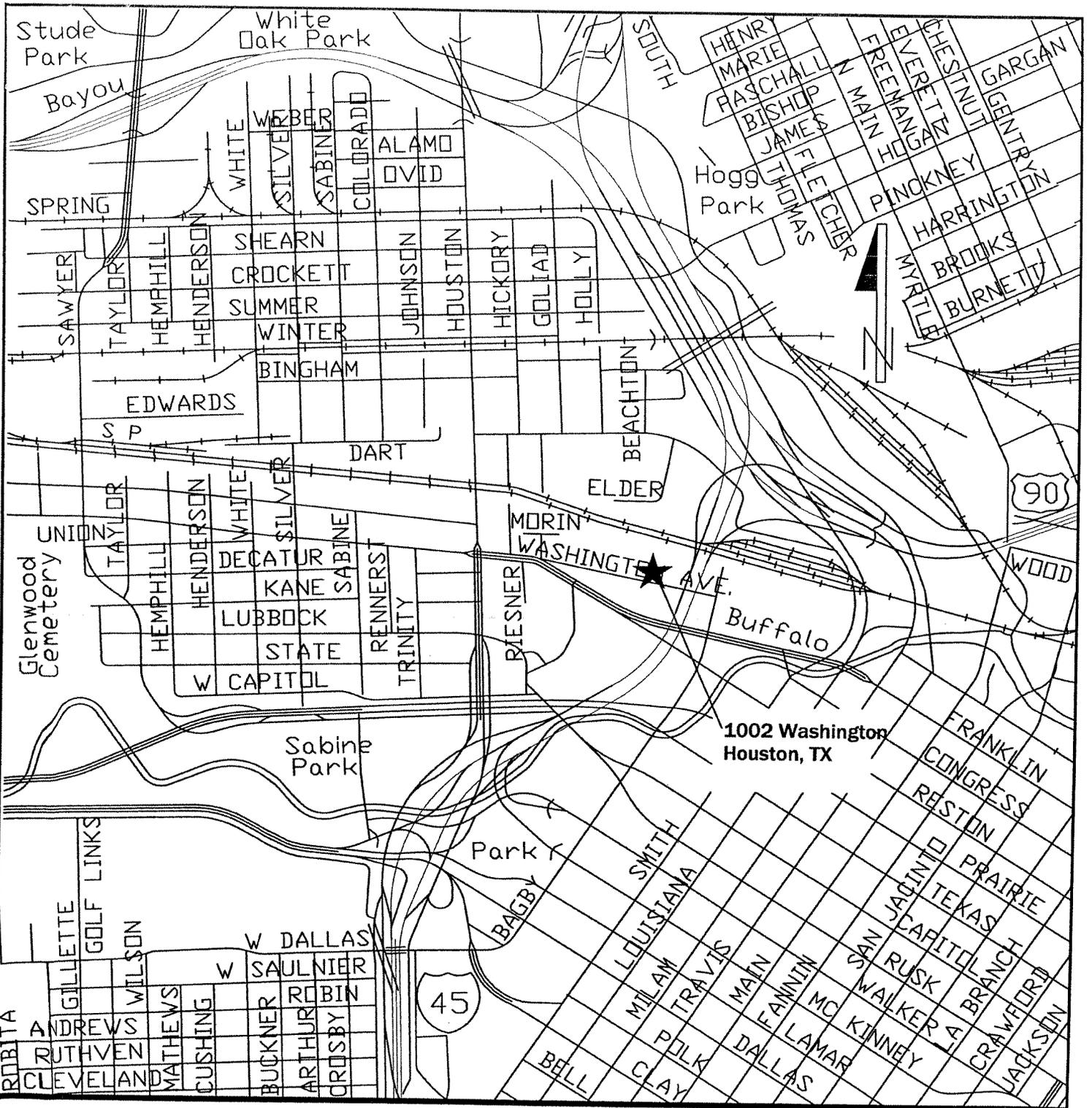
\$3,800,000.00	Estimated cost of long lead procurement items
\$ 200,000.00	Estimated 5% Contingency
\$ 70,000.00	Civic Art (1.75%)
<b>\$4,070,000.00</b>	<b>Total Funding</b>

**CONSTRUCTION GOALS:** A 14% MBE goal and 10% SBE goal have been established for the construction phase of this contract. The construction manager will submit the list of proposed certified sub-contractors with the issuance of the GMP proposal.

**PAY OR PLAY PROGRAM:** The contract requires compliance with the City's "Pay or Play" Ordinance regarding health benefits for employees of City contractors. In this case, the contractor provides benefits for some employees but will pay into the Contractor Responsibility Fund for others, in compliance with City policy.

IZD:HB:JLN:RAV:JBW

- c: Marty Stein
- Jacquelyn L. Nisby
- James Tillman
- Velma Laws
- Siria Harbour
- Andy Iken
- Susan McMillian
- Kim Nguyen
- Calvin Curtis
- Yvette Burton
- File:



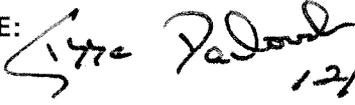
**CENTRAL PERMITTING CENTER**  
**1002 Washington**  
**HOUSTON, TX 77002**

COUNCIL DISTRICT "H"

KEY MAP NO. 493L

<b>SUBJECT:</b> Professional Architectural Services Contract English + Associates Architects, Inc. Ann Slemons Young Animal Center WBS No. H-000075-0001-3	<b>Page</b> 1 of 2	<b>Agenda Item</b>  51
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<b>FROM (Department or other point of origin):</b> General Services Department	<b>Origination Date</b> 12-10-09	<b>Agenda Date</b> DEC 16 2009
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<b>DIRECTOR'S SIGNATURE:</b> Issa Z. Dadoush, P.E.  12/8/09	<b>Council District(s) affected:</b> 1
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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:** Approve architectural services contract and appropriate funds for the project.

<b>Amount and Source Of Funding:</b> \$751,384.00 Public Health Consolidated Construction Fund (4508)	<b>Finance Budget:</b> 
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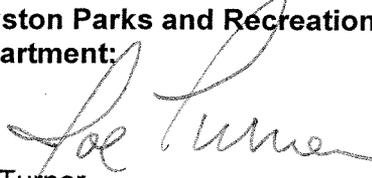
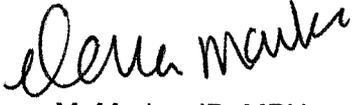
**SPECIFIC EXPLANATION:** The General Services Department (GSD) recommends that City Council approve an architectural services contract with English + Associates Architects, Inc., to perform design and construction phase services for the Ann Slemons Young Animal Center. This facility is made possible in large part by the generous bequest left to the Bureau of Animal Regulation and Care (BARC) by Ann Slemons Young, who died in 2007. Ms. Young's dream was for BARC to have a state-of-the-art adoption facility to enhance the City's ability to find homes for the 25,000+ dogs and cats brought to BARC each year.

**PROJECT LOCATION:** Gragg Park – S. Wayside at Wheeler (Key Map 534G)

**PROJECT DESCRIPTION:** The project will design a 30,000 sf facility on a 5.5-acre tract at Gragg Park. The Ann Slemons Young Animal Center will have a public lobby, public information desk, walk-around animal display glass enclosures and grooming areas, real-life / get-acquainted spaces, kennels, cat condos, training / class rooms, veterinary clinic, sally port, site security office, administrative and support spaces, parking and two dog parks.

The new building will utilize the LEED™ (Leadership in Energy and Environmental Design) Green Building rating system to achieve certification.

**REQUIRED AUTHORIZATION** NDT CUIC ID# 25DSGN52

<b>General Services Department:</b>   Humberto Bautista, P.E. Chief of Design & Construction Division	<b>Houston Parks and Recreation Department:</b>   Joe Turner Director	<b>Mayor's Office:</b>   Elena M. Marks, JD, MPH Director of Health and Environmental Policy
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<b>Date</b>	<b>SUBJECT:</b> Professional Architectural Services Contract English + Associates Architects, Inc. Ann Slemons Young Animal Center WBS No. H-000075-0001-3	<b>Originator's Initials</b>  VTN	<b>Page</b>  2 of 2
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**SCOPE OF CONTRACT AND FEE:** The contract provides for a Basic Services Fee to be paid as a lump sum and certain Additional Services to be paid on a reimbursable basis.

\$ 597,710.00	Basic Services
\$ 104,750.00	Additional Services
\$ <u>36,000.00</u>	Reimbursable Expenses
<b>\$ 738,460.00</b>	<b>Total Contract Services</b>
\$ <u>12,924.00</u>	Civic Art (1.75%)
<b>\$ 751,384.00</b>	<b>Total Funding</b>

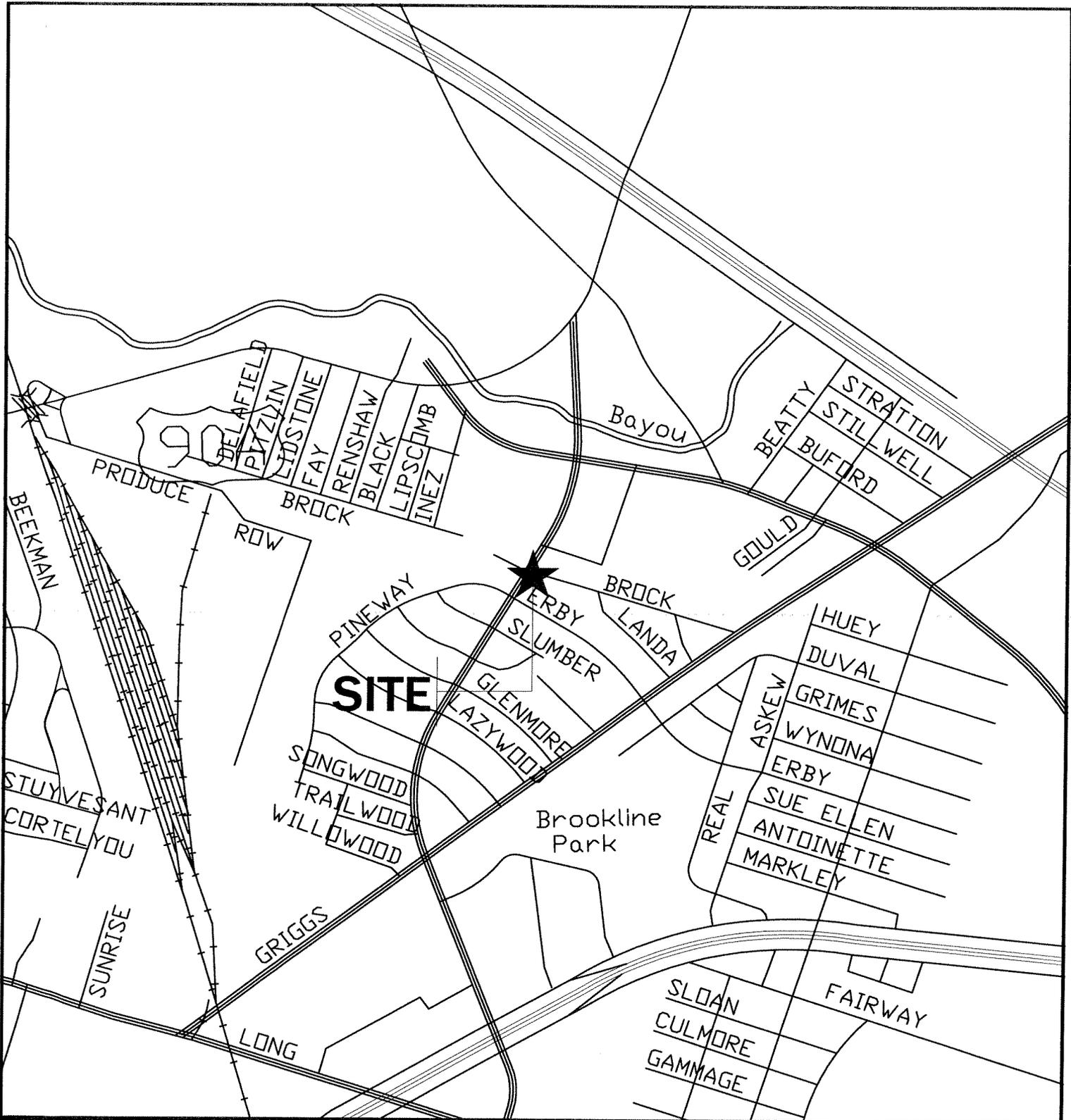
**M/WBE INFORMATION:** A MWBE goal of 24% has been established for this contract. The architect has submitted the following certified firms to achieve the goal:

<u>Firm</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
CivilTech Engineering, Inc.	Civil Engineering and Drainage Impact Study	\$ 79,720.00	10.80
Garza + McLain Structural Engineers, Inc.	Structural Engineering	\$ 39,500.00	5.35
Asakura Robinson Company, LLC	Landscape Design	\$ 37,632.00	5.10
Jones Engineers, L.P.	Basic & Enhanced Commissioning	\$ 41,000.00	5.55
Precision Land Surveying, Inc.	Certified Land Survey & Re-Platting Services	\$ 13,100.00	1.77
Ulrich Engineers, Inc.	Geotechnical Investigation	<u>\$ 20,000.00</u>	<u>2.71</u>
<b>Total</b>		<b>\$ 230,952.00</b>	<b>31.28</b>

**PAY OR PLAY PROGRAM:** The proposed contract requires compliance with the City's "Pay or Play" Ordinance regarding health benefits for employees of City contractors. In this case, the consultant provides health benefits to eligible employees in compliance with City policy.

  
IZD:JLN:HB:RAV:VTN:vtn

c: Marty Stein, Issa Z. Dadoush, P.E., Jacquelyn L. Nisby, Esq., Calvin Curtis, Esq. Gabriel Mussio, Mary Villarreal, Morris Scott, Kim Nguyen, File E-000011-0002-3/101



Ann Slemons Young Animal Center  
 S. WAYSIDE DR. at WHEELER  
 HOUSTON, TX 77023

<b>SUBJECT:</b> Appropriate Funds RDI Mechanical, Inc. Purchase and installation of HVAC Equipment for the Department of Health and Human Services and the Houston Fire Department WBS No. H-0000EQ-0003-5 WBS No. C-0000EQ-0005-5	<b>Page</b> 1 of 2	<b>Agenda Item</b>  <div style="text-align: right; font-size: 2em; font-weight: bold;">52</div>
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<b>FROM (Department or other point of origin):</b> General Services Department	<b>Origination Date</b> 12-9-09	<b>Agenda Date</b> DEC 16 2009
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<b>DIRECTOR'S SIGNATURE:</b> <i>Issa Z. Dadoush</i> 11/23/09 Issa Z. Dadoush, P.E.	<b>Council District affected:</b> A, B, D, F, G, H
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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. 2009-0435; May 27, 2009
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**RECOMMENDATION:** Appropriate funds for the project.

<b>Amount and Source Of Funding:</b> \$139,300.88 – Public Health Consolidated Construction Fund (4508) <u>\$200,000.00</u> – Fire Consolidated Construction Fund (4500) \$339,300.88 --Total	<b>Finance Budget:</b> <i>MacKelle</i> <i>MacKelle</i>
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**SPECIFIC EXPLANATION:** The General Services Department recommends that City Council appropriate \$339,300.88 to the existing citywide contract with RDI Mechanical Inc. to furnish and install heating, ventilation and air conditioning (HVAC) equipment at the Central Tuberculosis Laboratory for the Department of Health and Human Services (DHHS), and at nine fire stations for the Houston Fire Department (HFD).

**PROJECT DESCRIPTION:** This project will replace or repair HVAC equipment that is non-operational or has exceeded its useful life span. The scope of work consists of the purchase and installation of an Aaron Roof Top Unit and connection of the unit to the Metasys Building Automation System at the DHHS Central Tuberculosis Laboratory. The unit is necessary to maintain a maximum temperature reading of 77 degrees as required by the Clinical Laboratory Improvement Amendments. In addition, the project will replace or repair the HVAC equipment at the following nine fire stations:

- PROJECT LOCATIONS:** DHHS Central Laboratory 1115 S. Braeswood (533E)
- Fire Station 67 - 1616 W. Little York (412X)
  - Fire Station 17 - 2805 Navigation (494J)
  - Fire Station 74 - 460 Aldine Bender (373W)
  - Fire Station 6 - 3402 Washington (493E)
  - Fire Station 32 - 8614 E. Tidwell (455C)
  - Fire Station 78 - 15100 Memorial (488C)
  - Fire Station 66 - 5800 Teague (450A)
  - Fire Station 64 - 3000 Greens (374N)
  - Fire Station 76 - 7200 Cook Rd. (529J)

**REQUIRED AUTHORIZATION** CUIC ID# 25MSCL60

<b>General Services Department:</b>  Steve Girardi Chief of Operations Property Management Division	<b>Houston Fire Department:</b> <i>700</i>  Phil Boriskie Fire Chief	<b>Department of Health and Human Services:</b>  Stephen L. Williams, M.ED, MPA Director
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<b>Date</b>	<b>SUBJECT:</b> Appropriate Funds RDI Mechanical, Inc. Purchase and installation of HVAC Equipment for the Department of Health and Human Services and the Houston Fire Department WBS No. H-0000EQ-0003-5 WBS No. C-0000EQ-0005-5	<b>Originator's Initials</b> BW	<b>Page</b> 2 of 2
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**FUNDING SUMMARY: DHHS**

\$132,667.50 HVAC Equipment  
6,633.38 5%Contingency  
\$139,300.88 Total Appropriation

**FUNDING SUMMARY: HFD**

\$200,000.00 HVAC Equipment

**PREVIOUS HISTORY AND PROJECT SCOPE:** On May 27, 2009, Ordinance 2009-435, City Council awarded a five-year work order contract to RDI Mechanical, Inc., in an amount not to exceed \$10,238,893.00, for heating, ventilation and air conditioning services for various departments. The contract is funded through various appropriations/allocations. Periodically, as departments identify projects and specific funding for each project, Council will be requested to appropriate additional funds to this contract.

**M/WBE INFORMATION:** The original contract and this additional appropriation have an M/WBE goal of 11%. Due to the contract's early inception, the contractor has not reported its M/WBE utilization.

**PAY OR PLAY PROGRAM:** The contract requires compliance with the City's "Pay or Play" Ordinance regarding health benefits for employees of City contractors. In this case, the contractor provides health benefits to eligible employees in compliance with City policy.

IZD:JLN:SG:BW:bw

c: Marty Stein, Jacquelyn L. Nisby, Steve Girardi, Calvin Curtis, Fred Maier, Jack Williams, Christopher Gonzales, Yvette Burton, File

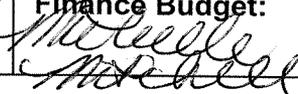
<b>SUBJECT:</b> Award Construction Contract Inland Environments, Ltd. Asbestos/Lead Abatement, Demolition and Disposal at Six Department of Public Works and Engineering Water Plants. WBS No. S-000536-0005-4	<b>Page</b> 1 of 2	<b>Agenda Item</b> 53
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<b>FROM (Department or other point of origin):</b> General Services Department	<b>Origination Date</b> 12/10/09	<b>Agenda Date</b> DEC 16 2009
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<b>DIRECTOR'S SIGNATURE:</b> Issa Z. Dadoush, P.E.  11/12/09	<b>Council Districts affected:</b> A, B, E, G
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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:** Award construction contract and appropriate funds for the project.

<b>Amount and Source of Funding:</b> \$131,752.00 PWE- W & S System Consolidated Construction Fund (8500)	<b>Finance Budget:</b> M.P. 12/2/09 
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**SPECIFIC EXPLANATION:** The General Services Department recommends that City Council award a construction contract to Inland Environments, Ltd. on its low bid amount of \$96,430.00 for asbestos/lead abatement, demolition and disposal at six water plants for the Department of Public Works and Engineering.

**PROJECT LOCATIONS:**

24120 E. Lake Houston - Old District 73-1(Key Map 338-R)	Council District E
239 Glazebrook - West Road Facility (Key Map 412-D)	Council District B
8755 Mills Road – District 237 Facility (Key Map 370-J)	Council District A
7290 Business Park – District 25 Facility (Key Map 409-Q)	Council District A
15306 Westheimer –W. Houston 1 Facility (Key Map 487-Z)	Council District G
2635 West Hollow – District 98 Facility (Key Map 488-T)	Council District G

**PROJECT DESCRIPTION:** The scope of work consists of asbestos/lead abatement, demolition and disposal of six water tanks, buildings, booster pumps, electrical equipment, splash boxes, pipe supports and all concrete foundations. Work also includes removal of distribution lines and storm sewer lines and proper disposal.

The contract duration for this project is 180 calendar days.

**BIDS:** The following five bids were received on October 9, 2009:

<u>Bidder</u>	<u>Bid Amount</u>
Inland Environments, Ltd.	\$ 96,430.00
ARC Abatement	\$135,500.00
AAR Incorporated	\$149,350.00
Arrow Services, Inc.	\$650,000.00
CST Environmental, L.P.	\$748,800.00

**REQUIRED AUTHORIZATION** CUIC ID # 25GM202

<b>General Services Department:</b>  Humberto Bautista, P.E. Chief of Design & Construction Division	<b>Other Authorization:</b> 	<b>Department of Public Works and Engineering:</b>  12/7/09 Michael S. Marcotte, P.E., D. WRE, BCEE, Director
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<b>Date</b>	<b>SUBJECT:</b> Award Construction Contract Inland Environments, Ltd. Asbestos/Lead Abatement, Demolition and Disposal at Six Department of Public Works and Engineering Water Plants. WBS No. S-000536-0005-4	<b>Originator's Initials</b>  GM	<b>Page</b>  2 of 2
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Bids were obtained from the list of pre-qualified asbestos/lead abatement contractors to act as the general contractor for the project. All pre-qualified asbestos/lead abatement contractors were notified of the request for bids on this project. The City Legal Department has previously determined that formal bids are not required when the pre-qualified asbestos/lead abatement contractors' list is utilized and all contractors on the list are notified of the bid request.

**AWARD:** It is recommended that City Council award the construction contract to Inland Environments, Ltd., and appropriate funds for the project, including an additional appropriation of \$30,500.50 for project management, construction oversight and air monitoring services under the existing contract with Honesty Environmental Services, Inc.

**FUNDING SUMMARY:**

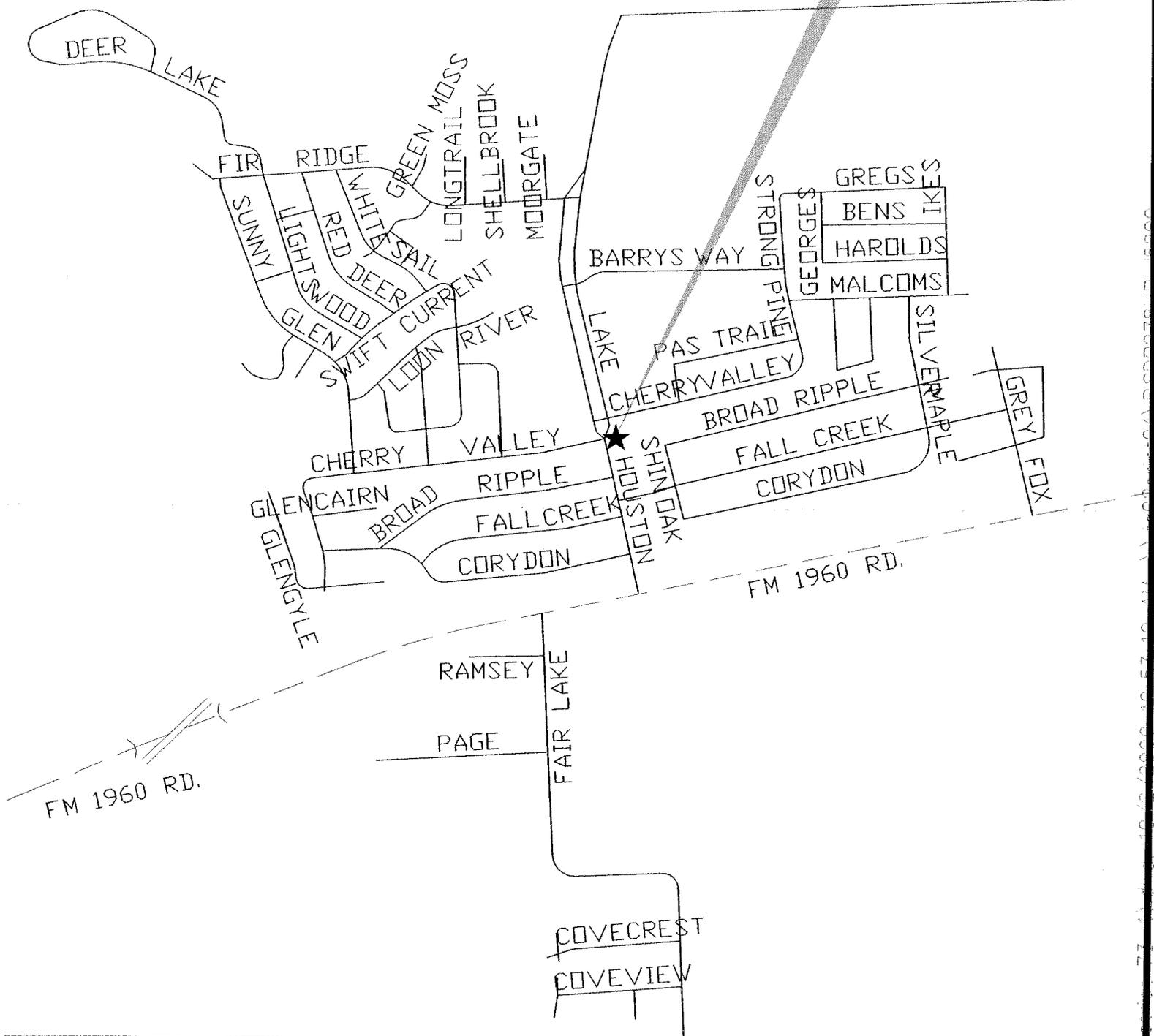
\$ 96,430.00	Construction Contract Services
\$ 4,821.50	5% Contingency
<b>\$ 101,251.50</b>	<b>Total Contract Services</b>
\$ 30,500.50	Project Management, Construction Oversight and Air Monitoring
<b>\$ 131,752.00</b>	<b>Total Funding</b>

**PAY OR PLAY PROGRAM:** The proposed contract requires compliance with the City's "Pay or Play" Ordinance regarding health benefits for employees of City contractors. In this case, the contractor provides health benefits to eligible employees in compliance with City policy.

IZD:HB:JLN:GM:FK:fk

- c: Marty Stein
- Jacquelyn L. Nisby
- Velma Laws
- Calvin Curtis
- Gabriel Mussio
- Yvette Burton
- File

SITE



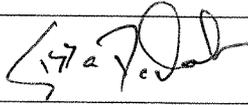
Old District 73-1  
 24120 E.Lake Houston - Houston, Tx



N.T.S

<b>SUBJECT:</b> Award Construction Contract Apache Services, Inc. Eastwood and Cliff Tuttle Parks WBS No. F-000669-0001-4 and F-000669-0002-4		Page 1 of 2	Agenda Item 54
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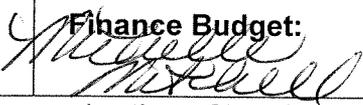
<b>FROM (Department or other point of origin):</b> General Services Department	<b>Origination Date</b> 12/10/09	<b>Agenda Date</b> DEC 16 2009
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<b>DIRECTOR'S SIGNATURE:</b>  11/23/09 Issa Z. Dadoush, P.E.	<b>Council District affected:</b> H
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<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:** Award construction contract and appropriate funds for the project.

**Amount and Source of Funding:**  
 \$336,783.00—Parks Consolidated Construction Fund (4502)

**Finance Budget:**  


**SPECIFIC EXPLANATION:** The General Services Department recommends that City Council award a construction contract to Apache Services, Inc. on its low bid amount of \$ 288,093.00 to provide construction services for Eastwood and Cliff Tuttle Parks for the Houston Parks and Recreation Department.

**PROJECT LOCATIONS:**

<b>Eastwood Park</b>	5000 Harrisburg (494 T)
<b>Cliff Tuttle Park</b>	6200 Lyons (495 H)

**PROJECT DESCRIPTION:** The scope of work consists of the following improvements:

**Eastwood Park:** Expand existing concrete parking lot, security lighting at parking lot, site grading, sidewalk, and landscape and irrigation.

**Cliff Tuttle Park:** New pavestone parking lot, sidewalk, grading and drainage, and landscape and irrigation.

The contract duration for this project is 100 calendar days. Clark Condon Associates is the design consultant and Construction Manager.

**BIDS:** The following seven bids were received on October 1, 2009:

<u>Bidder</u>	<u>Bid Amount</u>
1. <b>Apaches Services, Inc.</b>	<b>\$288,093.00</b>
2. Millis Development and Construction, Inc.	\$335,860.00
3. AAA Asphalt Paving, Inc.	\$362,877.00
4. Carrera Construction, Inc.	\$394,900.00
5. Jerdon Enterprises, L.P.	\$413,413.13
6. Gulf Coast Landscape Services, Inc.	\$440,695.00
7. The Gonzalez Group LP	\$447,616.00

*JL*

**REQUIRED AUTHORIZATION** CUIC ID # 25PARK85

<b>General Services Department:</b>   Humberto Bautista, P.E. Chief of Design & Construction Division	<b>Houston Parks and Recreation Department:</b> <i>MS</i>   Joe Turner Director
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Date	<b>SUBJECT:</b> Award Construction Contract Apache Services, Inc. Eastwood and Cliff Tuttle Parks WBS No. F-000669-0001-4 and F-000669-0002-4	<b>Originator's Initials</b>  RJO	<b>Page</b>  2 of 2
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**AWARD:** It is recommended that City Council award the construction contract to Apaches Services, Inc. and appropriate funds for the project, including additional appropriations of \$17,285.35 for construction management services under the existing contract with Clark Condon Associates, Inc. and \$17,000.00 for engineering and materials testing services under the existing contract with HVJ Associates, Inc.

**FUNDING SUMMARY:**

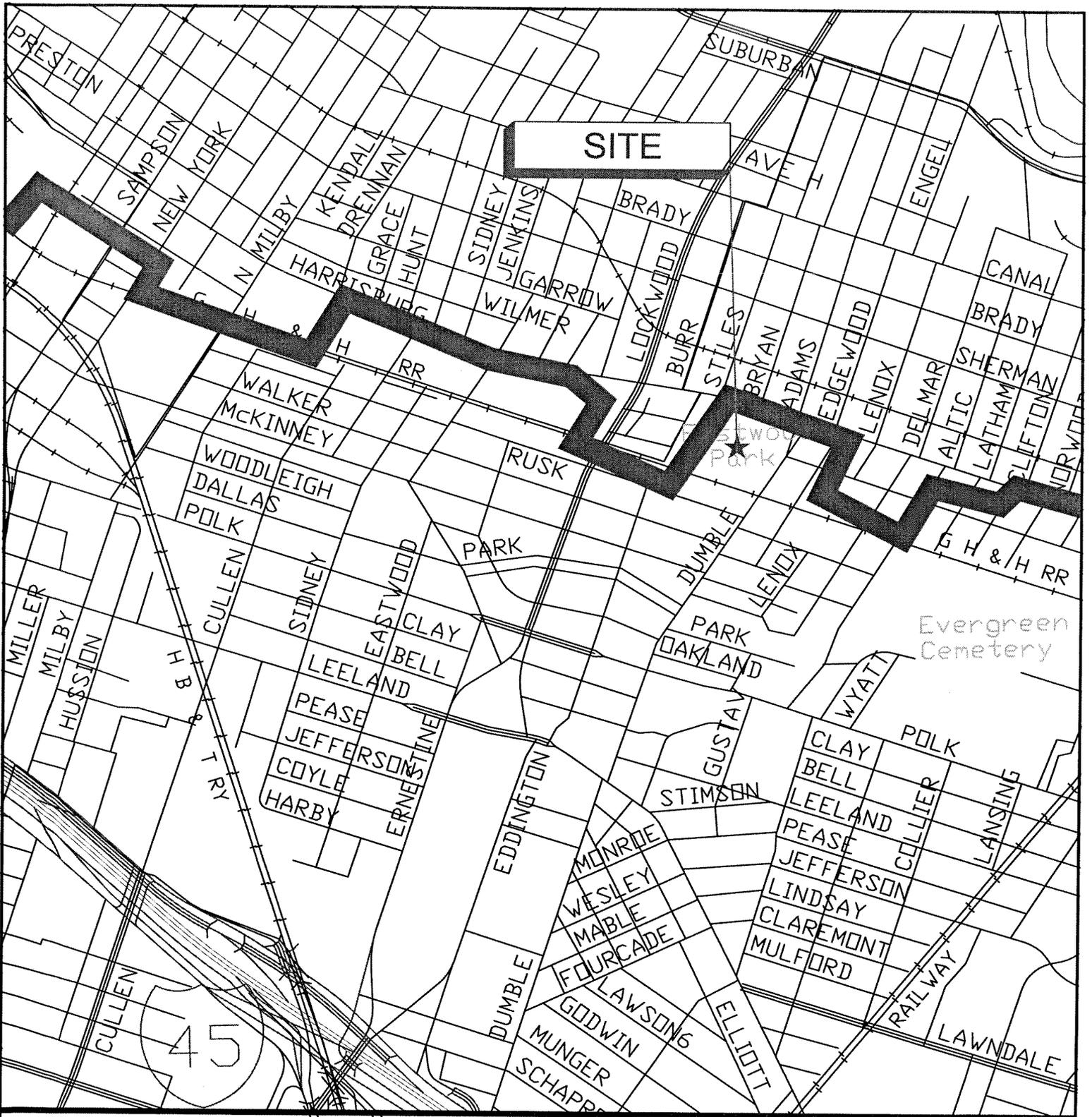
\$ 288,093.00	Construction Contract Services
\$ 14,404.65	5% Contingency
<b>\$ 302,497.65</b>	<b>Total Contract Services</b>
\$ 17,285.35	Construction Management Services
\$ 17,000.00	Engineering Testing
<b>\$ 336,783.00</b>	<b>Total Funding</b>

**PAY OR PLAY PROGRAM:** The proposed contract requires compliance with the City's 'Pay or Play' Ordinance regarding health benefits for employees of City contractors. In this case, the contractor has elected to play and pay into the Contractor Responsibility Fund in compliance with City policy.

IZD:HB:JLN:LV:RJO:ps



c: Marty Stein, Jacquelyn L. Nisby, Mark Ross, Jean Abercrombie, Darien Helton, Christopher Gonzales, Dan Pederson, Lisa Johnson, Calvin Curtis, Yvette Burton, Gabriel Mussio, File 813



**EASTWOOD PARK  
5000 HARRISBURG  
HOUSTON, TX 77011**

TO: Mayor via City Secretary REQUEST FOR COUNCIL ACTION

SUBJECT: Award Construction Contract  
Gulf Coast Landscape Services, Inc.  
Robert C. Stuart Park  
WBS No. F-000716-0002-4

Page  
1 of 2

Agenda  
Item

55

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

Origination Date  
12/03/09

Agenda Date  
DEC 16 2009

DIRECTOR'S SIGNATURE: Issa Z. Dadoush, P.E. *Issa Z. Dadoush 11/4/09*

Council District affected:  
1

For additional information contact:  
Jacquelyn L. Nisby Phone: 832-393-8023

Date and identification of prior authorizing  
Council action:

RECOMMENDATION: Award construction contract and Allocate funds for the project.

Amount and Source of Funding:  
\$327,972.00 State - Grant Funded (5010) Texas Parks and Wildlife Department

Finance Budget: *Michelle Mitchell*

SPECIFIC EXPLANATION: The General Services Department (GSD) recommends that City Council award a construction contract to Gulf Coast Landscape Services, Inc. on the proposal amount of \$304,735.00 to provide construction services for Robert C. Stuart Park for the Houston Parks and Recreation Department.

PROJECT LOCATION: 7250 Belfort Avenue (534V)

PROJECT DESCRIPTION: The scope of work includes site grading for wetlands restoration, site detention, trails, vehicular access, and an aggregate parking lot, prairie grassland plantings and interpretive teaching stations, and an access road will be provided for a canoe launch along Sims Bayou.

The contract duration for this project is 100 days. M2L Associates, Inc. is the design consultant for the project.

PROPOSALS: On July 24 and July 31, 2009, 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 September 10, 2009, and nine firms responded. GSD evaluated the respondents and Gulf Coast Landscape Services, Inc. received the most points and offers the best value for the City based on the advertised criteria.

The nine proposals are ranked as follows:

**Proposer**

1. Gulf Coast Landscape Services, Inc.
2. Times Construction, Inc.
3. Millis Development and Construction, Inc.
4. Carrera Construction, Inc.
5. The Gonzalez Group, LP
6. Jerdon Enterprise, L.P.
7. Meridian Commercial, LP
8. Apache Services, Inc.
9. Resicom, Inc.

**REQUIRED AUTHORIZATION**

CUIC ID # 25PARK87

General Services Department:

Houston Parks and Recreation Department:

*H. Bautista*

Humberto Bautista, P.E.  
Chief of Design & Construction Division

*Joe Turner*

Joe Turner  
Director

NOT

19

Date	<b>SUBJECT:</b> Award Construction Contract Gulf Coast Landscape Services, Inc. Robert C. Stuart Park WBS No. F-000716-0002-4	<b>Originator's Initials</b>  DE	<b>Page</b> 2 of 2
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**AWARD:** It is recommended that City Council award the construction contract to Gulf Coast Landscape Services, Inc. and **allocate** funds for the project, including an additional **Allocation** of \$8,000.25 for engineering testing services under the existing contract with HTS, Inc. Consultants.

**FUNDING SUMMARY:**

\$ 304,735.00	Construction Contract Services
\$ 15,236.75	5% Contingency
<b>\$ 319,971.75</b>	<b>Total Contract Services</b>
\$ 8,000.25	Engineering Testing
<b>\$ 327,972.00</b>	<b>Total Funding</b>

**PAY OR PLAY PROGRAM:** The proposed contract requires compliance with the City's 'Pay or Play' Ordinance regarding health benefits for employees of City contractors. In this case, the contractor provides health benefits to eligible employees in compliance with City policy.

IZD:HB:JLN:LJ:DE:de

c: Marty Stein, Jacquelyn L. Nisby, Calvin R. Curtis, Mark Ross, Velma Laws, Kim Nguyen, Morris Scott, Gabriel Mussio, Christopher Gonzales, Dan Pederson, Lisa Johnson, Yvette Burton, File



Robert C. Stuart Park  
 7250 Belfort Ave.  
 Houston, TX 77087

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

<b>SUBJECT:</b> A Municipal Setting Designation Ordinance prohibiting the use of designated groundwater for D/J Venture for the Site located at 3131 Argonne Street, Houston, TX 77098. (MSD # 2008-009-DJV)	<b>Page</b> 1 of 1	<b>Agenda Item</b> # 56
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<b>FROM (Department or other point of origin):</b> Department of Public Works and Engineering	<b>Origination Date</b> 12-10-09	<b>Agenda Date</b> DEC 16 2009
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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
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<b>For additional information contact:</b> Carol Ellinger Haddock, P.E. Senior Assistant Director (713) 837-7658 Richard J. Chapin, P.E. Senior Project Manager (713) 837-0421	<b>Date and identification of prior authorizing Council action:</b> 8/22/2007 – 2007-0959 10/7/2009 – 2009 - 0725
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**RECOMMENDATION: (Summary)**  
It is recommended that City Council adopt a Municipal Setting Designation (MSD) Ordinance prohibiting the use of designated groundwater at the D/J Venture site located at 3131 Argonne Street, Houston, TX 77098 and support issuance of a MSD by the Texas Commission on Environmental Quality (TCEQ). (MSD # 2008-009-DJV)

**Amount and Source of Funding:** N/A

**BACKGROUND:** In 2003, the Texas Legislature authorized the creation of Municipal Setting Designations (MSDs), which would designate an area in which the use of contaminated groundwater is prohibited for use as potable water. The law is administered by TCEQ and requires local City support to designate an MSD. The intent of the legislation is to encourage redevelopment of vacant or abandoned properties while protecting the public health. On August 22, 2007, City Council approved an Ordinance amending Chapter 47 of the Code of Ordinances by adding Article XIII relating to groundwater, which provides a process to support or not support a MSD application to the State. This Ordinance requires a written public notice be mailed to property owners within 2,500 feet of a proposed MSD site and owners/operators of potable water wells within 5 miles of a proposed MSD site. In addition, a public meeting and a public hearing are required to be held prior to City Council consideration of support.

**D/J VENTURE APPLICATION:** D/J Venture is seeking a MSD for 0.49-acres of land located at 3131 Argonne Street, Houston, TX 77098. The contamination consists of tetrachloroethene (PCE), trichloroethene (TCE), 1,2-dichloroethane (1,2-DCA), cis-1,2-dichloroethene (cis-1,2-DCE), and vinyl chloride (VC). The structure was built in the 1980s and demolished in 2003, the Kettle Offices building was the only development on the site. The site is currently used as a restaurant parking lot. Since the 1940s, there have been commercial and manufacturing businesses around the site. Environmental investigations have identified contamination in the soil and groundwater. However, no contributing source on the surface has been identified as the source for contamination in the groundwater. Based on environmental sampling, the groundwater contaminant plume appears to be stable and is on average 35 feet below ground surface.

D/J Venture is seeking a MSD for this property to restrict access to groundwater to protect the public against exposure to contaminants. There is a public drinking water supply system that meets state requirements that supplies or is capable of supplying drinking water to the MSD property and all properties within one-half mile of the MSD property. In addition, a public meeting (held on 4/7/2009) and a public hearing (held on 12/9/2009) are required to be held prior to City Council consideration of support.

**RECOMMENDATIONS:** It is recommended that City Council adopt a Municipal Setting Designation Ordinance prohibiting the use of designated groundwater at the D/J Venture site located at 3131 Argonne Street, Houston, TX 77098 and support issuance of a MSD by the Texas Commission on Environmental Quality.

MSM:AFI:CAE  
P:\PLANNING BRANCH\MSD\DATABASE\GENERIC RCA - ORDINANCE SUPPORT.DOC  
C: Marty Stein, Waynette Chan, Gary Drabek, Ceil Price

**REQUIRED AUTHORIZATION** CUIC ID# 20CAE35

<b>Other Authorization:</b>	<b>Authorization:</b> <i>Andrew F. Icken</i> Andrew F. Icken, Deputy Director Planning & Development Services Division	<b>Other Authorization:</b>
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TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

<b>SUBJECT:</b> A Municipal Setting Designation Ordinance prohibiting the use of designated groundwater for CR V Hardy Yards L.P., Union Pacific Rail Road and Gulf States Investment Corp. for the site located at 1400 Fulton Street, Houston, TX 77009. (MSD # 2009-018-Hardy Yards)	Page 1 of 1	Agenda Item # <b>57</b>
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<b>FROM (Department or other point of origin):</b> Department of Public Works and Engineering	<b>Origination Date</b> 12/10/09	<b>Agenda Date</b> DEC 16 2009
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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> H
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<b>For additional information contact:</b> Carol Ellinger Haddock, P.E. Senior Assistant Director (713) 837-7658 Richard J. Chapin, P.E. Senior Project Manager (713) 837-0421	<b>Date and identification of prior authorizing Council action:</b> 8/22/2007 – 2007-0959 9/23/2009 – 2009-0700
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**RECOMMENDATION: (Summary)**  
It is recommended that City Council adopt a Municipal Setting Designation (MSD) Ordinance prohibiting the use of designated groundwater at the CR V Hardy Yards L.P., Union Pacific Rail Road and Gulf States Investment Corp. site located at 1400 Fulton Street, Houston, TX 77009, and support issuance of a MSD by the Texas Commission on Environmental Quality (TCEQ). (MSD # 2009-018-Hardy Yards)

**Amount and Source of Funding:** N/A

**BACKGROUND:** In 2003, the Texas Legislature authorized the creation of Municipal Setting Designations (MSDs), which would designate an area in which the use of contaminated groundwater is prohibited for use as potable water. The law is administered by the TCEQ and requires local City support to designate an MSD. The intent of the legislation is to encourage redevelopment of vacant or abandoned properties while protecting the public health. On August 22, 2007, City Council approved an Ordinance amending Chapter 47 of the Code of Ordinances by adding Article XIII relating to groundwater, which provides a process to support or not support a MSD application to the State. This Ordinance requires a written public notice be mailed to property owners within 2,500 feet of a proposed MSD site and owners/operators of potable water wells within 5 miles of a proposed MSD site. In addition, a public meeting and a public hearing are required to be held prior to City Council's consideration of support.

**CR V HARDY YARDS L.P. APPLICATION:** CR V Hardy Yards L.P., Union Pacific Rail Road and Gulf States Investment Corp. are seeking a MSD for approximately 53.6-acres of land located at 1400 Fulton Street, Houston, TX 77009. The contamination consists of 1,1,1-trichloroethane (1,1,1-TCA), 1,1,2-trichloroethane (1,1,2-TCE), 1,1-dichloroethene (1,1-DCE), 1,2-dichloroethane (1,2-DCA), cis-1,2-dichloroethene (cis-1,2-DCE), trans-1,2-dichloroethene (trans-1,2-DCE), 1,2-dibromoethane (1,2-DBE), 1,2-dichloropropane (1,2-DCP), tetrachloroethene (PCE), trichloroethene (TCE), vinyl chloride (VC), benzene, tert-butylbenzene, carbon tetrachloride, and methyl tert-butyl ether (MTBE). The property was the location of a rail yard where associated maintenance and servicing facilities from the late 1870s until 1999 were in use. The property is in the State's Voluntary Cleanup Program, and both the chlorinated solvent plumes and organic plume, which are delineated and stable, have been issued a Conditional Certificate of Completion by the State.

CR V Hardy Yards L.P., Union Pacific Rail Road and Gulf States Investment Corp. are seeking a MSD for this property to restrict access to groundwater to protect the public against exposure to the contaminants. There is a public drinking water supply system that meets state requirements that supplies or is capable of supplying drinking water to the MSD property and all properties within one-half mile of the MSD property. In addition, a public meeting (held on 11/5/2009 and 12/7/2009) and a public hearing (held on 12/9/2009) are required to be held prior to City Council's consideration of support.

**RECOMMENDATIONS:** It is recommended that City Council adopt a Municipal Setting Designation Ordinance prohibiting the use of designated groundwater at the CR V Hardy Yards L.P., Union Pacific Rail Road and Gulf States Investment Corp. site located at 1400 Fulton Street, Houston, TX 77009, and support issuance of a MSD by the Texas Commission on Environmental Quality.

MSM:AFI:CAE  
P:\PLANNING BRANCH\MSD\DATABASE\GENERIC RCA - ORDINANCE SUPPORT.DOC  
C: Marty Stein, Waynette Chan, Gary Drabek, Ceil Price

<b>REQUIRED AUTHORIZATION</b> <span style="float: right;">CUIC ID# 20CAE59</span>		
<b>Other Authorization:</b>	<b>Authorization:</b> <i>Andrew F. Icken</i> Andrew F. Icken, Deputy Director Planning & Development Services Division	<b>Other Authorization:</b>

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

<b>SUBJECT:</b> Petition for the City's consent to the addition of 0.7283 acre of land to Crosby Municipal Utility District (Key Map No. 419-Q)	<b>Page</b> 1 of 1	<b>Agenda Item #</b>  <b>58</b>
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<b>FROM (Department or other point of origin):</b>  Department of Public Works and Engineering	<b>Origination Date</b> 9/14/09	<b>Agenda Date</b> DEC 16 2009
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<b>DIRECTOR'S SIGNATURE</b> <i>MS [Signature]</i> Michael S. Marcotte, P.E., D.WRE, BCEE	<b>Council District affected:</b> "ETJ"
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<b>For additional information contact:</b> <i>AMS</i> Ann Marie Stone Sheridan, P.E. Supervising Engineer (713) 837-9142	<b>Date and identification of prior authorizing Council action:</b>
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**RECOMMENDATION: (Summary)**

The petition for the addition of 0.7283 acre of land to Crosby Municipal Utility District be approved.

**Amount and Source of Funding:**

NONE REQUIRED

**SPECIFIC EXPLANATION:**

Crosby Municipal Utility District has petitioned the City of Houston for consent to add 0.7283 acre of land, located in the city's extraterritorial jurisdiction, to the district.

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

The district is located in the vicinity of Beaumont Highway, McKinney Road, Red Bud Street, and Crosby-Lynchburg Road. The district desires to add 0.7283 acre, thus yielding a total of 1,521.7283 acres. The district is served by the Crosby Municipal Utility District Wastewater Treatment Plant. The nearest major drainage facility for Crosby Municipal Utility District is the San Jacinto River which flows into the Houston Ship Channel.

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

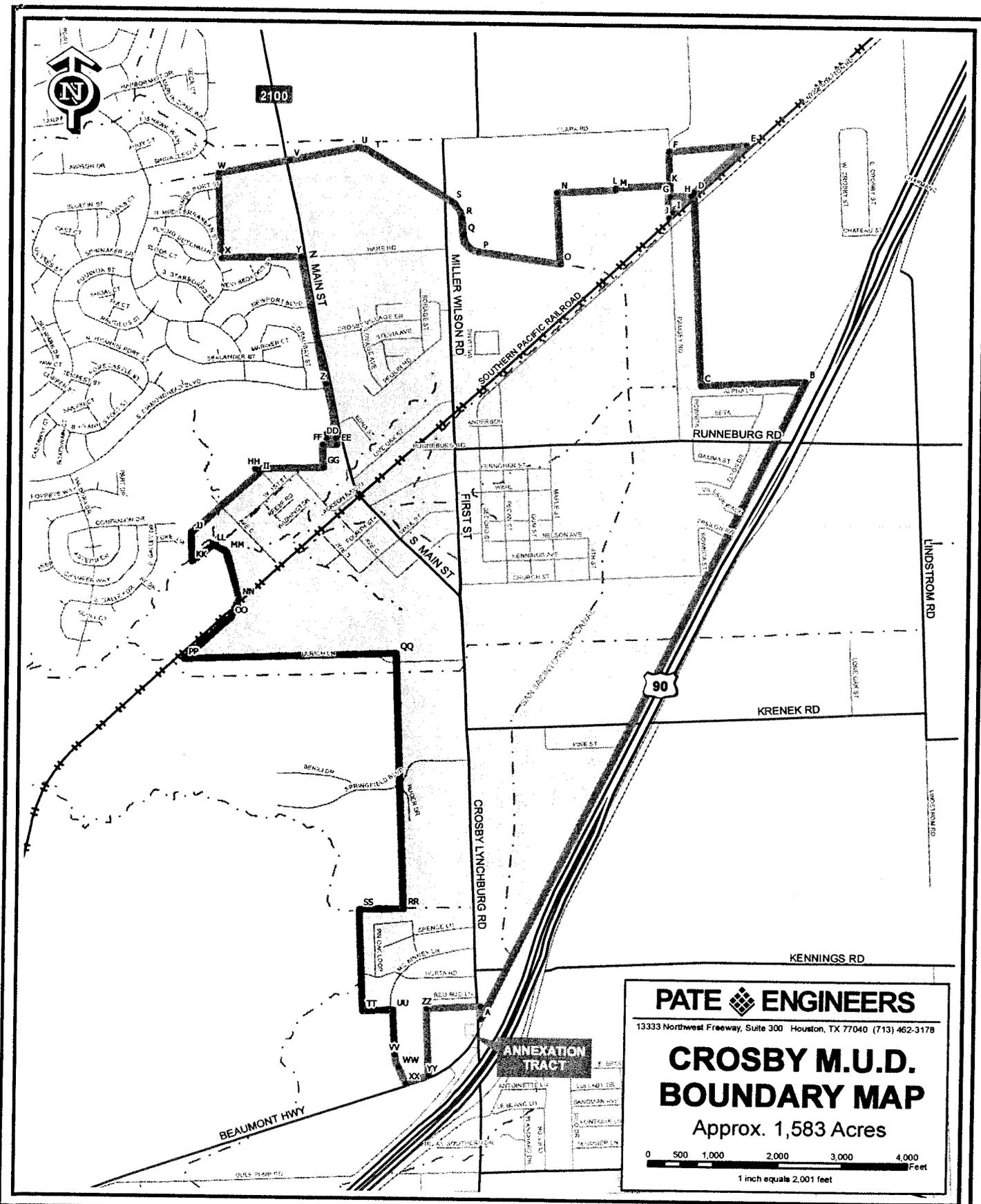
The Utility District Review Committee recommends that the subject petition be approved.

**Attachments**

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

**REQUIRED AUTHORIZATION      20UPA14**

<b>Finance Department</b>	<b>Other Authorization:</b> <i>[Signature]</i> Andrew F. Icken Deputy Director Planning & Development Services Div.	<b>Other Authorization:</b>
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**PATE ENGINEERS**  
 13333 Northwest Freeway, Suite 300 Houston, TX 77040 (713) 462-3178

**CROSBY M.U.D.  
 BOUNDARY MAP**  
 Approx. 1,583 Acres

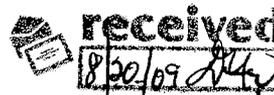
0 500 1,000 2,000 3,000 4,000 Feet  
 1 inch equals 2,001 feet



# CITY OF HOUSTON



Department of Public Works and Engineering  
Water District Consent Application Form



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

Application is hereby made for consent of the City of Houston to the  creation/  addition of 0.7283 acres to Crosby Municipal Utility Distr under the provisions of Chapter 51 Texas Water Code.

*Jon C. Pfennig*  
Attorney for the District

**Attorney: Jon C. Pfennig**

Address: P.O. Box 269, Baytown, Texas

Zip: 77522-0269

Phone: 832-556-0059

**Engineer: Pate Engineers**

Address: 13333 NW Freeway Ste 300, Houston, Texas

Zip: 77040

Phone: 713-462-3178

**Owners: CHC Investments, L.L.C.**

Address: P.O. Box 442, Crosby, Texas

Zip: 77532

Phone: 281-328-6108

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

### LOCATION

INSIDE CITY

OUTSIDE CITY

NAME OF COUNTY (S) Harris

Survey Humphrey Jackson League

Abstract 37

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

North of: Beaumont Highway ✓

East of: McKinney Road ✓

South of: Red Bud Street ✓

West of: Crosby-Lynchburg Road ✓

### WATER DISTRICT DATA

Total Acreage of District: 1521

Existing Plus Proposed Land 1521.7283

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

Single Family Residential \_\_\_\_\_

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

Commercial 100% Industrial \_\_\_\_\_

Institutional \_\_\_\_\_

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

Sewage Treatment Plant Name: Crosby MUD WWTP

NPDES/TPDES Permit No: WQ0011388001

TCEQ Permit No: \_\_\_\_\_



# CITY OF HOUSTON



Department of Public Works and Engineering  
Water District Consent Application Form

Existing Capacity (MGD): 0.75

Ultimate Capacity (MGD): 0.99

Size of treatment plant site: 9.7 acres square feet/acres.

If the treatment plant is to serve the District only, indicate the permitted capacity of the plant: 0.75 MGD.

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

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

Total permitted capacity: n/a

MGD of (Regional Plant).

Name of District: n/a

MGD Capacity Allocation n/a

or property owner(s)

Name of District: n/a

MGD Capacity Allocation n/a

Water Treatment Plant Name: Crosby MUD Surface Water Plant

Water Treatment Plant Address: 5318 6<sup>th</sup> Street, Crosby, Texas 77532

Well Permit No: 133199

### Existing Capacity:

Well(s): 630 GPM

Booster Pump(s): 2000 GPM

Tank(s): 0.510 MG

### Ultimate Capacity:

Well(s): 630 GPM

Booster Pump(s): 5000 GPM

Tank(s): 0.81 MG

Size of Treatment Plant Site: 5.0 acres

square feet/acres.

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

\_\_\_\_\_

\_\_\_\_\_

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

<b>SUBJECT:</b> Petition for the City's consent to the addition of 11.453 acres of land to Fort Bend County Municipal Utility District No. 50 (Key Map No. 525-H)	<b>Page</b> 1 of 1	<b>Agenda Item #</b>  59
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<b>FROM (Department or other point of origin):</b>  Department of Public Works and Engineering	<b>Origination Date</b> 12/3/09	<b>Agenda Date</b> DEC 16 2009
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<b>DIRECTOR'S SIGNATURE</b>  Michael S. Marcotte, P.E., D.WRE, BCEE	<b>Council District affected:</b> "ETJ"
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<b>For additional information contact:</b>  Ann Marie Stone Sheridan, P.E. Supervising Engineer (713) 837-9142	<b>Date and identification of prior authorizing Council action:</b>
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**RECOMMENDATION: (Summary)**

The petition for the addition of 11.453 acres of land to Fort Bend County Municipal Utility District No. 50 be approved.

**Amount and Source of Funding:**

NONE REQUIRED

**SPECIFIC EXPLANATION:**

Fort Bend County Municipal Utility District No. 50 has petitioned the City of Houston for consent to add 11.453 acres of land, located in the city's extraterritorial jurisdiction, to the district.

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

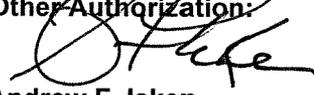
The district is located in the vicinity of FM 1093, Peek Road, Barker Dam, and Mason Road. The district desires to add 11.453 acres, thus yielding a total of 1,227.977 acres. The district is served by the Fort Bend County Municipal Utility District No. 50 Interim Wastewater Treatment Plant. The nearest major drainage facility for Fort Bend County Municipal Utility District No. 50 is Oyster Creek which flows into Flat Bank Creek then to the Brazos River and finally into Galveston Bay.

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

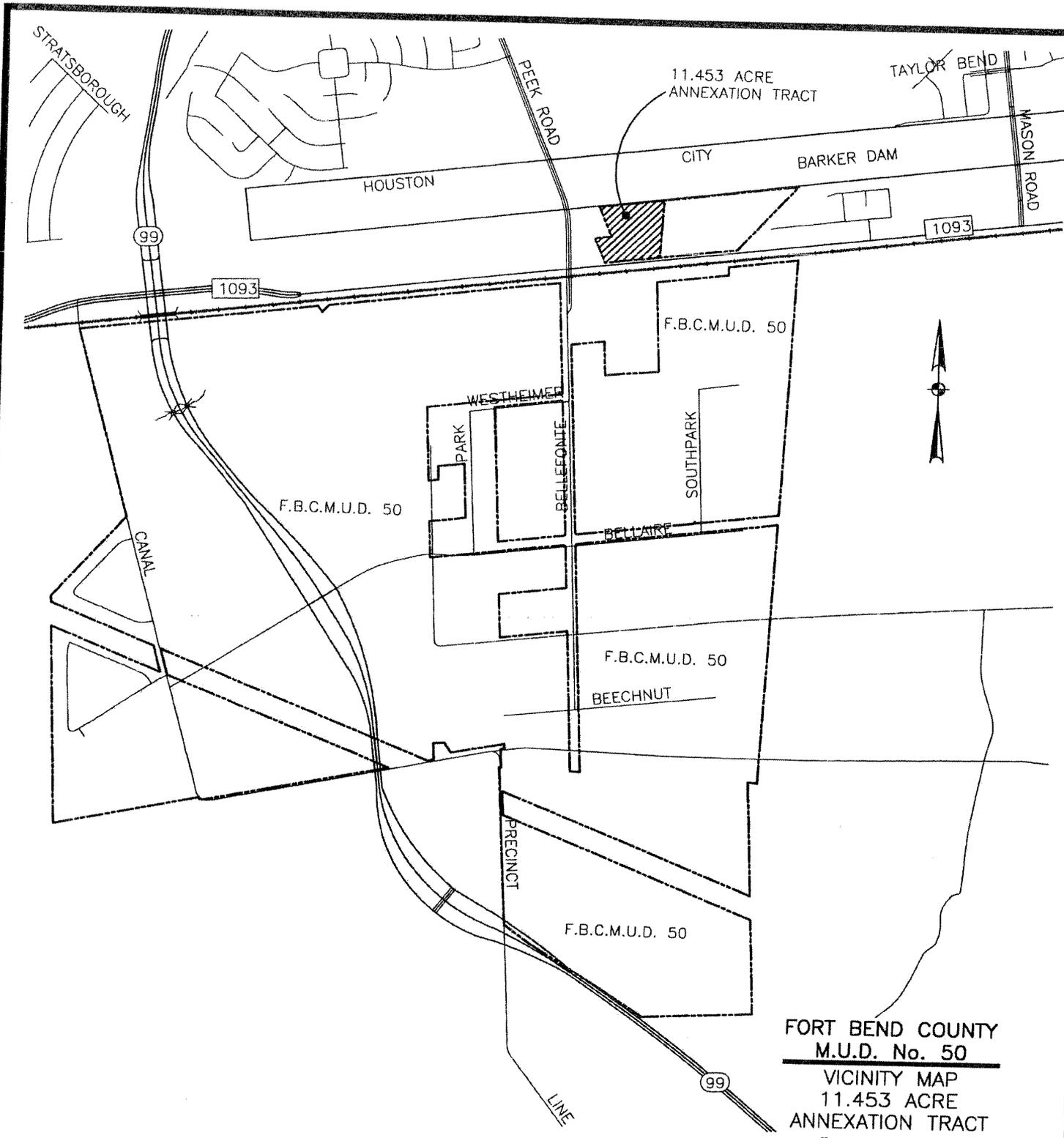
The Utility District Review Committee recommends that the subject petition be approved.

**Attachments**

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

<b>REQUIRED AUTHORIZATION</b>		<b>20UPA31</b>
<b>Finance Department</b>	<b>Other Authorization:</b>  Andrew F. Icken Deputy Director Planning & Development Services Div.	<b>Other Authorization:</b>

L:\2805\_FBCMUD\_50\2805-00\_DISTRICT\CAD\EXHIBITS\11-12-09VICINITY\_MUD\_MAP.DWG NOV. 12, 2009-1:34pm ROBERTS



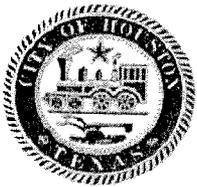
**FORT BEND COUNTY**  
**M.U.D. No. 50**  
 VICINITY MAP  
 11.453 ACRE  
 ANNEXATION TRACT

**r.g.miller**  
**engineers**  
 since 1986

12121 Wickchester Lane  
 Suite 200  
 Houston, Texas 77079  
 (713) 461-9600

TEXAS FIRM REGISTRATION NO. F-487  
 DATE: NOVEMBER, 2009 SCALE: N.T.S.

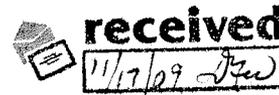
2009PA 31



# CITY OF HOUSTON



Department of Public Works and Engineering  
Water District Consent Application Form



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

Application is hereby made for consent of the City of Houston to the  creation/  addition of 11.453 acres to Fort Bend County MUD No. 50 under the provisions of Chapter 49 Texas Water Code.

*David Oliver*  
Attorney for the District

**Attorney: David Oliver, Allen Boone Humphries Robinson LLP**

Address: 3200 Southwest Freeway, Suite 2600, Houston, TX Zip: 77027 Phone: 713-860-6465

**Engineer: R. G. Miller Engineers, Inc.**

Address: 12121 Wickchester Ln., Suite 200, Houston, TX Zip: 77079 Phone: 713-461-9600

**Owners: Ulrich Family Limited Partnership**

Address: c/o Patrick Berna, 1455 W. Loop South, Suite 200,  
Houston, Texas Zip: 77027 Phone: 713-952-5662

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

### LOCATION

INSIDE CITY  OUTSIDE CITY  NAME OF COUNTY (S) FORT BEND  
Survey George E. Fields Abstract 591

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

North of: FM 1093 East of: Peek Road  
South of: Barker Dam West of: Mason Road

### WATER DISTRICT DATA

Total Acreage of District: 1,216.524 Existing Plus Proposed Land 1,227.977

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

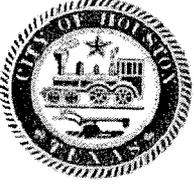
Single Family Residential \_\_\_\_\_ Multi-Family Residential \_\_\_\_\_

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

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

Sewage Treatment Plant Name: FBCMUD50 Interim Wastewater Treatment Plant

NPDES/TPDES Permit No: WQ0013228001 TCEQ Permit No: \_\_\_\_\_



# CITY OF HOUSTON



Department of Public Works and Engineering  
Water District Consent Application Form

Existing Capacity (MGD): 0.7MGD

Ultimate Capacity (MGD): 0.7MGD

Size of treatment plant site: 92,800/2.13 square feet/acres.

If the treatment plant is to serve the District only, indicate the permitted capacity of the plant: 0.7 MGD.

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

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

Total permitted capacity: 0.7MGD

MGD of (Regional Plant).

Name of District: \_\_\_\_\_

MGD Capacity Allocation \_\_\_\_\_

or property owner(s)

Name of District: \_\_\_\_\_

MGD Capacity Allocation \_\_\_\_\_

Water Treatment Plant Name: FBCMUD 50 Water Plant 1

Water Treatment Plant Address: 22939 Bellaire Blvd.

Well Permit No: 15303

### Existing Capacity:

Well(s): 1,500 GPM

Booster Pump(s): 5,500 GPM

Tank(s): 0.5 MG

### Ultimate Capacity:

Well(s): 1,500 GPM

Booster Pump(s): 5,500 GPM

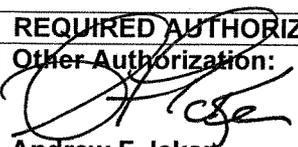
Tank(s): 0.5 MG

Size of Treatment Plant Site: 74,410/1.7082

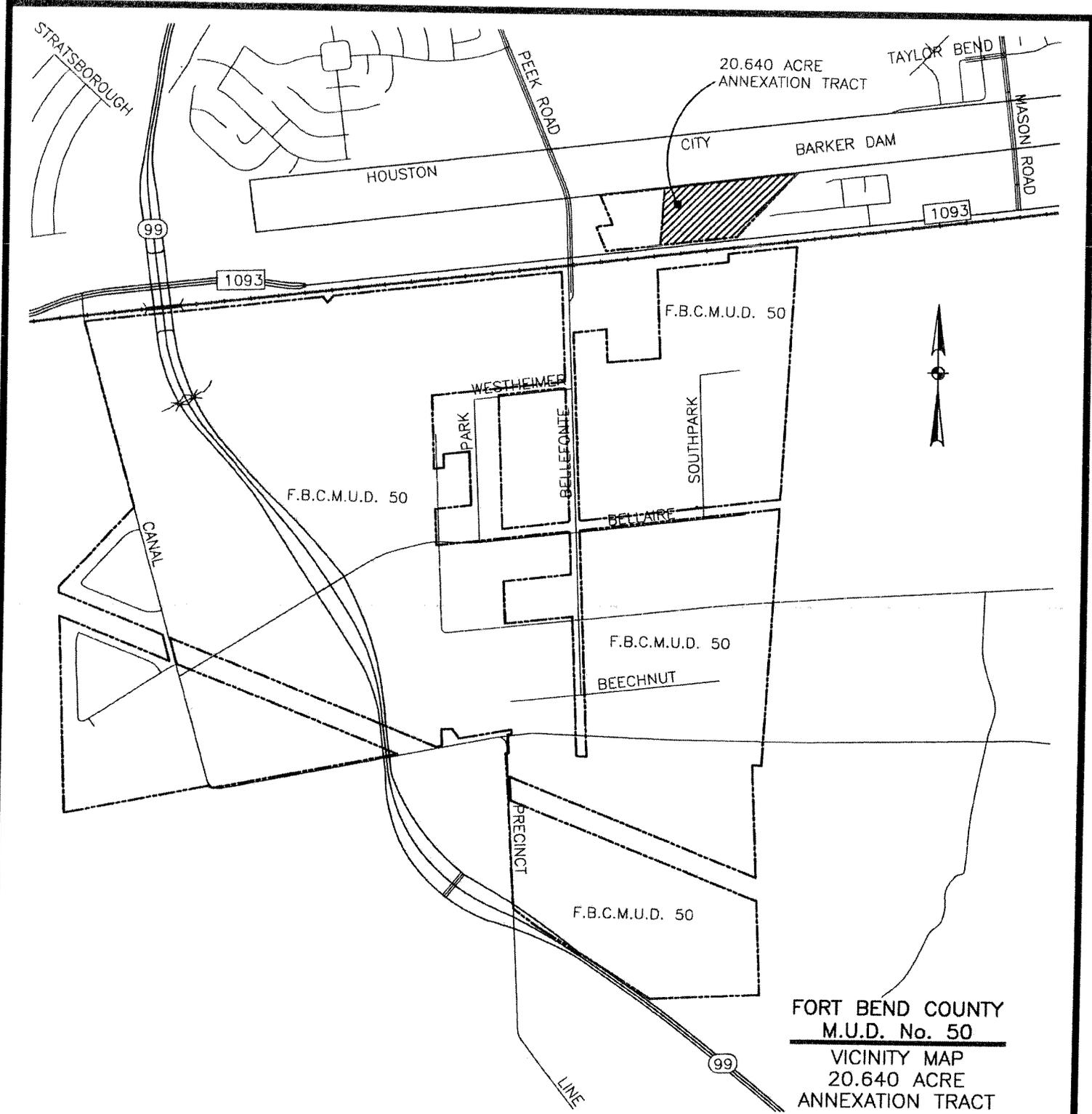
square feet/acres.

Comments or Additional Information: See attached sheet for additional owner.

TO: Mayor via City Secretary      REQUEST FOR COUNCIL ACTION

<b>SUBJECT:</b> Petition for the City's consent to the addition of 20.640 acres of land to Fort Bend County Municipal Utility District No. 50 (Key Map No. 525-H)		<b>Page</b> 1 of 1	<b>Agenda Item #</b>  <b>60</b>
<b>FROM (Department or other point of origin):</b> Department of Public Works and Engineering		<b>Origination Date</b> 12/3/09	<b>Agenda Date</b> DEC 16 2009
<b>DIRECTOR'S SIGNATURE</b> <i>MS</i>  Michael S. Marcotte, P.E., D.WRE, BCEE		<b>Council District affected:</b> "ETJ"	
<b>For additional information contact:</b> Ann Marie Stone Sheridan, P.E. Supervising Engineer (713) 837-9142 <i>AMS</i>		<b>Date and identification of prior authorizing Council action:</b>	
<b>RECOMMENDATION: (Summary)</b> The petition for the addition of 20.640 acres of land to Fort Bend County Municipal Utility District No. 50 be approved.			
<b>Amount and Source of Funding:</b> NONE REQUIRED			
<b>SPECIFIC EXPLANATION:</b> <p>Fort Bend County Municipal Utility District No. 50 has petitioned the City of Houston for consent to add 20.640 acres of land, located in the city's extraterritorial jurisdiction, to the district.</p> <p>The Utility District Review Committee has evaluated the application with respect to wastewater collection and treatment, potable water distribution, storm water conveyance, and other public services.</p> <p>The district is located in the vicinity of FM 1093, Peek Road, Barker Dam, and Mason Road. The district desires to add 20.640 acres, thus yielding a total of 1,248.617 acres. The district is served by the Fort Bend County Municipal Utility District No. 50 Interim Wastewater Treatment Plant. The nearest major drainage facility for Fort Bend County Municipal Utility District No. 50 is Oyster Creek which flows into Flat Bank Creek then to the Brazos River and finally into Galveston Bay.</p> <p>Potable water is provided by the district. By executing the Petition for Consent, the district has acknowledged that all plans for the construction of water conveyance, wastewater collection, and storm water collection systems within the district must be approved by the City of Houston prior to their construction.</p> <p>The Utility District Review Committee recommends that the subject petition be approved.</p> <p>Attachments</p> <p>cc: Marty Stein   Marlene Gafrick   Jun Chang   Mark Loethen Bill Zrioka   Waynette Chan   Deborah McAbee</p>			
<b>REQUIRED AUTHORIZATION</b>		<b>20UPA32</b>	
<b>Finance Department</b>	<b>Other Authorization:</b>  Andrew F. Icker Deputy Director Planning & Development Services Div.	<b>Other Authorization:</b>	

L:\2805\_FBCMUD\_50\DISTRICT\CAD\EXHIBITS\11-12-09VICINITY\_MUD\_MAP.DWG NOV. 12. 2009-1:34pm ROBERTS



**FORT BEND COUNTY**  
**M.U.D. No. 50**  
 VICINITY MAP  
 20.640 ACRE  
 ANNEXATION TRACT

**r.g.miller**  
**engineers**  
 since 1988

12121 Wickchester Lane  
 Suite 200  
 Houston, Texas 77079  
 (713) 461-9600

TEXAS FIRM REGISTRATION NO. F-487

DATE: NOVEMBER, 2009 SCALE: N.T.S.

204PA32



# CITY OF HOUSTON



Department of Public Works and Engineering  
Water District Consent Application Form



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

Application is hereby made for consent of the City of Houston to the  creation/  addition of 20.640 acres to Fort Bend County MUD No. 50 under the provisions of Chapter 49 Texas Water Code.

*David M. Oliver*

Attorney for the District

**Attorney: David Oliver, Allen Boone Humphries Robinson LLP**

Address: 3200 Southwest Freeway, Suite 2600, Houston, TX Zip: 77027

Phone: 713-860-6465

**Engineer: R. G. Miller Engineers, Inc.**

Address: 12121 Wickchester Ln., Suite 200, Houston, TX Zip: 77079

Phone: 713-461-9600

**Owners: FM 1093 Interests, Ltd.**

Address: c/o Weaver Davis & Jacob, 16525 Lexington Blvd., Suite 240, Sugar Land, TX

Zip: 77479

Phone: 281-313-0000

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

### LOCATION

INSIDE CITY

OUTSIDE CITY

NAME OF COUNTY (S) FORT BEND  
Abstract 591

Survey George E. Fields

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

North of: FM 1093

East of: Peek Road

South of: Barker Dam

West of: Mason Road

### WATER DISTRICT DATA

Total Acreage of District: 1,227.977

Existing Plus Proposed Land 1,248.617 ✓

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

Single Family Residential \_\_\_\_\_

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

Commercial 100

Industrial \_\_\_\_\_

Institutional \_\_\_\_\_

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

Sewage Treatment Plant Name: FBCMUD50 Interim Wastewater Treatment Plant

NPDES/TPDES Permit No: WQ0013228001

TCEQ Permit No: \_\_\_\_\_



# CITY OF HOUSTON



Department of Public Works and Engineering  
Water District Consent Application Form

Existing Capacity (MGD): 0.7MGD

Ultimate Capacity (MGD): 0.7MGD

Size of treatment plant site: 92,800/2.13 square feet/acres.

If the treatment plant is to serve the District only, indicate the permitted capacity of the plant: 0.7 MGD.

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

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

Total permitted capacity: 0.7MGD

MGD of (Regional Plant).

Name of District: \_\_\_\_\_

MGD Capacity Allocation \_\_\_\_\_

or property owner(s)

Name of District: \_\_\_\_\_

MGD Capacity Allocation \_\_\_\_\_

Water Treatment Plant Name: FBCMUD 50 Water Plant 1

Water Treatment Plant Address: 22939 Bellaire Blvd.

Well Permit No: 15303

### Existing Capacity:

Well(s): 1,500 GPM

Booster Pump(s): 5,500 GPM

Tank(s): 0.5 MG

### Ultimate Capacity:

Well(s): 1,500 GPM

Booster Pump(s): 5,500 GPM

Tank(s): 0.5 MG

Size of Treatment Plant Site: 74,410/1.7082

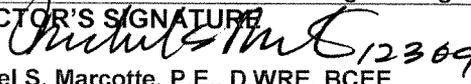
square feet/acres.

Comments or Additional Information: See attached sheet for additional owner.

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

<b>SUBJECT:</b> Petition for the City's consent to the addition of 19.042 acres of land to Harris County Municipal Utility District No. 61 (Key Map No. 445-Q, R, V & 446-K, N, P)	<b>Page</b> 1 of 1	<b>Agenda Item #</b>  61
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<b>FROM:</b> (Department or other point of origin):  Department of Public Works and Engineering	<b>Origination Date</b> 12-10-09	<b>Agenda Date</b> DEC 16 2009
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<b>DIRECTOR'S SIGNATURE</b>  Michael S. Marcotte, P.E., D.WRE, BCEE	<b>Council District affected:</b> "ETJ"
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<b>For additional information contact:</b>  Ann Marie Stone Sheridan, P.E. Supervising Engineer (713) 837-9142	<b>Date and identification of prior authorizing Council action:</b>
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**RECOMMENDATION: (Summary)**

The petition for the addition of 19.042 acres of land to Harris County Municipal Utility District No. 61 be approved.

**Amount and Source of Funding:**

NONE REQUIRED

**SPECIFIC EXPLANATION:**

Harris County Municipal Utility District No. 61 has petitioned the City of Houston for consent to add 19.042 acres of land, located in the city's extraterritorial jurisdiction, to the district.

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

The district is located in the vicinity of Franz Road, Clay Road, Elrod Road and Mason Road. The district desires to add 19.042 acres, thus yielding a total of 533.0789 acres. The district is served by the Williamsburg Regional Sewage Authority Treatment Plant. The other districts served by this plant are Harris County Municipal Utility District Nos. 61, 62, 63, 64, 65, West Harris County Municipal Utility District Nos. 2, 5, and Westside Ventures. The nearest major drainage facility for Harris County Municipal Utility District No. 61 is Mason Creek which flows into Buffalo Bayou and finally into the Houston Ship Channel.

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

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

**Attachments**

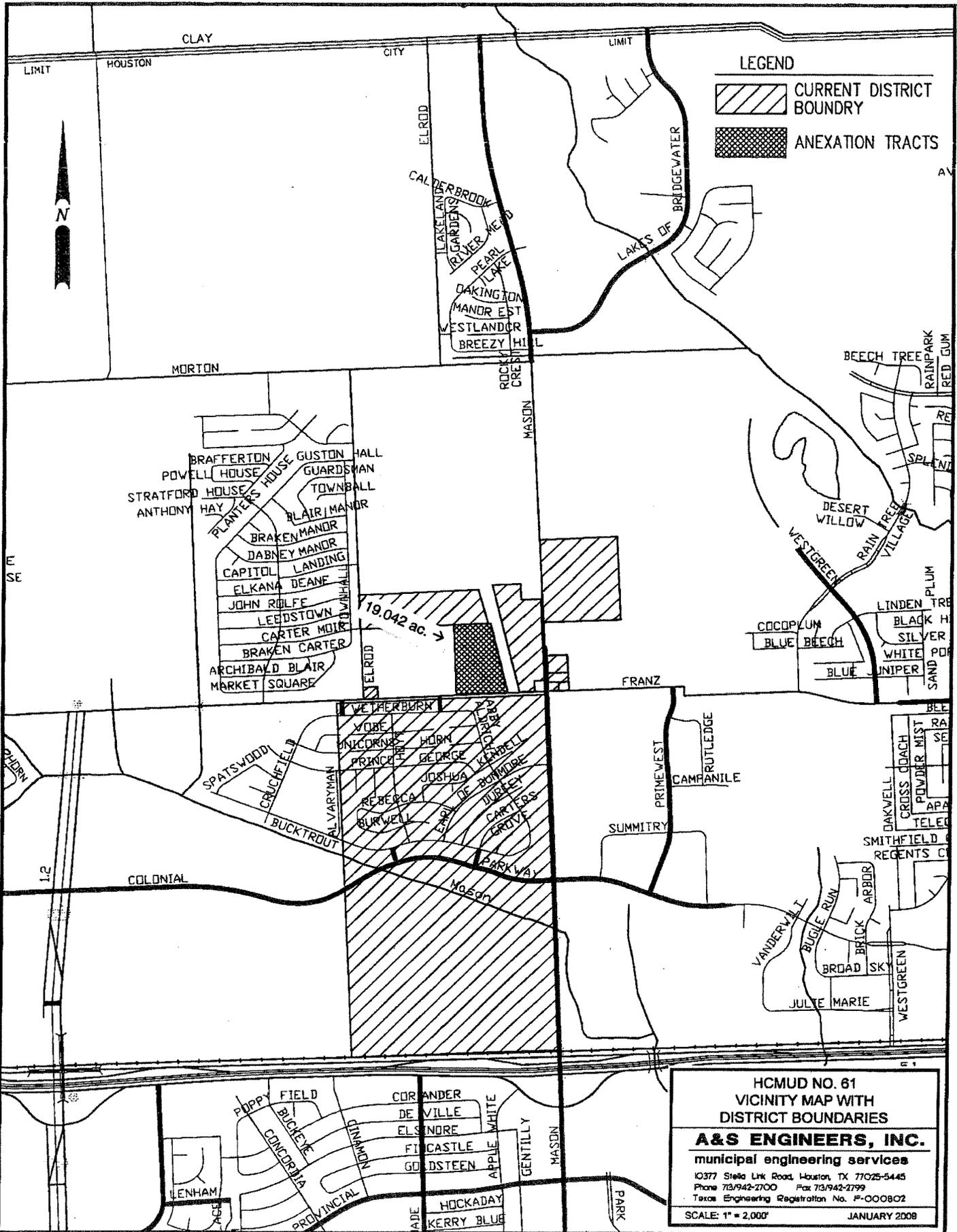
cc: Marty Stein   Marlene Gafrick   Jun Chang   Mark Loethen  
Bill Zrioka   Waynette Chan   Deborah McAbee

**REQUIRED AUTHORIZATION**

20UPA35

<b>Finance Department</b>	<b>Other Authorization:</b>  Andrew F. Icken Deputy Director Planning & Development Services Div.	<b>Other Authorization:</b>
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FILE: H:\12018\ANNEX\_MC\_MAP.dwg Nov 25, 2009 - 8:22am kwm



HCMUD NO. 61  
VICINITY MAP WITH  
DISTRICT BOUNDARIES

**A&S ENGINEERS, INC.**  
municipal engineering services

10377 Stella Link Road, Houston, TX 77025-5445  
Phone 713/942-2700 Fax 713/942-2799  
Texas Engineering Registration No. F-000802

SCALE: 1" = 2,000' JANUARY 2008



# CITY OF HOUSTON



Department of Public Works and Engineering  
Water District Consent Application Form

COPY

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

Application is hereby made for consent of the City of Houston to the  creation/  addition of 19.042 acres to Harris County MUD No. 61 under the provisions of Chapters 49 and 54 Texas Water Code.

*Kara E. Richardson*  
Attorney for the District

**Attorney:** Kara E. Richardson, David M. Marks, P.C.

Address: 3700 Buffalo Speedway, Suite 830, Houston, Texas Zip: 77098 Phone: 713-942-9922

**Engineer:** Jim Ainsworth, A&S Engineers, Inc.

Address: 10377 Stella Link Road, Houston, Texas Zip: 77025 Phone: 713-942-2700

**Owners:** Raymond Franz and Emma L. Franz Investments, Ltd.

Address: P.O. Box 85, Katy, Texas Zip: 77492 Phone: 281-391-8152

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

### LOCATION

INSIDE CITY  OUTSIDE CITY  NAME OF COUNTY (S) Harris  
Survey H & TC Railroad Company Section 43  
Abstract 438

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

North of: Franz Road East of: Elrod Road  
South of: Clay Road West of: Mason Road

### WATER DISTRICT DATA

Total Acreage of District: 514.0369 Existing Plus Proposed Land 533.0789

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

Single Family Residential \_\_\_\_\_ Multi-Family Residential \_\_\_\_\_  
Commercial 100% Industrial \_\_\_\_\_ Institutional \_\_\_\_\_

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

Sewage Treatment Plant Name: Williamsburg Regional Sewage Authority

NPDES/TPDES Permit No: \_\_\_\_\_ TCEQ Permit No: WQ0011598



# CITY OF HOUSTON



Department of Public Works and Engineering  
Water District Consent Application Form

Existing Capacity (MGD): 2.000

Ultimate Capacity (MGD): \_\_\_\_\_

Size of treatment plant site: 4.00 square feet/acres.

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

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

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

Total permitted capacity: Please see attached.

MGD of (Regional Plant).

Name of District: Please see attached.

MGD Capacity Allocation Please see attached.

or property owner(s)

Name of District: Please see attached.

MGD Capacity Allocation Please see attached.

Water Treatment Plant Name: Williamsburg Regional Water Plant

Water Treatment Plant Address: 22434 N. Rebecca Burwell Drive

Well Permit No: 6703 and 6704

**Existing Capacity:**

Well(s): 2,046 GPM

Booster Pump(s): 2,750 GPM

Tank(s): 2=840,000 MG

**Ultimate Capacity:**

Well(s): 2,046 GPM

Booster Pump(s): 4,625 GPM

Tank(s): 840,000 MG

Size of Treatment Plant Site: 0.8739

square feet/acres.

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

\_\_\_\_\_

Attachment to Water District Consent Application Form

**Districts:**

Harris County MUD No. 61  
MGD Capacity of Allocation: 0.460

West Harris County MUD No. 2  
MGD Capacity of Allocation: 0.340

Harris County MUD No. 62  
MGD Capacity of Allocation: 0.264

West Harris County MUD No. 5  
MGD Capacity of Allocation: 0.000

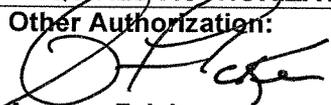
Harris County MUD No. 63  
MGD Capacity of Allocation: 0.095

Westside Ventures  
MGD Capacity of Allocation: 0.160

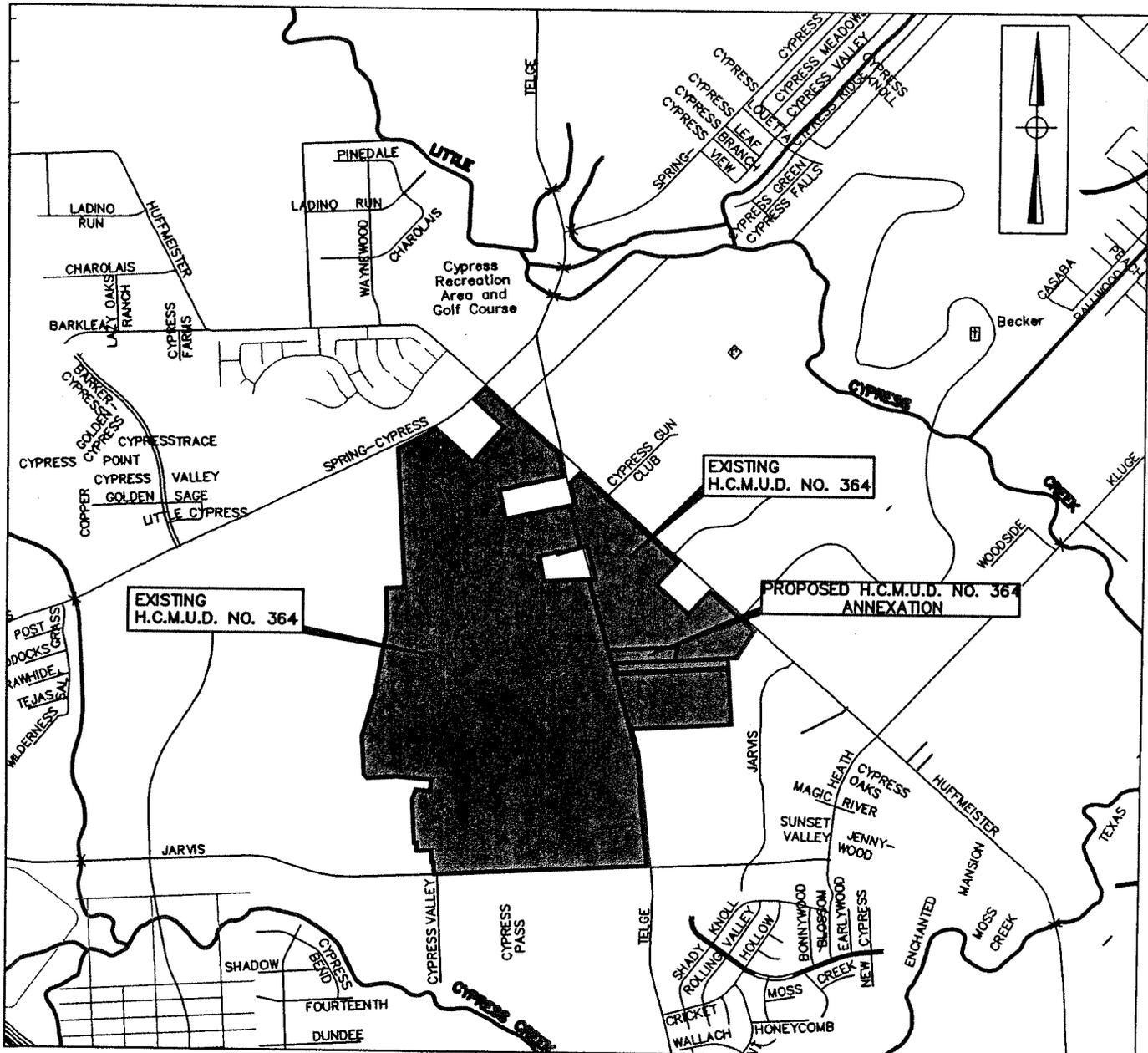
Harris County MUD No. 64  
MGD Capacity of Allocation: 0.420

Harris County MUD No. 65  
MGD Capacity of Allocation: 0.261

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

<b>SUBJECT:</b> Petition for the City's consent to the addition of 4.208 acres of land to Harris County Municipal Utility District No. 364 (Key Map No. 367-H)		<b>Page</b> 1 of 1	<b>Agenda Item #</b>  62
<b>FROM (Department or other point of origin):</b>  Department of Public Works and Engineering		<b>Origination Date</b> 12/3/09	<b>Agenda Date</b> DEC 16 2009
<b>DIRECTOR'S SIGNATURE</b> <i>MS</i>  Michael S. Marcotte, P.E., D.WRE, BCEE		<b>Council District affected:</b> "ETJ"	
<b>For additional information contact:</b>  Ann Marie Stone Sheridan, P.E. Supervising Engineer (713) 837-9142 <i>AMS</i>		<b>Date and identification of prior authorizing Council action:</b>	
<b>RECOMMENDATION: (Summary)</b>  The petition for the addition of 4.208 acres of land to Harris County Municipal Utility District No. 364 be approved.			
<b>Amount and Source of Funding:</b>  NONE REQUIRED			
<b>SPECIFIC EXPLANATION:</b>  Harris County Municipal Utility District No. 364 has petitioned the City of Houston for consent to add 4.208 acres of land, located in the city's extraterritorial jurisdiction, to the district.  The Utility District Review Committee has evaluated the application with respect to wastewater collection and treatment, potable water distribution, storm water conveyance, and other public services.  The district is located in the vicinity of Jarvis Road, Telge Road and Huffmeister Road. The district desires to add 4.208 acres, thus yielding a total of 581.3672 acres. The district is served by the Harris County Municipal Utility District No. 365 Wastewater Treatment Plant. The nearest major drainage facility for Harris County Municipal Utility District No. 364 is Cypress Creek which flows into Spring Creek then to the San Jacinto River and finally into Lake Houston.  Potable water is provided by the district. By executing the Petition for Consent, the district has acknowledged that all plans for the construction of water conveyance, wastewater collection, and storm water collection systems within the district must be approved by the City of Houston prior to their construction.  The Utility District Review Committee recommends that the subject petition be approved.  Attachments  cc: Marty Stein Marlene Gafrick Jun Chang Mark Loethen Bill Zrioka Waynette Chan Deborah McAbee			
<b>REQUIRED AUTHORIZATION</b>		<b>20UPA30</b>	
<b>Finance Department</b>	<b>Other Authorization:</b>  Andrew F. Icken Deputy Director Planning & Development Services Div.	<b>Other Authorization:</b>	

HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 364  
 PROPOSED ANNEXATION OF 4.208 ACRES OF LAND  
 (HARRIS COUNTY KEY MAP: 367)



VICINITY MAP

N.T.S.

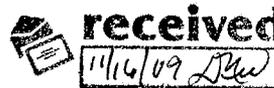
2016/PA 30



# CITY OF HOUSTON



Department of Public Works and Engineering  
Water District Consent Application Form



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

Application is hereby made for consent of the City of Houston to the  creation/  addition of 4.208 acres to Harris County MUD No. 364 under the provisions of Chapters 49 and 54 Texas Water Code.

*[Signature]*  
Attorney for the District

**Attorney: Jon D. Polley, Johnson Radcliffe Petrov & Bobbitt**

Address: 1001 McKinney, Suite 1000, Houston, Texas Zip: 77002-6424 Phone: 713.237.1221

**Engineer: Gary Struzick, P.E. Koltz Associates, Inc.**

Address: 1160 Dairy Ashford, Ste. 500, Houston, Texas Zip: 77079 Phone: 281.589-7257

**Owners: Telge Perk Partners, L.P.**

Address: 7720 Westview, Houston, Texas Zip: 77055 Phone: 281-932-9414

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

### LOCATION

INSIDE CITY

OUTSIDE CITY

NAME OF COUNTY (S) Harris  
Abstract 133

Survey A. Bodin

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

North of: Jarvis Rd.

East of: Telge Road

South of: \_\_\_\_\_

West of: Huffmeister Road

### WATER DISTRICT DATA

Total Acreage of District: 577.1592 ac. Existing Plus Proposed Land 581.3672 ac. ✓

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

Single Family Residential \_\_\_\_\_

Multi-Family Residential 0%

Commercial 100%

Industrial 0%

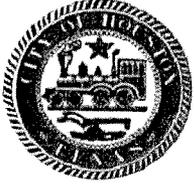
Institutional 0%

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

Sewage Treatment Plant Name: Harris County MUD 365 Wastewater Treatment Plant

NPDES/TPDES Permit No: WQ0013881001

TCEQ Permit No: \_\_\_\_\_



# CITY OF HOUSTON



Department of Public Works and Engineering  
Water District Consent Application Form

Existing Capacity (MGD): 0.9

Ultimate Capacity (MGD): 1.2

Size of treatment plant site: 10.67 square feet/acres.

If the treatment plant is to serve the District only, indicate the permitted capacity of the plant: 0.9 MGD.

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

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

Total permitted capacity: 0.9

MGD of (Regional Plant).

Name of District: HC MUD 364

MGD Capacity Allocation 0.48

or property owner(s)

Name of District: HC MUD 365

MGD Capacity Allocation 0.42

Water Treatment Plant Name: HCMUD No. 365 Wastewater Treatment Plant

Water Treatment Plant Address: 16830 Jarvis Rd. Cypress Tx. 77429

Well Permit No: 5963, 8303, 8806

**Existing Capacity:**

Well(s): 3,300

GPM

Booster Pump(s): 8,000

GPM

Tank(s): 1,712,000

MG

**Ultimate Capacity:**

Well(s): 3,300

GPM

Booster Pump(s): 8,000

GPM

Tank(s): 1,712,000

MG

Size of Treatment Plant Site: 10.67

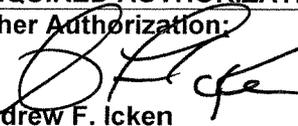
square feet/acres.

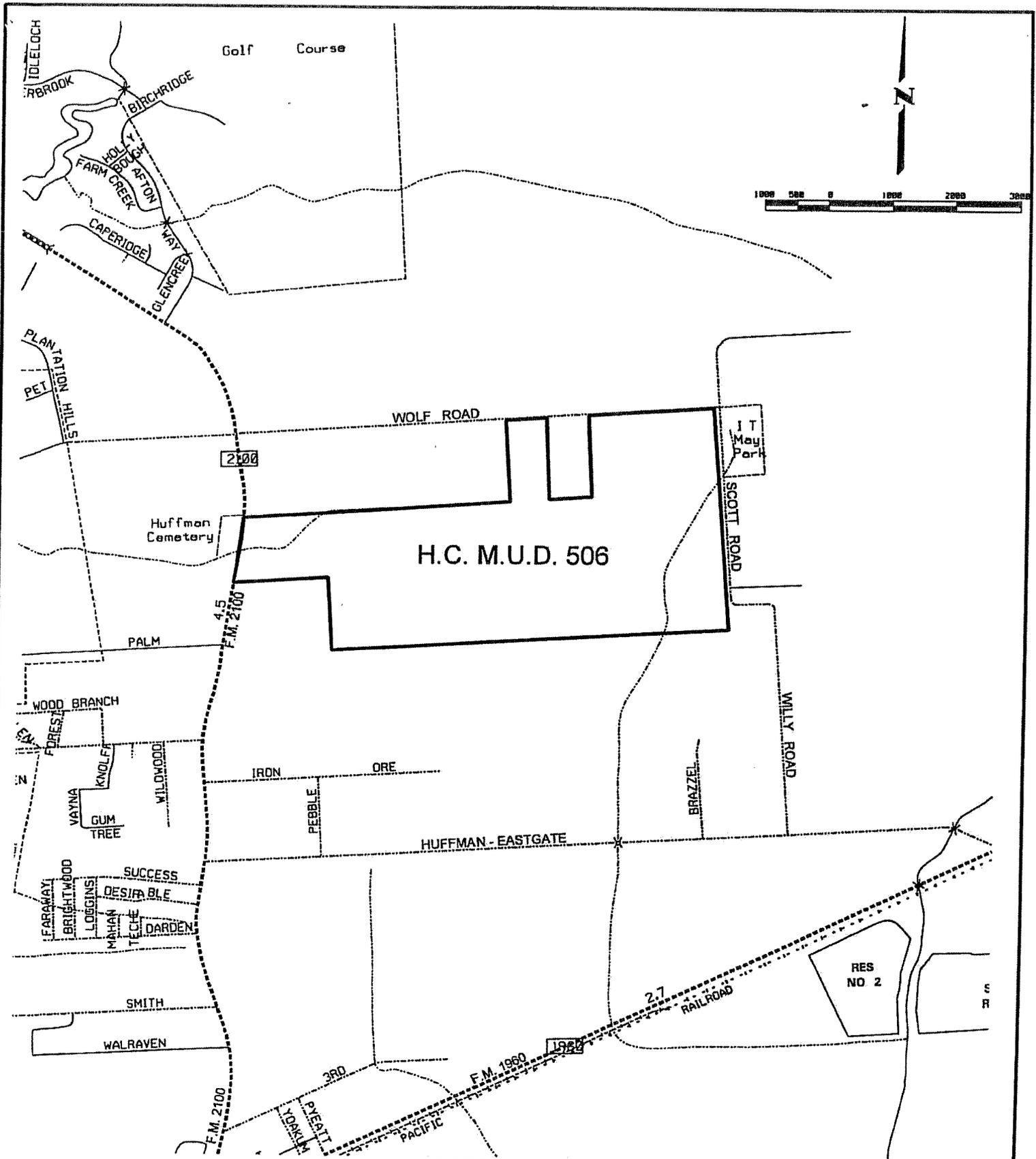
Comments or Additional Information: \_\_\_\_\_

John Cooper A-189

Rev. 6/2006

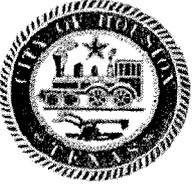
TO: Mayor via City Secretary      **REQUEST FOR COUNCIL ACTION**

<b>SUBJECT:</b> Petition for the City's consent to the creation of 426.43 acres of land as Harris County Municipal Utility District No. 506 (Key Map No. 299-X,Y & 339-B,C)		<b>Page</b> 1 of <u>1</u>	<b>Agenda Item #</b>  <b>63</b>
<b>FROM (Department or other point of origin):</b>  Department of Public Works and Engineering		<b>Origination Date</b> 11-5-09	<b>Agenda Date</b> DEC 16 2009
<b>DIRECTOR'S SIGNATURE</b>  Michael S. Marcotte, P.E., D.WRE, BCEE, Director		<b>Council District affected:</b> "ETJ"	
<b>For additional information contact:</b>  Ann Marie Stone Sheridan, P.E. Supervising Engineer (713) 837-9142		<b>Date and identification of prior authorizing Council action:</b>	
<b>RECOMMENDATION: (Summary)</b>  The petition for the creation of 426.43 acres of land as Harris County Municipal Utility District No. 506 be approved.			
<b>Amount of Funding:</b>  NONE REQUIRED			
<b>SPECIFIC EXPLANATION:</b>  <p>The owners of 426.43 acres of land, located in the city's extraterritorial jurisdiction, have petitioned the City of Houston for consent to create a district.</p> <p>The Utility District Review Committee has evaluated the application with respect to wastewater collection and treatment, potable water distribution, storm water conveyance, and other public services.</p> <p>The district is located in the vicinity of FM 1960, FM 2100, Wolf Road, and Scott Road. The district will consist of 426.43 acres. The district will be served by the City of Houston's Cedar Bayou Wastewater Treatment Plant. The nearest major drainage facility for Harris County Municipal Utility District No. 506 is Lake Houston.</p> <p>Potable water will be provided by the district. By executing the Petition for Consent, the district has acknowledged that all plans for the construction of water conveyance, wastewater collection, and storm water collection systems within the district must be approved by the City of Houston prior to their construction.</p> <p>The Utility District Review Committee recommends that the subject petition be approved.</p> <p>Attachments</p> <p>cc: Marty Stein   Marlene Gafrick   Jun Chang   Mark Loethen Bill Zrioka   Waynette Chan   Deborah McAbee</p>			
<b>REQUIRED AUTHORIZATION</b>		<b>20UPA25</b>	
<b>Finance Department</b>	<b>Other Authorization:</b>  Andrew F. Icken Deputy Director Planning & Development Services Div.	<b>Other Authorization:</b>	



VICINITY MAP  
 HARRIS COUNTY M.U.D. 506  
**DANNENBAUM**  
 ENGINEERING CORPORATION  
 T.B.P.E. FIRM REGISTRATION #392  
 3100 WEST ALABAMA HOUSTON, TX 77098 (713) 520-9570  
 SEPTEMBER, 2009

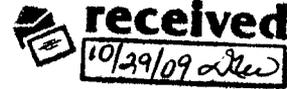
30 UPA 25



# CITY OF HOUSTON



Department of Public Works and Engineering  
Water District Consent Application Form



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

Application is hereby made for consent of the City of Houston to the  creation/  addition of 426.43 acres to Harris County MUD No. 506 under the provisions of Chapters 49 and 54 Texas Water Code.

*Allen Boone*  
Attorney for the District

**Attorney: Allen Boone Humphries Robinson LLP**

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

**Engineer: Dannenbaum Engineering Corporation**

Address: 3100 West Alabama Zip: 77098 Phone: 713-520-9570

**Owners: McAlister Company**

Address: 3200 Southwest Freeway, Suite 3000 Zip: 77027 Phone: 713-535-2200

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

### LOCATION

INSIDE CITY  OUTSIDE CITY  NAME OF COUNTY (S) Harris  
Survey Gilbert Brooks Survey Abstract 6

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

North of: FM 1960 East of: FM 2100  
South of: Wolf Road West of: Scott Road

### WATER DISTRICT DATA

Total Acreage of District: 426.43 Existing Plus Proposed Land 426.43

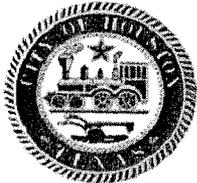
**Development Breakdown (Percentage) for tract being considered for annexation:**

Single Family Residential 78% Multi-Family Residential 2%  
Commercial 20% Industrial 0% Institutional 0%

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

Sewage Treatment Plant Name: City of Houston's Cedar Bayou Wastewater Treatment Plant

NPDES/TPDES Permit No: WQ0010495112 TCEQ Permit No: \_\_\_\_\_



# CITY OF HOUSTON



Department of Public Works and Engineering  
Water District Consent Application Form

Existing Capacity (MGD): \_\_\_\_\_

Ultimate Capacity (MGD): \_\_\_\_\_

Size of treatment plant site: 29.11 acres.

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

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

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

Total permitted capacity: \_\_\_\_\_

MGD of (Regional Plant).

Name of District: \_\_\_\_\_

MGD Capacity Allocation \_\_\_\_\_

or property owner(s)

Name of District: \_\_\_\_\_

MGD Capacity Allocation \_\_\_\_\_

Water Treatment Plant Name: To be Determined

Water Treatment Plant Address: To be Determined, within the District

Well Permit No: To be Determined

### Existing Capacity:

Well(s): 0 GPM

Booster Pump(s): 0 GPM

Tank(s): 0 MG

### Ultimate Capacity:

Well(s): 1,000 GPM

Booster Pump(s): 3,000 GPM

Tank(s): 0.3 MG

Size of Treatment Plant Site: 0.58 acres.

Comments or Additional Information: None

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

<b>SUBJECT:</b> Petition for the City's consent to the addition of 1.1135 acres of land to Harris County Water Control and Improvement District No. 109 (Key Map No. 370 - C)	Page 1 of 1	Agenda Item #  64
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<b>FROM (Department or other point of origin):</b> Department of Public Works and Engineering	Origination Date 11/5/09	Agenda Date DEC 16 2009
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<b>DIRECTOR'S SIGNATURE</b> <i>Michael S. Marcotte</i> Michael S. Marcotte, P.E., D.WRE, BCEE	Council District affected: "ETJ"
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<b>For additional information contact:</b> Ann Marie Stone Sheridan, P.E. Supervising Engineer (713) 837-9142	Date and identification of prior authorizing Council action:
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**RECOMMENDATION: (Summary)**

The petition for the addition of 1.1135 acres of land to Harris County Water Control and Improvement District No. 109 be approved.

**Amount and Source of Funding:**

NONE REQUIRED

**SPECIFIC EXPLANATION:**

Harris County Water Control and Improvement District No. 109 has petitioned the City of Houston for consent to add 1.1135 acres of land, located in the city's extraterritorial jurisdiction, to the district.

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

The district is located in the vicinity of Bammel North Houston Drive, FM 1960 West, Duncan Road, and Stuebner Airline Road. The district desires to add 1.1135 acres, thus yielding a total of 815.3724 acres. The district is served by a regional plant, Harris County Water Control & Improvement District No. 109 Wastewater Treatment Plant. The other district served by this plant is Fountainhead Municipal Utility District. The nearest major drainage facility for Harris County Water Control and Improvement District No. 109 is Greens Bayou which flows into the Houston Ship Channel.

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

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

**Attachments**

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

**REQUIRED AUTHORIZATION** 20UPA24

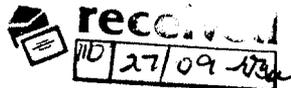
Finance Department	Other Authorization: <i>Andrew F. Icken</i> Andrew F. Icken Deputy Director Planning & Development Services Div.	Other Authorization:
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# CITY OF HOUSTON



Department of Public Works and Engineering  
Water District Consent Application Form



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

Application is hereby made for consent of the City of Houston to the  creation/  addition of 1.1135 acres to Harris County WCID No. 109 under the provisions of Section 49.301 Texas Water Code.

*[Handwritten Signature]*  
Attorney for the District

**Attorney: Schwartz Page & Harding**

Address: 1300 Post Oak Blvd. Suite 1400, Houston, Texas Zip: 77056 Phone: 713-623-4531

**Engineer: Jones & Carter, Inc.**

Address: 8701 New Trails Dr. Suite 200, The Woodlands, TX Zip: 77381 Phone: 281 363-4039

**Owners: HCWC&ID No. 109**

Address: 1300 Post Oak Blvd. Suite 1400, Houston, Texas Zip: 77056 Phone: 713-623-4531

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

### LOCATION

INSIDE CITY   
Survey WCRR

OUTSIDE CITY

NAME OF COUNTY (S) Harris  
Abstract A-931, A-932

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

North of: Bammel N. Houston Dr.

East of: Duncan Rd.

South of: FM 1960 West

West of: Stuebner Airline Rd.

### WATER DISTRICT DATA

Total Acreage of District: 814.2589

Existing Plus Proposed Land 815.3724

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

Single Family Residential \_\_\_\_\_

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

Commercial 100% Industrial \_\_\_\_\_

Institutional \_\_\_\_\_

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

Sewage Treatment Plant Name: HCWCID No. 109 WWTP

NPDES/TPDES Permit No: WQ0011026002

TCEQ Permit No: WQ0011026002



# CITY OF HOUSTON



Department of Public Works and Engineering  
Water District Consent Application Form

Existing Capacity (MGD): 3

Ultimate Capacity (MGD): 3

Size of treatment plant site: 6.4348 square feet/acres.

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

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

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

Total permitted capacity: 3

MGD of (Regional Plant).

Name of District: Fountainhead MUD

MGD Capacity Allocation 0.78

or property owner(s)

Name of District: HCWCID 109

MGD Capacity Allocation 2.22

Water Treatment Plant Name: Water Plant Nos. 1, 2, and 3

Water Treatment Plant Address: 12722 Champion Forest 12051 Mighty Oak 6101 Theall

Well Permit No: 135667, 135668, 135669

### Existing Capacity:

Well(s): 800, 1200, and 1200

GPM

Booster Pump(s): 4K, 3K, and 3K

GPM

Tank(s): 870K, 507K, and 720K

MG

### Ultimate Capacity:

Well(s): 800, 1200, and 1200

GPM

Booster Pump(s): 4K, 3K, and 3K

GPM

Tank(s): 870K, 507K, and 720K

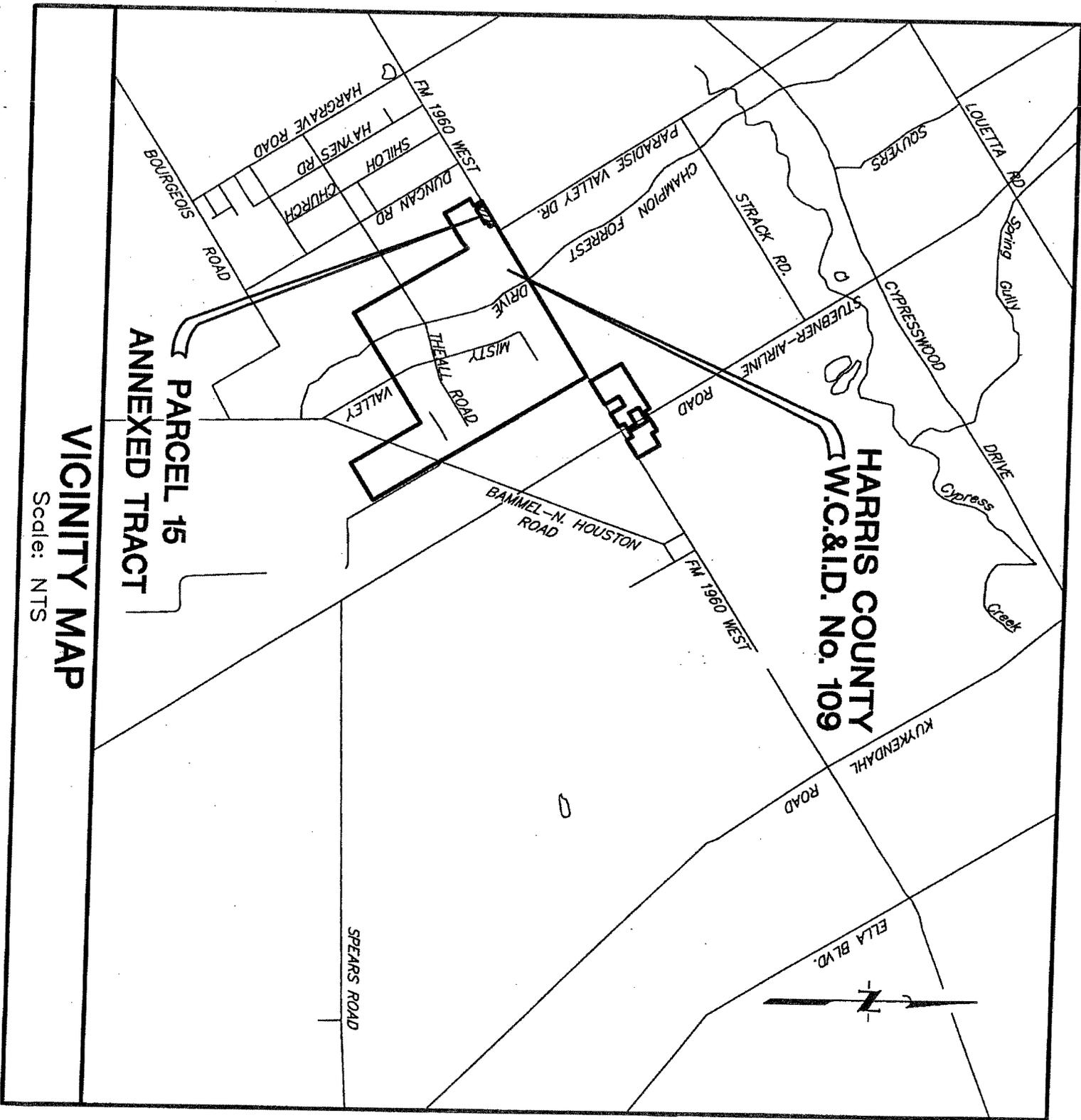
MG

Size of Treatment Plant Site: 0.56, 0.583, and 1.00

square feet/acres.

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

\_\_\_\_\_



HARRIS COUNTY  
W.C.&I.D. No. 109

PARCEL 15  
ANNEXED TRACT

# VICINITY MAP

Scale: NTS

TO: Mayor via City Secretary      REQUEST FOR COUNCIL ACTION

<b>SUBJECT:</b> Petition for the City's consent to the addition of 21.244 acres of land to Woodcreek Municipal Utility District (Key Map No. 333-K)	Page 1 of 1	Agenda Item #  65
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<b>FROM (Department or other point of origin):</b> Department of Public Works and Engineering	Origination Date 11/5/09	Agenda Date DEC 1 6 2009
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<b>DIRECTOR'S SIGNATURE</b> <i>Michael S. Marcotte</i> Michael S. Marcotte, P.E., D.WRE, BCEE	Council District affected: "ETJ"
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<b>For additional information contact:</b> Ann Marie Stone Sheridan, P.E. Supervising Engineer (713) 837-9142	Date and identification of prior authorizing Council action:
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**RECOMMENDATION: (Summary)**

The petition for the addition of 21.244 acres of land to Woodcreek Municipal Utility District be approved.

**Amount and Source of Funding:**

NONE REQUIRED

**SPECIFIC EXPLANATION:**

Woodcreek Municipal Utility District has petitioned the City of Houston for consent to add 21.244 acres of land, located in the city's extraterritorial jurisdiction, to the district.

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

The district is located in the vicinity of W. W. Thorne Boulevard, Hardy Toll Road, FM 1960 East, and Aldine Westfield Road. The district desires to add 21.244 acres, thus yielding a total of 407.8794 acres. The district is served by the Woodcreek Municipal Utility District Wastewater Treatment Plant, which is owned and operated by the district. The nearest major drainage facility for Woodcreek Municipal Utility District is Cypress Creek which flows into Spring Creek and then to the San Jacinto River and finally into Lake Houston.

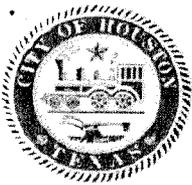
Potable water is provided by the Woodcreek Water Plant No. 1. By executing the Petition for Consent, the district has acknowledged that all plans for the construction of water conveyance, wastewater collection, and storm water collection systems within the district must be approved by the City of Houston prior to their construction.

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

Attachments

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

Finance Department	<b>REQUIRED AUTHORIZATION</b>	20UPA26
	Other Authorization: <i>Andrew F. Icken</i> Andrew F. Icken Deputy Director Planning & Development Services Div.	Other Authorization:



# CITY OF HOUSTON



Department of Public Works and Engineering  
Water District Consent Application Form

**received**  
10/29/09 *AW*

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

Application is hereby made for consent of the City of Houston to the  creation/  addition of 21.244 acres to Woodcreek M.U.D. under the provisions of 54.016 and 49.301 Texas Water Code.

*John R. Wallace*  
Attorney for the District

**Attorney: John R. Wallace**

Address: Bacon & Wallace, LLP 6363 Woodway, Ste. 800 Zip: 77057 Phone: 713-739-1060

**Engineer: Ronnie Koehn**

Address: Koehn & Associates 2500 Central Pkwy., Ste. Z Zip: 77042 Phone: 713-682-2527

**Owners: Woodcreek Forest, Ltd.**

Address: 2411 Fountainview, Ste. 215 Zip: 77057 Phone: \_\_\_\_\_

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

### LOCATION

INSIDE CITY  OUTSIDE CITY  NAME OF COUNTY (S) Harris

Survey See attached.

Abstract See attached.

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

North of: W.W. Thorne Blvd.

East of: Hardy Toll Rd.

South of: F.M. 1960 East

West of: Aldine Westfield Rd.

### WATER DISTRICT DATA

Total Acreage of District: 386.6354 Existing Plus Proposed Land 407.8794 ✓

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

Single Family Residential 0%

Multi-Family Residential 90%

Commercial 10%

Industrial 0%

Institutional 0%

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

Sewage Treatment Plant Name: Woodcreek WWTP

NPDES/TPDES Permit No: 11933-01

TCEQ Permit No: EPA ID No. TX0075671



# CITY OF HOUSTON



Department of Public Works and Engineering  
Water District Consent Application Form

Existing Capacity (MGD): 0.600

Ultimate Capacity (MGD): 0.600

Size of treatment plant site: 2.0365 acres square feet/acres.

If the treatment plant is to serve the District only, indicate the permitted capacity of the plant: 0.600 MGD.

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

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

Total permitted capacity: \_\_\_\_\_

MGD of (Regional Plant).

Name of District: \_\_\_\_\_

MGD Capacity Allocation \_\_\_\_\_

or property owner(s)

Name of District: \_\_\_\_\_

MGD Capacity Allocation \_\_\_\_\_

Water Treatment Plant Name: Woodcreek Water Plant No. 1

Water Treatment Plant Address: 20603 1/2 Greymoss Ln.

Well Permit No: 126992

### Existing Capacity:

Well(s): 1,000

GPM

Booster Pump(s): 2,250

GPM

Tank(s): 0.428

MG

### Ultimate Capacity:

Well(s): 1,000

GPM

Booster Pump(s): 2,250

GPM

Tank(s): 0.428

MG

Size of Treatment Plant Site: 0.4408 acres

square feet/acres.

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



# CITY OF HOUSTON



Department of Public Works and Engineering  
Water District Consent Application Form

## CHECKLIST

- The attorney for the district signed the application.
- The rounding of the acreage is consistent throughout the metes and bounds, petition, application, survey, and vicinity map, if listed.
- All documents are scanned electronically including survey and vicinity maps and copies submitted by e-mail or cd-rom (the original with original signature must be delivered in hard copy).

## Attachments

- Petition to the state. *-N/A*
- Exhibit A metes and bounds.
- Exhibit B Consent Conditions, either ETJ (2006 version) or in-city. If this is an in-city mud, exhibit must state bonds must be approved by the city.
- The sealed survey plat is included.
- An 8 1/2 inches by 11 inches vicinity map is attached and shows nearby roads and depicts the original boundary of the district (East West South and North direction delineated correctly on maps). If this is an annexation, also highlight the area to be annexed.
- Letters from adjacent districts and municipalities stating availability of utility service are attached. (This is for creation petitions and is applicable only if there is not an existing regional plant.) *-N/A*
- Certificates of Authority from lien holders.
- An application fee of \$425 per each non-contiguous tract included.

### **Please submit a complete original with all attachments to:**

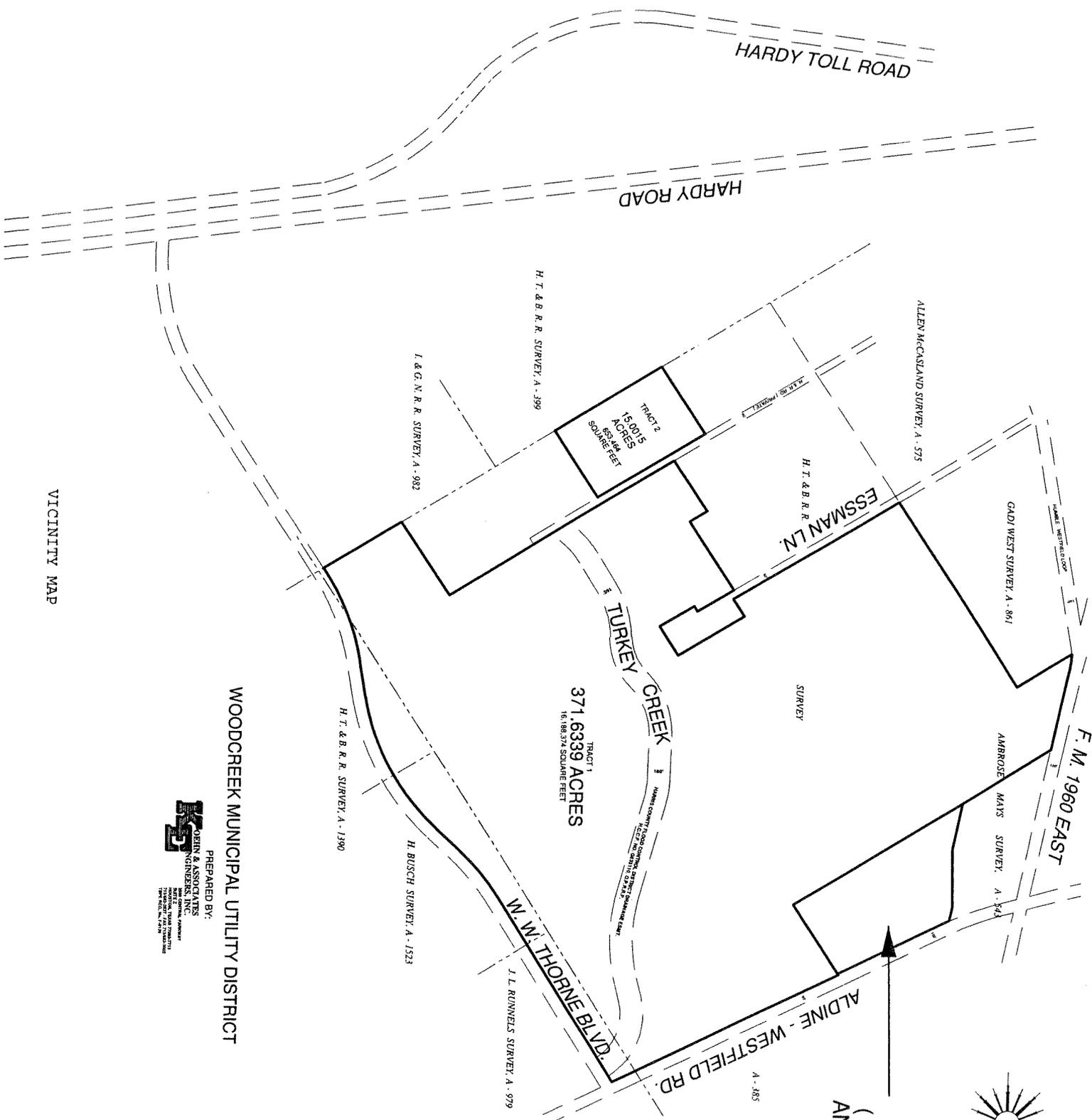
City of Houston, Planning & Development Services Division, Attention: Veronica Osegueda, 611 Walker St., 21<sup>st</sup> Floor; Houston, TX 77002.

**An electronic copy of the entire consent application, including all attachments, will expedite processing and is encouraged. Please submit the electronic copy to [mudreview@cityofhouston.net](mailto:mudreview@cityofhouston.net).**

**PLEASE NOTE, APPLICATION WILL NOT BE ACCEPTED AS COMPLETE FOR PROCESSING UNLESS ALL ITEMS ARE INCLUDED. INCOMPLETE APPLICATIONS ARE SUBJECT TO RETURN.**

The applicant may be contacted at anytime during the review process for additional information, even after the application is accepted as complete.

**Please direct any questions regarding consent applications to [mudreview@cityofhouston.net](mailto:mudreview@cityofhouston.net).**

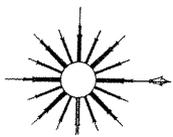


VICINITY MAP

WOODCREEK MUNICIPAL UTILITY DISTRICT

PREPARED BY:  
**W. COLEMAN & ASSOCIATES**  
 ENGINEERS, INC.  
 1200 WEST 17TH AVENUE  
 DENVER, CO 80202  
 (303) 733-1100

21.2440  
 ACRES  
 (PROPOSED  
 ANNEXATION)

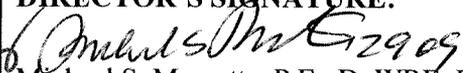


To: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

<b>SUBJECT:</b> Ordinance authorizing the acquisition of Parcel AY9-461 consisting of 2,230 square feet in fee and Parcel AY9-462 consisting of 3,097 square feet of land in fee, located between the south property line of Glenwood Cemetery and the north bank of Buffalo Bayou in exchange for the conveyance of Parcel SY9-093 consisting of 5,780 square feet of land in fee, located on the north side of Memorial Drive between Glenwood and Washington in connection with properties needed for bikeway purposes. Parcels AY9-461, AY9-462 and SY9-093 WBS T-050006-0001-2 OWNER: Glenwood Cemetery Inc., Richard Ambrus, CPA, Vice President, General Manager	<b>Page</b> <b>1 of 2</b>	<b>Agenda Item #</b>  <div style="text-align: right; font-size: 2em;"><i>66</i></div>
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<b>FROM: (Department or other point of origin):</b>  Department of Public Works and Engineering	<b>Origination Date</b>  <i>12/10/09</i>	<b>Agenda Date</b>  DEC 16 2009
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<b>DIRECTOR'S SIGNATURE:</b>  Michael S. Marcotte, P.E., D. WRE, BCEE Director	<b>Council District affected:</b>  <div style="text-align: center;">           H             Key Map 493 K         </div>
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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>
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**RECOMMENDATION: (Summary)**  
 It is recommended that City Council approve an ordinance authorizing the acquisition of Parcel AY9-461 consisting of 2,230 square feet in fee and Parcel AY9-462 consisting of 3,097 square feet of land in fee in exchange for the conveyance of Parcel SY9-093 consisting of 5,780 square feet of land in fee in connection with properties needed for bikeway purposes.

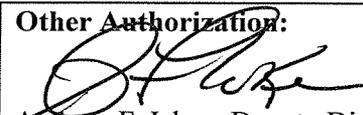
**Amount and Source of Funding:** None required (for an even exchange of property).  
 Memorial Heights Redevelopment Authority (TIRZ 5) funds will be used for construction of this project.

**SPECIFIC EXPLANATION:**  
 The subject transaction provides for an even exchange of fee tracts to accommodate the construction of a hike and bike trail connector being constructed by the Memorial Heights Redevelopment Authority – TIRZ 5. This transaction involves the acquisition of Parcel AY9-461 and Parcel AY9-462 consisting of a total of 5,327 square feet located between the south line of Glenwood Cemetery and the north bank of Buffalo Bayou in exchange for City-owned Parcel SY9-093 containing 5,780 square feet of land located on the north side of Memorial Drive between Glenwood and Washington Cemeteries.

Parcel AY9-461 is 2,230 square feet of land and Parcel AY9-462 is 3,097 square feet of land both situated in the John Austin Survey, Abstract 1, Harris County, Texas and being out of a portion of a called 66.60016-acre tract of land as described to Glenwood Cemetery, Inc. as recorded under Harris County Clerk's File R603819, Harris County Official Public Records of Real Property, Harris County, Texas according to the City of Houston field notes.

Parcel SY9-093 is 5,780 square feet of land situated in the John Austin Survey, Abstract 1, Harris County, Texas being out of a portion of a 0.1327-acre tract of land conveyed to the City of Houston described in Cause Number 544,146 of the Official Public Records of Real Property, Harris County, Texas according to the City of Houston field notes.

**REQUIRED AUTHORIZATION** **CUIC #20ELG28**

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

<b>Date:</b>	<b>SUBJECT:</b> Ordinance authorizing the acquisition of Parcels AY9-461 consisting of 2,230 square feet in fee and Parcel AY9-462 consisting of 3,097 square feet of land in fee, located between the south property line of Glenwood Cemetery and the north bank of Buffalo Bayou in exchange for the conveyance of Parcel SY9-093 consisting of 5,780 square feet of land in fee, located on the north side of Memorial Drive between Glenwood and Washington Cemeteries in connection with properties needed for bikeway purposes. Parcels AY9-461, AY9-462 and SY9-093 WBS T-050006-0001-2 OWNER: Glenwood Cemetery Inc., Richard Ambrus, CPA, Vice President, General Manager	<b>Originator's Initials</b> 	<b>Page</b> <u>2 of 2</u>
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The valuation for these parcels based on appraisals by Gary S. Brown, MAI, CCIM, were reviewed and recommended for approval by a senior staff appraiser of this department. The breakdown is as follows:

**Value of Parcels owned by Glenwood Cemetery**

Parcel AY9-461 (Fee)  
 2,230 square feet (encumbered) x \$29.00 x 10% .....\$ 6,467.00  
 Improvements and cost to cure .....\$ 5,352.00  
 Total Consideration .....\$ 11,819.00

Parcel AY9-462 (Fee)  
 1,057 square feet (unencumbered) x \$35.00 .....\$ 36,995.00  
 2,040 square feet (encumbered) x \$35.00 x 10% .....\$ 7,140.00  
 Improvements and cost to cure .....\$ 5,452.00  
 Total Consideration .....\$ 49,587.00

**TOTAL AMOUNT for Parcels AY9-461 and AY9-462 ..... \$ 61,406.00**

MINUS

**Value of Parcel owned by the City of Houston**

Parcel SY9-093 (Fee)  
 1,625 square feet (unencumbered) x \$30.00 .....\$ 48,750.00  
 4,155 square feet (encumbered) x \$30.00 x 10% .....\$ 12,465.00

**TOTAL AMOUNT for Parcel SY9-093 ..... \$ 61,215.00**

**TOTAL DIFFERENCE in parcels owned by Glenwood Cemetery and the City of Houston ..... \$ 191.00**

The property owner agrees this transaction will be handled as an even exchange.

**PARCEL VALUATION**

**Value of Parcels owned by Glenwood Cemetery**

LAND:

Parcel AY9-461 (Fee)

2,230 square feet (encumbered) x \$29.00 x 10% .....	\$ 6,467.00
1,516 linear feet of fencing .....	\$ 2,800.00
Cost to cure fencing .....	<u>\$ 2,552.00</u>
Total Improvements and cost to cure .....	<u>\$ 5,352.00</u>
Total Consideration .....	<u>\$ 11,819.00</u>

Parcel AY9-462 (Fee)

1,057 square feet (unencumbered) x \$35.00 .....	\$ 36,995.00
2,040 square feet (encumbered) x \$35.00 x 10% .....	\$ 7,140.00
150 linear feet of fencing .....	\$ 2,091.00
Landscaping .....	\$ 2,992.00
Cost to cure fencing and landscaping .....	<u>\$ 369.00</u>
Total Improvements and .....	<u>\$ 5,452.00</u>
Total Consideration .....	<u>\$ 49,587.00</u>

**TOTAL AMOUNT for Parcels AY9-461 and AY9-462..... \$ 61,406.00**

MINUS

**Value of Parcel owned by City of Houston**

Parcel SY9-093 (Fee)

1,625 square feet (unencumbered) x \$30.00 .....	\$ 48,750.00
4,155 square feet (encumbered) x \$30.00 x 10% .....	<u>\$ 12,465.00</u>

**TOTAL AMOUNT for Parcel SY9-093..... \$ 61,215.00**

**TOTAL DIFFERENCE in parcels owned by Glenwood cemetery**

**and the City of Houston ..... \$ 191.00**

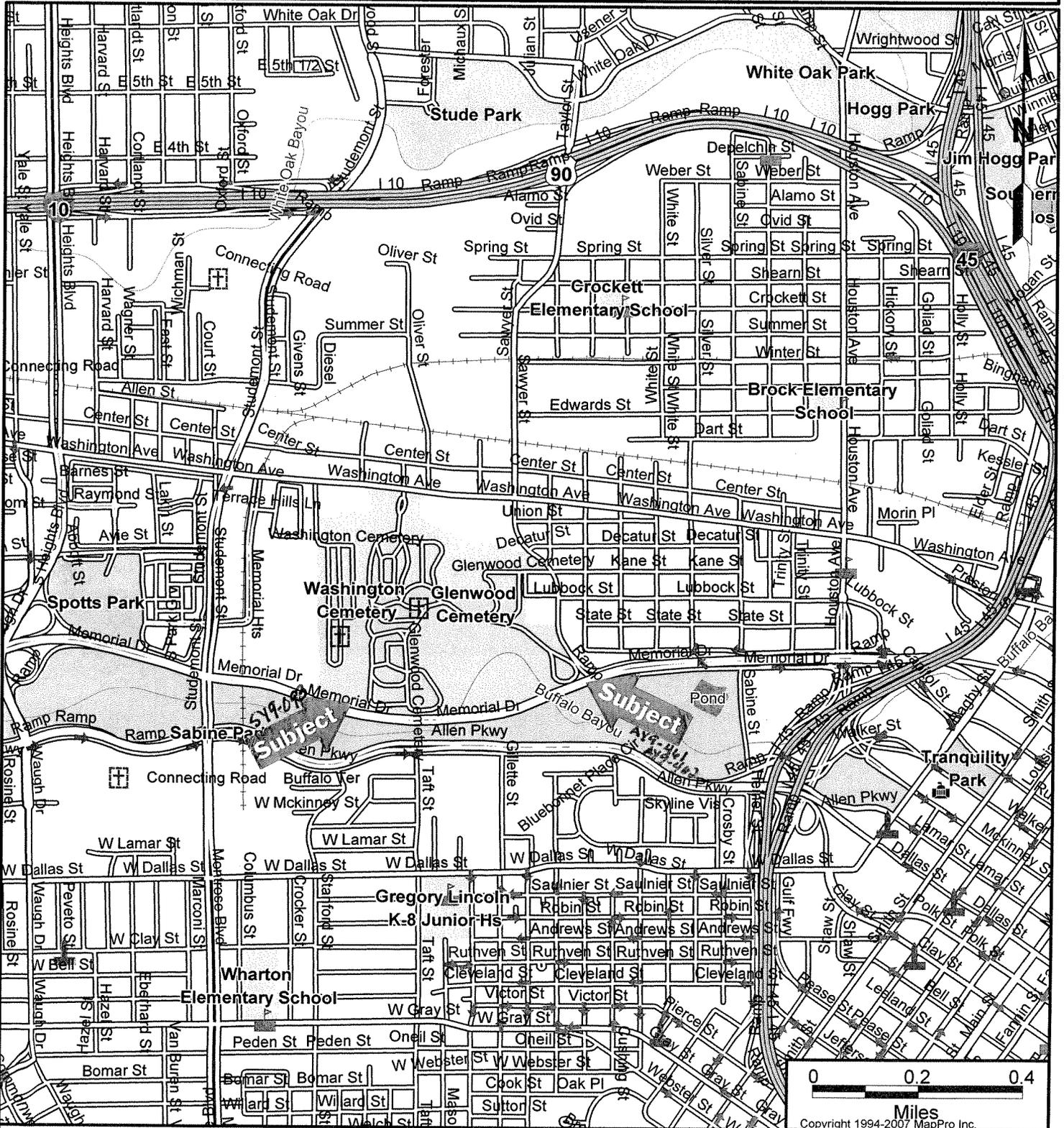
# LOCATION MAP

Description: EXCHANGE OF PARCELS IN CONNECTION WITH PROPERTIES NEEDED FOR BIKEWAY PURPOSES

WBS T-050006-0001-2

Parcels AY9-461, AY9-462 and SY9-093

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



**CAUTION:**

Inaccuracies may exist on map such as missing, incorrectly drawn, or incorrectly addressed streets. Please report any such inaccuracy to MapPro, Inc. so that appropriate corrections can be made.

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

<b>SUBJECT:</b> Professional Engineering Services Contract between the City and CivilTech Engineering, Inc. for Memorial Drive Paving Improvements from North Kirkwood Road to North Eldridge Parkway. WBS No. N-000798-0001-3	<b>Page</b> 1 of 2	<b>Agenda Item #</b> <b>67</b>
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<b>FROM (Department or other point of origin):</b> Department of Public Works and Engineering	<b>Origination Date</b> 12-10-09	<b>Agenda Date</b> DEC 16 2009
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<b>DIRECTOR'S SIGNATURE:</b>  Michael S. Marcotte, P.E., D.WRE, BCEE	<b>Council District affected:</b> G JK NR
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<b>For additional information contact:</b> Hamlet Hovsepian, P.E.  Interim Senior Assistant Director <b>Phone:</b> (713) 837-7033	<b>Date and identification of prior authorizing Council action:</b>
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**RECOMMENDATION: (Summary)**  
An ordinance approving a Professional Engineering Services Contract with CivilTech Engineering, Inc. and appropriate funds.

**Amount and Source of Funding:** \$808,871.70 from Street and Bridge Consolidated Construction Fund No. 4506  
U.P. 12/2/09

**PROJECT NOTICE/JUSTIFICATION:** This project is part of the Street and Bridge Capital Improvements Program (CIP), which is required to meet City of Houston standards and improve traffic mobility on major thoroughfares.

**DESCRIPTION/ SCOPE:** This project will include the construction of a 16,600 linear feet of undivided concrete roadway with sidewalks, curbs and gutters, traffic signals, street lighting and necessary underground utilities, for the section of Memorial Drive from Kirkwood Road to North Eldridge Parkway.

**LOCATION:** The project area is generally bound by IH-10 on the north, Briarforest on the south, North Kirkwood on the east and North Eldridge Parkway on the west. The project is located in Key Map Grids 488 G, H and 489 E.

**SCOPE OF CONTRACT AND FEE:** Under the terms of the Contract, the Consultant will perform Phase I - Preliminary Design, Phase II - Final Design, Phase III -Construction Phase Services and Additional Services. Basic Services Fee for Phase I is based on cost of time and materials with a not-to-exceed agreed upon amount. The Basic Services fees for Phase II and Phase III is negotiated on a lump sum amount and will be negotiated after the completion of Phase I. The negotiated maximum for Phase I Basic Services is \$326,630.00

The Contract also includes certain Additional Services to be paid either as lump sum or on a reimbursable basis. The Additional Services will include traffic control plans, topographic survey for right of way alignment, traffic study, reproduction, environmental site assessment for an advance Environmental Assessment Report to meet National Environmental Policy Act requirements for potential Federal funding and to meet TxDot federal requirements, Preliminary Hydraulic Impact/Mitigation Analysis using the Storm Water Management Model, Technical Review Committee presentation and preliminary design assessment meetings. The total Additional Services appropriation to support preliminary design is \$408,707.70.

**REQUIRED AUTHORIZATION** CUIC ID #20MR69 MR

<b>Finance Department:</b>	<b>Other Authorization:</b>	<b>Other Authorization:</b>  Daniel R. Menendez, P.E., Deputy Director Engineering and Construction Division
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<b>Date</b>	<b>SUBJECT:</b> Professional Engineering Services Contract between the City and CivilTech Engineering, Inc. for Memorial Drive Paving Improvements from North Kirkwood Road to North Eldridge Parkway WBS No. N-000798-0001-3	<b>Originator's Initials</b>	<b>Page 2 of 2</b>
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This project will be funded in two phases with Phase I funding to include only Phase I Basic Design Services and selected Additional Services. Phase II funding will include Phase II Final Design Services, Phase III Construction Phase Services and Additional Services which will be negotiated after the completion of Phase I.

The total cost of this project is \$808,871.70 to be appropriated as follows: \$735,337.70 for Contract services and \$73,534.00 for project management.

**PAY OR PLAY PROGRAM:** The proposed contract requires compliance with the City's 'Pay or Play' ordinance regarding health benefits for employees of City contractors. In this case, the contractor provides health benefits to eligible employees in compliance with City policy.

**M/WBE INFORMATION:** The M/WBE goal for the project is set at 24%. The Consultant has proposed the following firms to achieve this goal.

<u>Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
1. Rahaman and Associates, Inc., DBA Western Group Consultants	Topographic Survey	\$101,500.00	13.80%
2. Rahaman and Associates, Inc., DBA Western Group Consultants	Storm Survey	\$8,000.00	1.09%
3. Berg-Oliver Associates, Inc	Environmental	\$139,000.00	18.90%
4. KIT Professionals, Inc.	Traffic Study	\$54,500.00	7.41%
5. B & E Reprographics, Inc.	Reproduction	\$5,000.00	0.68%
	<b>TOTAL</b>	<b>\$308,000.00</b>	<b>41.88%</b>

*MSM JHK MR*

MSM:DRM:HH:JHK:MR

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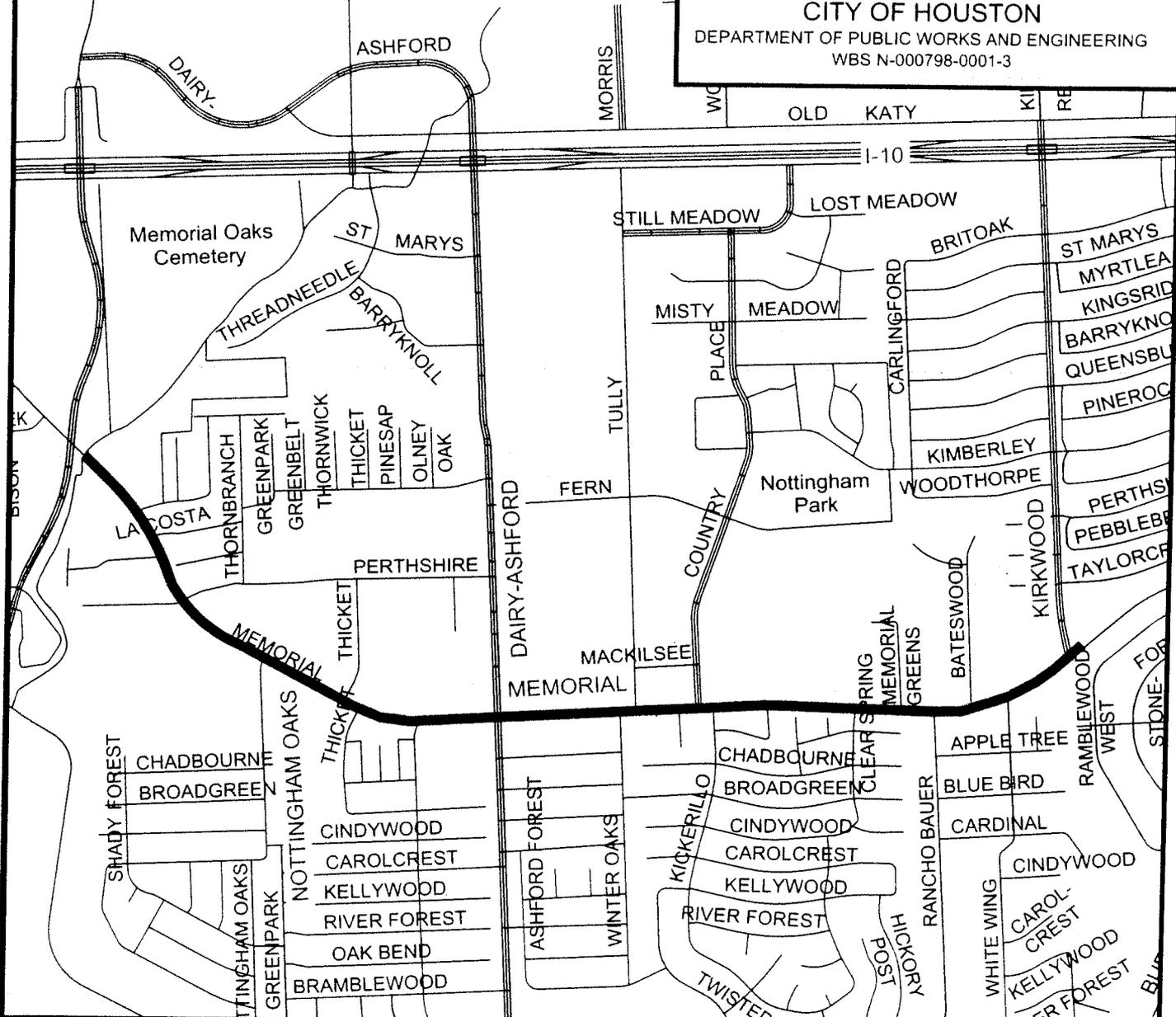
- c: Marty Stein  
 Velma Laws  
 Susan Bandy  
 Mike Pezeshki, P.E.  
 Craig Foster  
 File No. N-000798-0001-3 (1.2 DSGN RCA Contract)



NOT TO SCALE



**CITY OF HOUSTON**  
DEPARTMENT OF PUBLIC WORKS AND ENGINEERING  
WBS N-000798-0001-3



**MEMORIAL DRIVE  
PAVEMENT IMPROVEMENTS  
KIRKWOOD TO N. ELDRIDGE  
VICINITY MAP**  
COUNCIL DISTRICT G  
KEY MAP NO. 488 G,H & 489 E

**CivilTech  
Engineering, Inc.**

11821 Teige Road  
Cypress, Texas 77429  
(281) 304-0200 Fax (281) 304-0210  
Registration No. F-382

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Professional Engineering Services Contract between the City and Malcolm Pirnie, Inc. for Engineering Services associated with the East Water Purification Plant (EWPP) Process and Plant Reliability Improvements.  
WBS No. S-000056-0049-3

Page 1 of 2

Agenda Item #

68

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

Origination Date:  
11-19-09

Agenda Date:  
DEC 16 2009

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

Council District affected:  
E 

For additional information contact:  
  
Hamlet Hovsepian, P.E. Phone: (713) 837-7033  
Interim Senior Assistant Director

Date and identification of prior authorizing Council action:

RECOMMENDATION:

Approve Professional Engineering Services contract with Malcolm Pirnie, Inc. and appropriate funds.

Amount and Source of Funding:  
\$786,103.00 from Water and Sewer System Consolidated Construction Fund No. 8500. *U.P. 10/29/09*

PROJECT NOTICE/JUSTIFICATION: This project is part of the City's rehabilitation and upgrade of the Surface Water Treatment Facilities Program and is required to improve operability, maintainability, reliability and to assist the City in meeting existing and proposed Surface Water Treatment Rules and Texas Commission on Environmental Quality requirements.

DESCRIPTION/SCOPE: This project consists of providing professional engineering and related services associated with the evaluation, design, and implementation of improvements to the EWPP.

LOCATION: This project is located on 12555 Clinton Drive and 2300 Federal Road. The project is located in Key Map Grids 496 U and Y.

SCOPE OF CONTRACT AND FEE: The scope of work in this contract requires Malcolm Pirnie, Inc. to conduct evaluations and to provide phases I, II, III and additional engineering services for various tasks on the project. The consultant may also prepare technical documents for immediate implementation by City staff, an "on-call" contractor or by other delivery methods. The negotiated maximum fee for Basic Services is based on the cost of time and materials with a not-to-exceed agreed upon amount of \$589,840.00.

The contract also includes certain Additional Services to be paid either as lump sum or on a reimbursable basis. The Additional Services may include surveying, geotechnical investigation, process testing and other related services. The total Additional Services appropriation is \$105,826.00

REQUIRED AUTHORIZATION

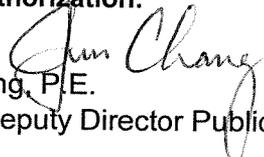
CUIC# 20JWM48

*MD*

Finance Department:



Other Authorization:

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

Other Authorization:

  
Daniel R. Menendez, P.E., Deputy Director  
Engineering and Construction Division

**Subject:** Professional Engineering Services Contract between the City and Malcolm Pirnie, Inc. for Engineering Services associated with the East Water Purification Plant (EWPP) Process and Plant Reliability Improvements.  
WBS No. S-000056-0049-3

**Originator's  
Initials**



**Page  
2 of 2**

The total cost of this project is \$786,103.00 to be appropriated as follows: \$695,666.00 for contract services and \$90,437.00 for project management.

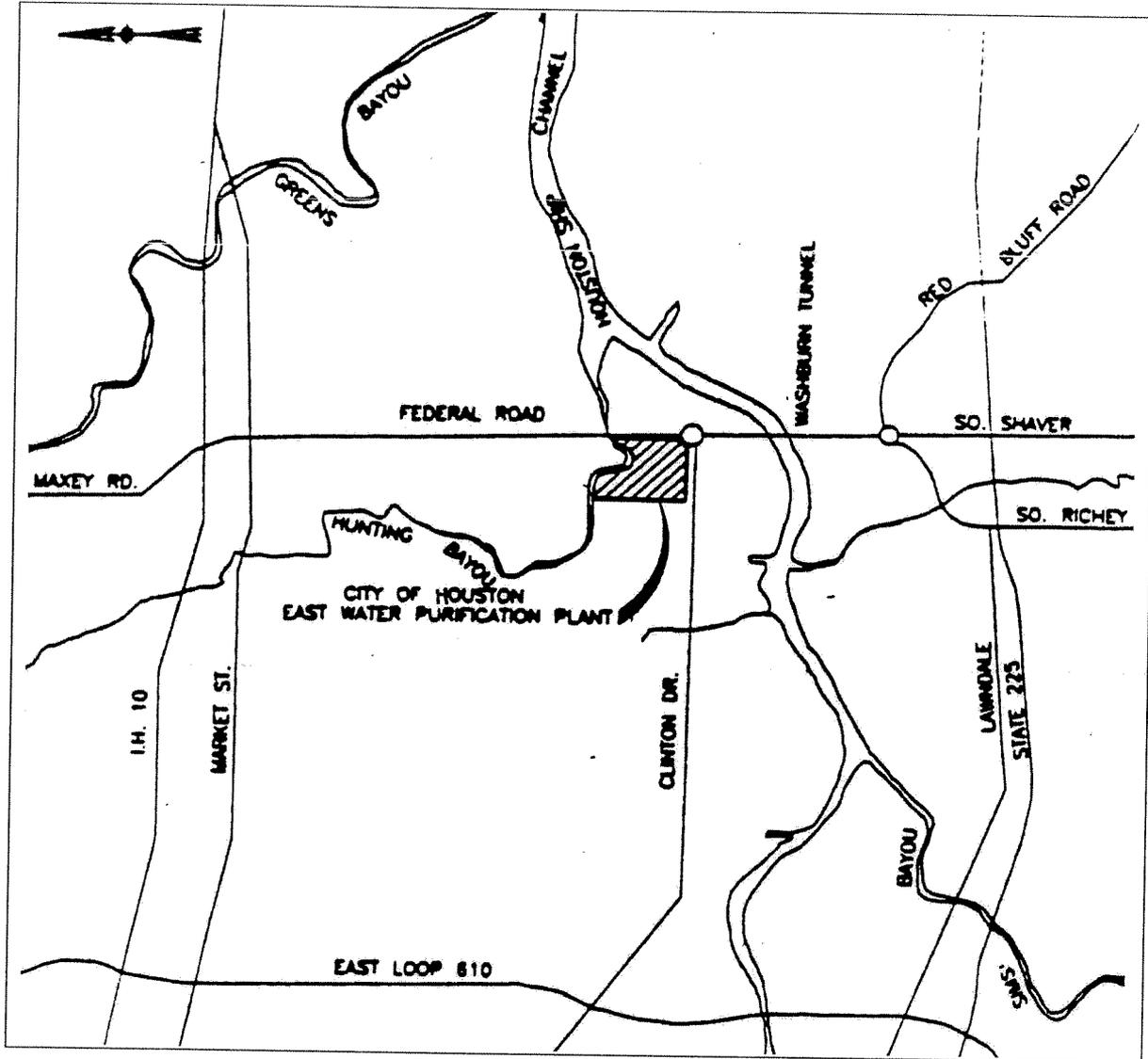
**PAY OR PLAY PROGRAM:** The proposed contract requires compliance with City's 'Pay or Play' ordinance regarding health benefits for employees of City contractors. In this case, the contractor provides health benefits to eligible employees in compliance with City policy.

**M/WBE PARTICIPATION:** The M/WBE goal for this project is set at 24%. The Engineer has proposed the following firms to achieve this goal.

<u>MWBE - Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
1. HVJ Associates, Inc.	Materials Testing	\$63,000.00	9.06%
2. Kalluri Group, Inc.	Engineering Services	\$15,000.00	2.16%
3. KIT Professionals, Inc.	Engineering Services	\$43,000.00	6.18%
4. Landtech Consultants, Inc.	Surveying	\$25,000.00	3.59%
5. Marshall Engineering Corporation	Mechanical Engineering	\$10,000.00	1.44%
6. B & E Reprographics, Inc.	Reprographic Services	<u>\$11,500.00</u>	<u>1.65%</u>
	<b>TOTAL</b>	<b>\$167,500.00</b>	<b>24.08%</b>

  
MSM:DRM:HH:SD:JM:kb <sup>KB</sup> hit  
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**c:** Marty Stein  
Velma Laws  
Susan Bandy  
Mike Pezeshki, P.E.  
Craig Foster  
File S-000056-0049-3 (1.2)



VICINITY MAP  
N.T.S.

KEY MAP: 496 U, Y

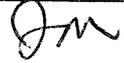
EAST WATER PURIFICATION PLANT (EWPP) PROCESS AND PLANT  
RELIABILITY IMPROVEMENTS  
WBS No. S-000056-0049-3

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

<b>SUBJECT:</b> Professional Engineering Services Contract between the City and AECOM USA, Inc. dba AECOM USA Group, Inc. for Engineering Services associated with East Water Purification Plant Facilities Rehabilitation and Improvements. WBS Number S-000056-0052-3	Page 1 of 2	Agenda Item #
		69

<b>FROM (Department or other point of origin):</b> Department of Public Works and Engineering	<b>Origination Date</b> 11-19-09	<b>Agenda Date</b> DEC 16 2009
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<b>DIRECTOR'S SIGNATURE:</b>  Michael S. Marcotte, P.E., D. WRE, BCEE, Director	<b>Council District affected:</b> E 
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<b>For additional information contact:</b>  Hamlet Hovsepian, P.E. Phone: (713) 837-7033 Interim Senior Assistant Director	<b>Date and identification of prior authorizing Council action:</b>
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**RECOMMENDATION: (Summary)**  
Approve Professional Engineering Services contract with AECOM USA, Inc. dba AECOM USA Group, Inc. and appropriate funds.

**Amount and Source of Funding:** \$1,121,000.00 from Water and Sewer System Consolidated Construction Fund No. 8500. *M.P. 10/28/09*

**PROJECT NOTICE/JUSTIFICATION:** This project is part of the City's Capital Improvement Program to improve operability, maintainability, reliability for the East Water Purification Plant to comply with Texas Commission on Environmental Quality and Surface Water Treatment Rule mandated by the United States Environmental Protection Agency and to meet existing and future water demand requirements.

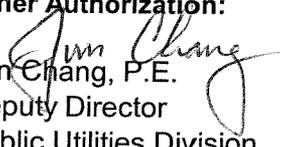
**DESCRIPTION/SCOPE:** This project consists of providing professional engineering and related services associated with the evaluation, design, and implementation of improvements to the East Water Purification Plant.

**LOCATION:** This project is located on 12555 Clinton Drive and 2300 Federal Road. The project is located in Key Map grids 496 U and Y.

**SCOPE OF CONTRACT AND FEE:** The scope of work in this contract requires AECOM USA Group, Inc. to conduct facility evaluations and to provide engineering services for phases I, II, III and additional engineering services for various tasks on the project. The Consultant may also prepare technical documents for immediate implementation by City Staff, an "on-call" contractor or by other delivery methods. The negotiated maximum fee for Basic Services is based on the cost of time and materials with a not-to-exceed agreed upon amount of \$870,515.00.

The contract also includes certain Additional Services to be paid either as lump sum or on a reimbursable basis. The Additional Services may include surveying, geotechnical investigation, facilities inspections, SCADA programming and other related services. The total Additional Services budget is \$121,450.00.

**REQUIRED AUTHORIZATION** CUIC ID #20JWM50

<b>Finance Department:</b>	<b>Other Authorization:</b>  Jun Chang, P.E. Deputy Director Public Utilities Division	 Daniel R. Menendez, P.E. Deputy Director Engineering and Construction Division
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*MT*

*34*

Date	SUBJECT: Professional Engineering Services Contract between the City and AECOM USA, Inc. dba AECOM USA Group, Inc. for Engineering Services associated with East Water Purification Plant Facilities Rehabilitation and Improvements.	Originator's Initials <i>JM</i>	Page <u>2</u> of <u>2</u>
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The total cost of this project is \$1,121,000.00 to be appropriated as follows: \$991,965.00 for contract services and \$129,035.00 for project management.

**PAY OR PLAY PROGRAM:** The proposed contract requires compliance with City's 'Pay or Play' ordinance regarding health benefits for employees of City contractors. In this case, the contractor provides health benefits to eligible employees in compliance with City policy.

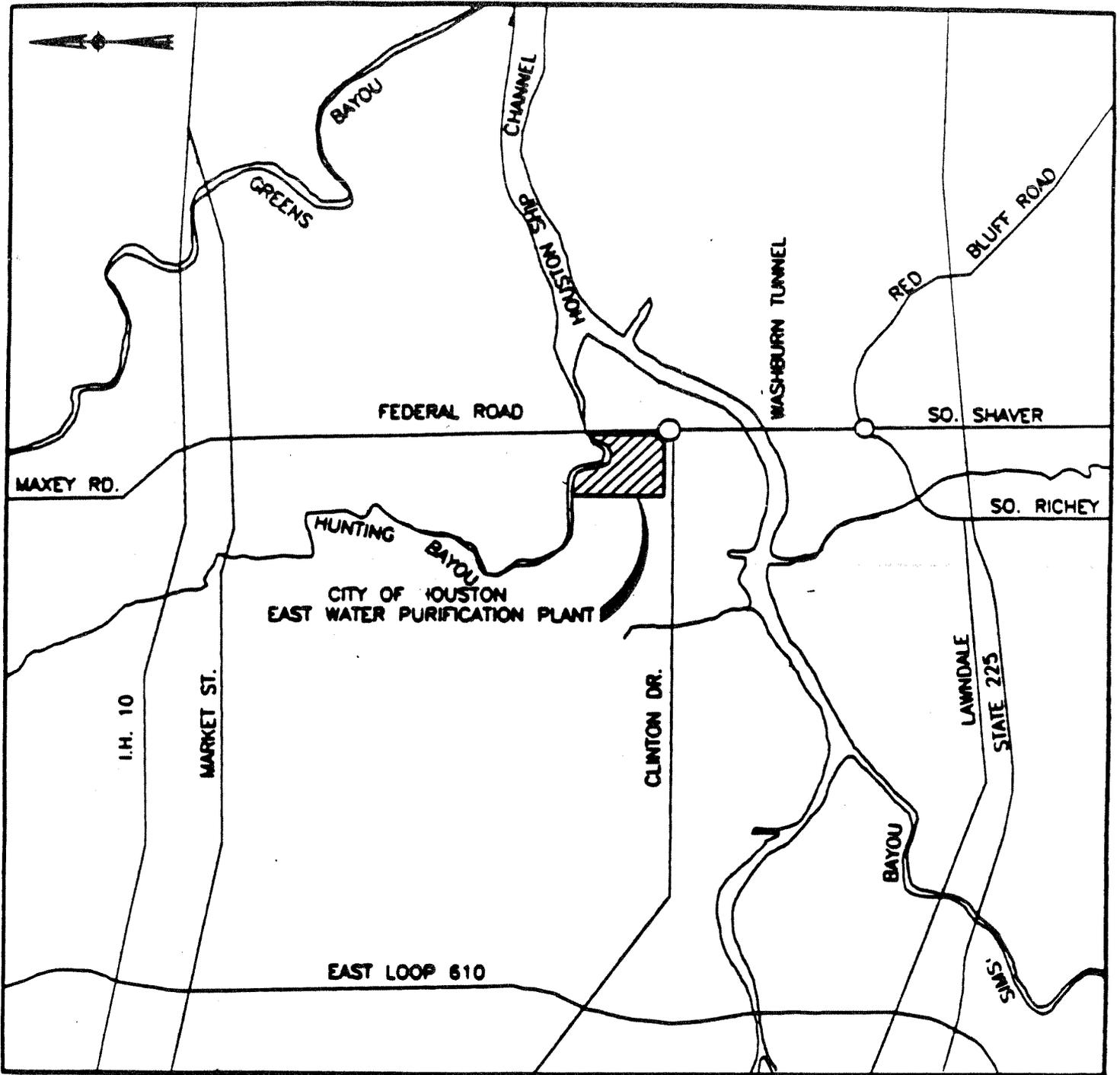
**M/WBE INFORMATION:** **M/WBE INFORMATION:** The M/BE goal for the project is set at 24%. The Engineer has proposed the following firms to achieve this goal.

<u>Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
1. Kalluri Group, Inc.	Instrumentation & Controls Support Services	\$242,744.00	24.46%
2. United Engineers, Inc.	Surveying Services	\$15,000.00	1.51%
3. Aviles Engineering Corporation	Geotechnical Services	<u>\$15,000.00</u>	<u>1.51%</u>
<b>TOTAL</b>		<b>\$272,744.00</b>	<b>27.48%</b>

*MSM:DRM:HH:SD:jm*

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- c: Marty Stein  
 Velma Laws  
 Susan Bandy  
 Mike Pezeshki, P.E.  
 Craig Foster  
 File S-000056-0052-3 (RCA - 1.2)



**VICINITY MAP**  
N.T.S.

**KEY MAP: 496 U & Y**

East Water Purification Plant Facilities Rehabilitation  
and Improvements  
WBS No. S-000056-0052-3

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

**SUBJECT:** Supplement to Professional Engineering Services Contract between the City and Brown & Gay Engineers, Inc. for Engineering Services associated with the Rehabilitation of Water Storage Tanks at various locations, WBS No. S-000600-0035-3

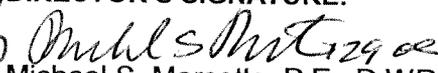
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1 of 2

Agenda Item #  
  
**70**

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

**Origination Date:**  
12/10/09

**Agenda Date:**  
DEC 16 2009

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

**Council District affected:**  
A, B, C, E, F, G 

**For additional information contact:**  
  
Hamlet Hovsepian, P.E. Phone: (713) 837-7033  
Interim Senior Assistant Director

**Date and identification of prior authorizing Council action:**  
Ordinance No. 2009-0242 March 25, 2009

**RECOMMENDATION:** Approve Supplement to Professional Engineering Services Contract with Brown & Gay Engineers, Inc. and appropriate additional funds.

**Amount and Source of Funding:** \$330,000.00 from Water and Sewer System Consolidated Construction Fund No. 8500. [Original (previous) appropriation of \$673,000.00 from Water and Sewer System Consolidated Construction Fund No. 8500.] U.P. 12/3/09

**PROJECT NOTICE/JUSTIFICATION:** This project is part of the City's Water Storage Tank Rehabilitation and Replacement program. It is required to meet the area's demand and also ensures compliance with the Texas Commission on Environmental Quality regulations.

**DESCRIPTION/SCOPE:** This project is to provide the Professional Engineering Services associated with the Rehabilitation of Water Storage Tanks at various locations.

**LOCATION:** This project consists of rehabilitation of fifteen (15) water storage tanks and the location of these tanks is described below:

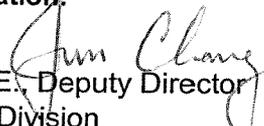
TANK	ADDRESS	KEY MAP GRID	COUNCIL DISTRICT
Jersey Village No.2	7207 Fairview	409N	A
White Oak No.2	9702 Deanwood	410R	A
IAH 1 No. 1&2	3102 McKaughan	374A	B
IAH 2 No.2	4304 Will Clayton Pkwy	374C	B
District 266	4950 Aeropark	374U	B
Meyerland	9020 S. Rice	531U	C
Gulfway No.1	15004 McConn	617M	E
District 90 No.2	11607 Herald Square	529P	F
District 218 No.1	12705 Brant Rock	528D	F
District 223	13301 Sandbridge Dr.	488K	G
Enclave No.2	13135 Forkland	488L	G
District 54	8108 Richmond Ave.	490Y	G
Braes UD No.1&2	3710 S. Eldridge Pkwy	528B	G

REQUIRED AUTHORIZATION

CUIC# 20RS87

Finance Department:

Other Authorization:

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

Other Authorization:

  
Daniel R. Menendez, P.E., Deputy Director  
Engineering and Construction Division

MDT

75

<b>Date</b>	<b>Subject:</b> Supplement to Professional Engineering Services Contract between the City and Brown & Gay Engineers, Inc. for Engineering Services associated with the Rehabilitation of Water Storage Tanks at various locations, WBS No. S-000600-0035-3	<b>Originator's Initials</b> 	<b>Page</b> 2 of 2
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**PREVIOUS HISTORY AND SCOPE.** City Council approved the original contract on March 25, 2009, Ordinance No. 2009-0242. The Scope of Services under the original contract consisted of professional engineering services associated with the rehabilitation of twenty three (23) water storage tanks. Funds were allocated to provide the engineering services for only eight (8) water storage tanks. Under the terms of the contract, the Scope of Service includes: Phase I – Preliminary Design, Phase II – Final Design, Phase III – Construction Phase Services and Additional Services. The stated project is currently in Phase II – Final Design.

**SCOPE OF SUPPLEMENT AND FEE:** The requested additional appropriation will be utilized to perform Phase I – Preliminary Design Services for the remaining fifteen (15) water storage tanks. After the completion of Phase I, Preliminary Engineering Report will be prepared to analyze the prioritization of water storage tanks to be rehabilitated and the extent of rehabilitation. The scope of Phase II and Phase III basic services will be based on the recommendation of this report. Basic Services Fee for Phase I will be based on the cost of time and material with a not-to-exceed agreed upon amount. The Basic Services Fee for Phase II and Phase III will be negotiated on a lump sum basis after the completion of Phase I.

Additional Services such as surveying, geotechnical investigation, environmental site assessments, coating assessments and debris hauling will be paid on a reimbursable basis subject to authorization by the director. The budgeted amount for the supplement is \$330,000.00 to be appropriated as follows: \$300,000.00 for contract services and \$30,000.00 for project management.

**PAY OR PLAY PROGRAM:** The proposed contract requires compliance with the city's 'Pay or Play' ordinance regarding health benefits for employees of City contractors. In this case, the contractor provides health benefits to eligible employees in compliance with the City policy.

**M/WBE PARTICIPATION:** The M/WBE goal established for this project is 24%. The original contract as approved by Ordinance number 2009-0242, March 25, 2009 totals \$611,683.00. The engineer has been paid \$148,539.07 (24.28%) to date. Of this amount, \$52,206.66 (35.14%) has been paid to M/WBE sub-consultants to date. Assuming approval of the requested additional appropriation, the contract amount will be increased to \$911,683.00. The engineer has proposed the following firms to achieve this goal.

<u>MWBE - Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
M/WBE Work		\$181,946.55	19.96%
1. LPSR, LLC	Structural Inspection	\$40,409.04	4.43%
2. V&A Consulting Engineers, Inc.	Coating Assessment	\$27,764.00	3.04%
3. KIT Professionals, Inc.	Engineering Consulting	\$9,990.00	1.10%
4. Aviles Engineering Corporation	Geotechnical Investigation	\$750.00	0.08%
	<b>TOTAL</b>	<b>\$260,859.59</b>	<b>28.61%</b>

  
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- c:** Marty Stein  
 Velma Laws  
 Susan Bandy  
 Mike Pezeshki, P.E.  
 Craig Foster  
 File S-000600-0035-3 (1.2)

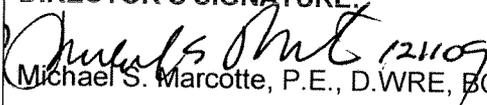
**SUBJECT:** Ordinances approving Contract Award for Construction of Kirby Drive from West Airport to Sims Bayou and Mowery Road from Edwina to future Kirby Drive; approving an amendment to Interlocal Agreement with Houston Parks Board for the Mowery Road extension east of future Kirby Drive, and appropriating funds. WBS Nos. N-000594-0002-4, R-000500-0088-4, S-000500-0088-4 and D-000134-0001-4.

Page 1 of 2  
 Agenda Item # 71 + 72

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

**Origination Date:**  
 12/11/09

**Agenda Date:**  
 DEC 16 2009

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

**Council District affected:**  
 JK D 9c

**For additional information contact:**  
  
 Hamlet Hovsepian, P.E. Phone: (713) 837-7033  
 Interim Senior Assistant Director

**Date and identification of prior authorizing Council action:**  
 #2008-298 (04/09/08) and #2009-257 (03/25/09), #2009-386 (05/06/09), #2009-0681 (07/21/09)

**RECOMMENDATION: (Summary)**  
 Adopt 1) Ordinance awarding construction contract for Kirby Drive from West Airport to Sims Bayou and Mowery Road from Edwina to future Kirby Drive, and appropriating funds; and 2) Ordinance amending Interlocal Agreement with the Houston Parks Board and appropriating funds for the Mowery Road extension east of future Kirby Drive.

**Amount and Source of Funding:**  
**Kirby Drive and Mowery Road:**  
 \$3,700,200.00 from the Street and Bridge Consolidated Construction Fund (4506)  
 \$1,176,900.00 from the Water and Sewer System Consolidated Construction Fund (8500)  
 \$4,877,100.00 Total

**Mowery Road Extension – Houston Parks Board**  
 \$365,000.00 from General Improvement Consolidated Construction Fund (4509)

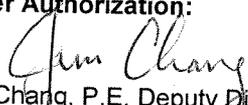
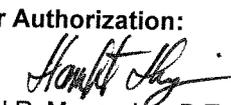
**SPECIFIC EXPLANATION:**

**DESCRIPTION/SCOPE:** This Request for Council action covers two projects. First is the construction of 4,300 feet of dual 24 foot-wide concrete roadways with raised medians, curbs, sidewalks, street lights, and necessary underground utilities for Kirby Drive from West Airport to Sims Bayou and one 44 foot-wide concrete roadway with curbs, sidewalks, street lights, and necessary underground utilities for Mowery Road from the terminus of Edwina west to the proposed intersection of Kirby Drive. The contract duration for this project is 360 calendar days. This project was designed by Pierce Goodwin Alexander & Linville, Inc., and the proposed construction contract with South Coast Construction, Inc. will be managed by the Department of Public Works and Engineering.

The second part of the project is the extension of Mowery Road east into the Houston Amateur Sports Park to serve the park and the Houston Community College's South Campus. Construction of the extension will be managed by the Houston Parks Board as provided in an existing Interlocal Agreement. The proposed amendment to the Interlocal Agreement and the appropriation of \$365,000.00 will allow Houston Parks Board to upgrade the road from 2 lanes to 4 lanes, which will facilitate future mobility. The project has been advertised and bid in accordance with City Policy. The additional funding is available within the budget for the Kirby Drive project, which came in lower than estimated.

**LOCATION:** The paving extension of Kirby Drive is located between West Airport to the north and Sims Bayou on the south. Mowery Road is located between the terminus of Edwina to the future intersection of Kirby Drive. The extension of Mowery Road east of the future Kirby Drive Extension extends 1,100 feet into the future park from the future intersection of Kirby Extension and Mowery. The project is located in Key Map Grids 572M, 573E and 573J.

REQUIRED AUTHORIZATION CUIC ID#20SMC35 NDT

<b>Finance Department:</b>	<b>Other Authorization:</b>  Jun Chang, P.E. Deputy Director Public Utilities Division	<b>Other Authorization:</b>  Andrew F. Icken, Deputy Director Planning & Development Services	<b>Other Authorization:</b>  Daniel R. Menendez, P.E., Deputy Director Engineering and Construction Division
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<b>Date</b>	<b>Subject:</b> Ordinances approving Contract Award for Construction of Kirby Drive from West Airport to Sims Bayou and Mowery Road from Edwina to future Kirby Drive; approving an amendment to Interlocal Agreement with Houston Parks Board for the Mowery Road extension east of future Kirby Drive, and appropriating funds. WBS Nos. N-000594-0002-4, R-000500-0088-4, S-000500-0088-4 and D-000134-0001-4.	<b>Originator's Initials</b>  SC	<b>Page</b> 2 of 2
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**BIDS:** Bids were received on September 24, 2009 The twelve (12) bids are as follows:

<u>Bidder</u>	<u>Bid Amount</u>
1. South Coast Construction, Inc.	\$4,233,669.53
2. Total Site, Inc.	\$4,274,137.60
3. Triple B Services, LLP	\$4,380,745.17
4. Angel Brothers Enterprises, LTD	\$4,486,626.65
5. Allgood Construction Co., Inc.	\$4,536,049.60
6. Hassell Construction Co., Inc.	\$4,611,673.20
7. JFT Construction, Inc.	\$4,724,629.73
8. SER Construction Partners, LTD	\$4,824,996.20
9. Texas Sterling Construction Co.	\$5,012,725.00
10. Beyer Construction, LLP	\$5,256,834.85
11. Total Contracting Limited	\$5,727,017.14
12. Conrad Construction Co., LTD	\$6,073,740.70

**AWARD:** It is recommended that this construction contract be awarded to South Coast Construction, Inc. with a low bid of \$4,233,669.53 and Addenda numbers 1 and 2 be made a part of this Contract

**PROJECT COST:** The total cost of this project is \$4,877,100.00 to be appropriated as follows:

• Bid Amount	\$4,233,669.53
• Contingencies	\$211,700.00
• Engineering and Testing Services	\$220,000.00
• Project Management	\$211,730.47

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

**PAY OR PLAY PROGRAM:** The proposed contracts require compliance with the City's 'Pay or Play' ordinance regarding health benefits for employees of City contractors. In this case, the contractor has elected to pay into the Contractor Responsibility Fund in compliance with City policy.

**M/W/SBE PARTICIPATION:** The low bidder of the Kirby Drive work has submitted the following proposed program to satisfy the 7 % MBE goal and 10 % SBE goal for this project.

<u>MBE - Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
1. Perez Construction Company	Install Concrete Curbs	\$300,000.00	7.09%
<b>TOTAL</b>		<b>\$300,000.00</b>	<b>7.09%</b>

<u>SBE - Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
1. Apcon Services, LLC	Trucking & Hauling	\$158,769.00	3.75%
2. Statewide Services, Inc.	Tree Planting & Protection	\$214,152.00	5.06%
3. Doran Steel, Inc.	Supply and Install Reinforcing Steel	\$50,500.00	1.19%
<b>TOTAL</b>		<b>\$423,421.00</b>	<b>10.00%</b>

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

MSM:DRM:AFI:HH:JHK:SMC

Z:\design\A-sw-div\A-SB-DIV\WPDATA\campagna\WBS594\RCA Construction Contract Award.Houston Parks Board.doc

c: Marty Stein Susan Bandy Tom Davis File: N-000594-0002-4 (3.7 Construction RCA)  
 Velma Laws Craig Foster Mike Pezeshki, P.E.

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

<b>SUBJECT:</b> Contract Award for Wastewater Collection System Rehabilitation and Renewal WBS# R-000266-0132-4	<b>Page</b> 1 of 2	<b>Agenda Item #</b>  73
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<b>FROM (Department or other point of origin):</b> Department of Public Works and Engineering	<b>Origination Date</b> 11-19-09	<b>Agenda Date</b> DEC 16 2009
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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> Dannelle H. Belhateche, P.E. Senior Assistant Director <b>Phone:</b> (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:** \$679,576.00 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 II. *U.P. 11/16/09*

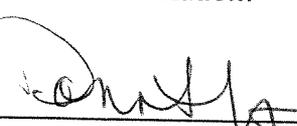
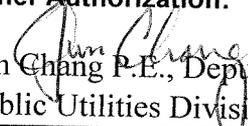
**SPECIFIC EXPLANATION:** This project is part of the Neighborhood Sewer Rehabilitation Program and is required to renew/replace deteriorated neighborhood collection systems throughout the City.

**DESCRIPTION/SCOPE:** This project consists of sanitary sewer rehabilitation by point repair method. The contract duration for this project is 540 calendar days.

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

**BIDS:** Seven (7) bids were received on August 20, 2009 for this project as follows:

Bidder	Bid Amount
1. Portland Utilities Construction Co., LLC	\$631,024.80
2. North Houston Pole Line, L.P.	\$748,447.65
3. Huff & Mitchell, Inc.	\$770,201.78
4. PM Construction & Rehab, L.P.	\$778,524.38
5. SKE Construction, LLC	\$836,205.78
6. Reliance Construction Services, L.P.	\$844,033.97
7. Metro City Construction, L.P.	\$890,591.10

<b>File/Project No.</b> WW 4235-45	<b>REQUIRED AUTHORIZATION</b>	<b>CUIC#</b> 20DHB299 <i>NA</i>
Finance Department	<b>Other Authorization:</b> 	<b>Other Authorization:</b>  Jun Chang P.E., Deputy Director Public Utilities Division

<b>Date</b>	<b>Subject:</b> Contract Award for Wastewater Collection System Rehabilitation and Renewal WBS# R-000266-0132-4	<b>Originator's Initials</b>	<b>Page 2 of 2</b>
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**AWARD:** It is recommended that this construction contract be awarded to Portland Utilities Construction Co., LLC, with a low bid of \$631,024.80.

**PROJECT COST:** The total cost of this project is \$679,576.00 to be appropriated as follows:

- Bid Amount \$631,024.80
- Contingencies \$31,551.20
- Engineering Testing Services \$17,000.00

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

**PAY OR PLAY PROGRAM:** The proposed contract requires compliance with the City's Pay or Play ordinance regarding health benefits for employees of City contractors. In this case, the contractor provides health benefits to eligible employees in compliance with City policy.

**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. No City M/WSBE participation goal has been established for this project.

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

*MSM*  
*JEDR*

MSM:JC:DHB:RK:JI:DR:mf

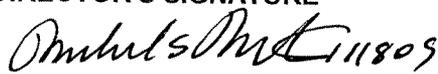
cc: Marty Stein  
Jun Chang, P.E.  
Susan Bandy, CPA  
Velma Laws  
File No. WW 4235-45

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

<b>SUBJECT:</b> Contract Award for Sanitary Sewer Cleaning and Television Inspection In Support of Rehabilitation WBS# R-000266-0140-4	<b>Page</b> 1 of 2	<b>Agenda Item #</b>  74
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<b>FROM (Department or other point of origin):</b> Department of Public Works and Engineering	<b>Origination Date</b> 11-19-09	<b>Agenda Date</b> DEC 16 2009
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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> Dannelle H. Belhateche, P.E. Senior Assistant Director <b>Phone:</b> (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:** \$377,483.00 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 II. *M.P. 11/3/09*

**SPECIFIC EXPLANATION:** This project is part of the Neighborhood Sewer Rehabilitation Program and is required to renew/replace various deteriorated neighborhood collection systems throughout the City.

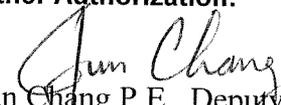
**DESCRIPTION/SCOPE:** This project consists of sanitary sewer cleaning and television inspection in support of rehabilitation. The contract duration for this project is 730 calendar days.

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

**BIDS:** Five (5) bids were received on July 2, 2009 for this project as follows:

Bidder	Bid Amount
1. Envirowaste Services Group, Inc.	\$354,745.77
2. Pipeline Video Inspection & Cleaning, LLC	\$356,981.87
3. Specialized Maintenance Services, Inc.	\$392,977.61
4. Clean Serve, Inc.	\$415,338.60
5. Chief Solutions, Inc.	\$480,512.71

**File/Project No. WW 4277-44** **REQUIRED AUTHORIZATION** **CUIC# 20DHB293**

Finance Department	<b>Other Authorization:</b> 	<b>Other Authorization:</b>  Jun Chang P.E., Deputy Director Public Utilities Division
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<b>Date</b>	<b>Subject:</b> Contract Award for Sanitary Sewer Cleaning and Television Inspection In Support of Rehabilitation WBS# R-000266-0140-4	<b>Originator's Initials</b>	<b>Page</b> 2 of 2
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**AWARD:** It is recommended that this construction contract be awarded to Envirowaste Services Group, Inc., with a low bid of \$354,745.77.

**PROJECT COST:** The total cost of this project is \$377,483.00 to be appropriated as follows:

- Bid Amount \$354,745.77
- Contingencies \$17,737.23
- Engineering Testing Services \$5,000.00

Engineering Testing Services will be provided by Tolunay-Wong Engineers, Inc. under a previously approved contract.

**PAY OR PLAY PROGRAM:** The proposed contract requires compliance with the City's Pay or Play ordinance regarding health benefits for employees of City contractors. In this case, the contractor provides health benefits to eligible employees in compliance with City policy.

**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. No City M/WSBE participation goal has been established for this project.

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

*DR*

MSM:JC:DHB:RK:JI:DR:mf

cc: Marty Stein  
Jun Chang, P.E.  
Susan Bandy, CPA  
Velma Laws  
File No. WW 4277-44

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

<b>SUBJECT:</b> Contract Award for Sanitary Sewer Cleaning and Television Inspection In Support of Rehabilitation WBS# R-000295-0028-4	<b>Page</b> 1 of 2	<b>Agenda Item #</b>  75
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<b>FROM (Department or other point of origin):</b> Department of Public Works and Engineering	<b>Origination Date</b> 12/11/09	<b>Agenda Date</b> DEC 16 2009
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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> Dannelle H. Belhateche, P.E. Senior Assistant Director <b>Phone:</b> (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:** \$500,679.00 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 II.  
*U.P. 11/30/09*

**SPECIFIC EXPLANATION:** This project is part of the Neighborhood Sewer Rehabilitation Program and is required to renew/replace various deteriorated neighborhood collection systems throughout the City.

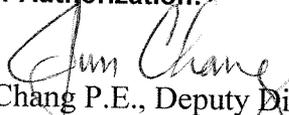
**DESCRIPTION/SCOPE:** This project consists of sanitary sewer cleaning and television inspection in support of rehabilitation. The contract duration for this project is 730 calendar days.

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

**BIDS:** Three (3) bids were received on August 6, 2009 for this project as follows:

<u>Bidder</u>	<u>Bid Amount</u>
1. Envirowaste Services Group, Inc.	\$472,075.35
2. Specialized Maintenance Services, Inc.	\$479,712.50
3. Clean Serve, Inc.	\$490,943.60

**File/Project No. WW 4277-45**      **REQUIRED AUTHORIZATION**      **CUIC# 20DHB297**      *NO*

Finance Department	<b>Other Authorization:</b> 	<b>Other Authorization:</b>  Jun Chang P.E., Deputy Director Public Utilities Division
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<b>Date</b>	<b>Subject:</b> Contract Award for Sanitary Sewer Cleaning and Television Inspection In Support of Rehabilitation WBS# R-000295-0028-4	<b>Originator's Initials</b>	<b>Page</b> 2 of 2
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**AWARD:** It is recommended that this construction contract be awarded to Envirowaste Services Group, Inc., with a low bid of \$472,075.35.

**PROJECT COST:** The total cost of this project is \$500,679.00 to be appropriated as follows:

- Bid Amount \$472,075.35
- Contingencies \$23,603.65
- Engineering Testing Services \$5,000.00

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

**PAY OR PLAY PROGRAM:** The proposed contract requires compliance with the City's Pay or Play ordinance regarding health benefits for employees of City contractors. In this case, the contractor provides health benefits to eligible employees in compliance with City policy.

**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. No City M/WSBE participation goal has been established for this project.

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

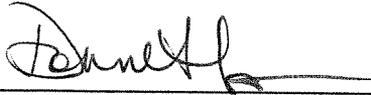
*Rk*  
*JLDR*

MSM:JC:DHB:RK:JI:DR:mf

- cc: Marty Stein  
 Jun Chang, P.E.  
 Susan Bandy, CPA  
 Velma Laws  
 File No. WW 4277-45

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

<b>SUBJECT:</b> Contract Award for Wastewater Collection System Rehabilitation and Renewal WBS# R-000266-0130-4		<b>Page</b> 1 of 2	<b>Agenda Item #</b>  76												
<b>FROM (Department or other point of origin):</b> Department of Public Works and Engineering		<b>Origination Date</b> 12/11/09	<b>Agenda Date</b> DEC 16 2009												
<b>DIRECTOR'S SIGNATURE</b>  Michael S. Marcotte, P.E., D.WRE, BCEE		<b>Council District affected:</b> All													
<b>For additional information contact:</b> Dannelle H. Belhateche, P.E. Senior Assistant Director <b>Phone:</b> (713) 641-9182		<b>Date and identification of prior authorizing Council action:</b>  N/A													
<b>RECOMMENDATION: (Summary)</b>  Accept low bid, award construction contract, and appropriate funds.															
<b>Amount and Source of Funding:</b> \$810,889.00 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 II.		U.P. 11/23/09													
<b>SPECIFIC EXPLANATION:</b> This project is part of the Neighborhood Sewer Rehabilitation Program and is required to renew/replace deteriorated neighborhood collection systems throughout the City.															
<b>DESCRIPTION/SCOPE:</b> This project consists of sanitary sewer rehabilitation by point repair method. The contract duration for this project is 540 calendar days.															
<b>LOCATION:</b> The project area is generally bounded by the City Limits.															
<b>BIDS:</b> Five (5) bids were received on September 17, 2009 for this project as follows:															
<table border="0"> <thead> <tr> <th style="text-align: left;"><u>Bidder</u></th> <th style="text-align: right;"><u>Bid Amount</u></th> </tr> </thead> <tbody> <tr> <td>1. Texas ReExcavation, L.C.</td> <td style="text-align: right;">\$753,227.50</td> </tr> <tr> <td>2. PM Construction &amp; Rehab, L.P.</td> <td style="text-align: right;">\$874,247.78</td> </tr> <tr> <td>3. Reliance Construction Services, L.P.</td> <td style="text-align: right;">\$894,645.55</td> </tr> <tr> <td>4. Huff &amp; Mitchell, Inc.</td> <td style="text-align: right;">\$1,192,218.81</td> </tr> <tr> <td>5. Metro City Construction, L.P.</td> <td style="text-align: right;">\$1,338,809.50</td> </tr> </tbody> </table>				<u>Bidder</u>	<u>Bid Amount</u>	1. Texas ReExcavation, L.C.	\$753,227.50	2. PM Construction & Rehab, L.P.	\$874,247.78	3. Reliance Construction Services, L.P.	\$894,645.55	4. Huff & Mitchell, Inc.	\$1,192,218.81	5. Metro City Construction, L.P.	\$1,338,809.50
<u>Bidder</u>	<u>Bid Amount</u>														
1. Texas ReExcavation, L.C.	\$753,227.50														
2. PM Construction & Rehab, L.P.	\$874,247.78														
3. Reliance Construction Services, L.P.	\$894,645.55														
4. Huff & Mitchell, Inc.	\$1,192,218.81														
5. Metro City Construction, L.P.	\$1,338,809.50														
<b>File/Project No. WW 4235-43</b>		<b>REQUIRED AUTHORIZATION</b>													
<b>CUIC# 20DHB303</b>		NOT													
Finance Department	<b>Other Authorization:</b> 	<b>Other Authorization:</b>  Jun Chang P.E., Deputy Director Public Utilities Division													

<b>Date</b>	<b>Subject:</b> Contract Award for Wastewater Collection System Rehabilitation and Renewal WBS# R-000266-0130-4	<b>Originator's Initials</b>	<b>Page 2 of 2</b>
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**AWARD:** It is recommended that this construction contract be awarded to Texas ReExcavation, L.C., with a low bid of \$753,227.50.

**PROJECT COST:** The total cost of this project is \$810,889.00 to be appropriated as follows:

- Bid Amount \$753,227.50
- Contingencies \$37,661.50
- Engineering Testing Services \$20,000.00

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

**PAY OR PLAY PROGRAM:** The proposed contract requires compliance with the City's Pay or Play ordinance regarding health benefits for employees of City contractors. In this case, the contractor provides health benefits to eligible employees in compliance with City policy.

**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. No City M/WSBE participation goal has been established for this project.

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

*DB JR JDR*

MSM:JC:DHB:RK:JI:DR:mf

cc: Marty Stein  
Jun Chang, P.E.  
Susan Bandy, CPA  
Velma Laws  
File No. WW 4235-43

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

<b>Subject:</b> Construction Contract with R & B Group, Inc. for Sanitary Sewer Lift Station Upgrade at Gate C-45 at George Bush Intercontinental Airport/Houston (IAH); Project No. 638 (WBS# A- 000561-0002-4-01)	<b>Category #</b> 7	<b>Page</b> 1 of 2	<b>Agenda Item #</b> 77
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<b>FROM (Department or other point of origin):</b> Houston Airport System	<b>Origination Date</b> November 20, 2009	<b>Agenda Date</b> DEC 16 2009
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<b>DIRECTOR'S SIGNATURE:</b> <i>Amani</i> <i>Eric R. Notia</i>	<b>Council District affected:</b> B
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<b>For additional information contact:</b> John Silva <i>(Signature)</i> Phone: 281/233-1925 Robert Bielek <i>(Signature)</i> Phone: 281/233-1941	<b>Date and identification of prior authorizing Council action:</b> N/A
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<b>AMOUNT &amp; SOURCE OF FUNDING:</b> CIP No. A-0561.02 \$577,492.00 HAS Consd 2001 NonAMT (8202) <i>INW</i> <i>(Signature)</i>	<b>Prior appropriations:</b> N/A
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**RECOMMENDATION: (Summary)**  
Enact an Ordinance to award a construction contract to R & B Group, Inc. and appropriate the necessary funds to finance the cost of this project.

**PROJECT LOCATIONS:** Terminal C at George Bush Intercontinental Airport/Houston (IAH)

**PROJECT SUMMARY:**

This project consists of upgrades to the sanitary sewer lift station at Gate C-45. The scope of work includes the following:

- Demolish, remove and dispose of existing mechanical, electrical and piping in the wet well and replace it with new mechanical, electrical and plumbing equipment in accordance with plans and specifications.
- Install two new 330 gpm pumps, mountings and their associated discharge piping pump guide rails, and flanged check, plug and air release valves with associated piping. Cathodic protection will be applied to all piping.
- Provide concrete repairs and rehabilitation to the wet well walls, joints, ceiling and slab. Apply protective coating to the wet well walls and ceiling. Install new electrical control panel and instrumentation, including submersible level transducers for wet well and pump level control.
- Install new conduits and wiring, an M110 alarm system and a new trap drain in the valve vault. Wastewater diversion/bypass pumping is required during construction to provide uninterrupted sanitary sewer service served by this lift station.

The contract term is 270 calendar days. Drawings and specifications were prepared by Amani Engineering, Inc.

REQUIRED AUTHORIZATION

<b>Finance Department:</b>	<b>Other Authorization:</b>	<b>Other Authorization:</b>
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*NOT*

*50*

<b>Date</b> November 20, 2009	<b>Subject:</b> Construction Contract with R & B Group, Inc. for Sanitary Sewer Lift Station Upgrade at Gate C-45 at George Bush Intercontinental Airport/Houston (IAH); Project No. 638 (WBS# A- 000561-0002-4-01)	<b>Originator's Initials</b> GP	<b>Page</b> 2 of 2
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**PAY OR PLAY:** The proposed contract requires compliance with the City's 'Pay or Play' ordinance regarding health benefits for employees of City contractors. In this case, the contractor provides health benefits to eligible employees in compliance with City policy.

**BID DATE:** Bids were received on October 1, 2009 as follows:

	<b><u>Base Bid</u></b>
1. R & B Group, Inc.	\$489,400.00
2. Excalibur Excavation, L.P.	\$513,456.00
3. Peltier Brothers Construction, Ltd.	\$537,900.00
4. Reytec Construction Resources, Inc.	\$571,900.00

**ENGINEERING SERVICES TESTING CONTRACT:** Engineering and testing services will be provided by Terracon Consultants, Inc. under Contract No. 73225.

**PROJECT COST:** The total amount to be appropriated for this contract is as follows:

\$ 489,400.00	Construction Contract Services
\$ 48,940.00	Construction Contingency (10.0%)
<u>\$ 39,152.00</u>	Engineering Testing Services (8.0%)
\$ 577,492.00	TOTAL APPROPRIATION

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

<b>SUBJECT:</b> Motion establishing a public hearing date to consider adopting a Municipal Setting Designation Ordinance for Harcros Chemicals, Inc. and Union Pacific Rail Road for the Site located at 1701 and 1610 Oliver Street Houston, TX 77007. (MSD # 2009-019-Oliver Street)	<b>Page</b> 1 of 1	<b>Agenda Item</b> # <b>78</b>
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<b>FROM (Department or other point of origin):</b> Department of Public Works and Engineering	<b>Origination Date</b> 12-10-09	<b>Agenda Date</b> DEC 16 2009
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<b>DIRECTOR'S SIGNATURE:</b>  Michael S. Marcotte, P.E., D.WRE, BCCE, Director	<b>Council District affected:</b> H A, B, C, D, G and I within 5 miles of site.
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<b>For additional information contact:</b> Carol Ellinger Haddock, P.E. <sup>CEH</sup> Senior Assistant Director (713) 837-7658 Richard J. Chapin, <sup>RJC</sup> Senior Project Manager (713) 837-0421	<b>Date and identification of prior authorizing Council action:</b> 8/22/2007 – 2007-0959
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**RECOMMENDATION: (Summary)**  
Establish a public hearing date to consider adopting a Municipal Setting Designation (MSD) Ordinance for Harcros Chemicals, Inc. and Union Pacific Rail Road for the site located at 1701 and 1610 Oliver Street, Houston, TX 77007. *Hearing 9 AM 2-17-2010*

**Amount and Source of Funding:** N/A

**BACKGROUND:** In 2003, the Texas Legislature authorized the creation of Municipal Setting Designations (MSDs), which would designate an area in which the use of contaminated groundwater is prohibited for use as potable water. The law is administered by TCEQ and requires local City support to designate an MSD. The intent of the legislation is to encourage redevelopment of vacant or abandoned properties while protecting the public health. On August 22, 2007, City Council approved an Ordinance amending Chapter 47 of the Code of Ordinances by adding Article XIII relating to groundwater, which provides a process to support or not support a MSD application to the State. This Ordinance requires a written public notice be mailed to property owners within 2,500 feet of a proposed MSD and owners/operators of potable water wells within 5 miles of a proposed MSD. In addition, a public meeting and a public hearing are required to be held prior to City Council consideration of support.

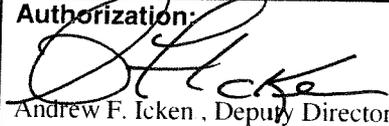
**HARCROS CHEMICALS, INC. APPLICATION:** Harcros Chemicals, Inc. and Union Pacific Rail Road are seeking a MSD for 4.1-acres of land located at 1701 and 1610 Oliver Street, Houston, TX 77007. The contamination consists of arsenic, pentachlorophenol, trichloropropane, benzene, tetrachloroethene (PCE), trichloroethene (TCE), 1,1-dichloroethylene (1,1-DCE), cis-1,2-dichloroethene (cis-1,2-DCE), trans-1,2-dichloroethene (trans-1,2-DCE), and vinyl chloride (VC). The Harcros portion of the site is currently vacant with one large warehouse structure which was historically used for chemical warehousing and distribution. The Union Pacific Rail Road (UPRR) portion originally housed a creosote operation, and is now vacant land. Groundwater monitoring has been reformed at the Harcros site since 2003 and on the UPRR site since 2000 with results indicating a predominantly stable trend. Soil was also removed from impacted areas on both portions. A public meeting will be held at 6:30:00 PM on 1/13/2010 at the West End Multi Service Center, 170 Heights Blvd., Houston, TX 77007.

Harcros Chemicals, Inc. and Union Pacific Rail Road are seeking a MSD for this property to restrict access to groundwater to protect the public against exposure to contaminants. There is a public drinking water supply system that meets state requirements that supplies or is capable of supplying drinking water to the MSD property and all properties within one-half mile of the MSD property.

**RECOMMENDATIONS:** City Ordinance requires City Council to hold a public hearing before adopting a Municipal Setting Designation Ordinance (MSD). The Department of Public Works and Engineering recommends establishing a public hearing date not sooner than six weeks from passage of the Motion and directing the City Secretary to publish notice of the hearing no less than thirty (30) calendar days before the public hearing date for Harcros Chemicals, Inc. and Union Pacific Rail Road for the site located at 1701 and 1610 Oliver Street, Houston, TX 77007. Preferred public hearing date is 2/17/2010.

MSM:AFI:CAE  
P:\PLANNING BRANCH\MSD\DATABASE\GENERIC RCA - PUBLIC HEARING.DOC  
C: Marty Stein, Waynette Chan, Gary Drabek, Ceil Price

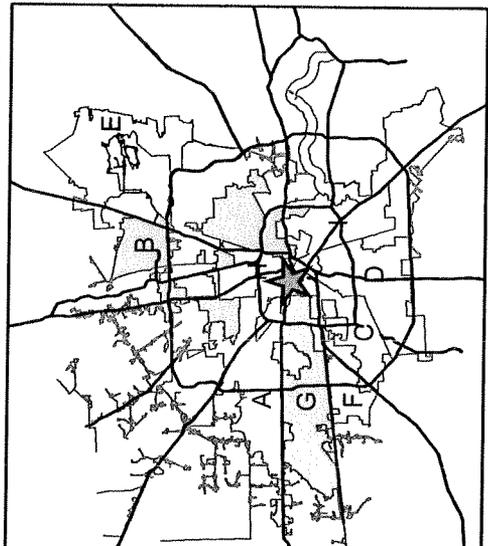
**REQUIRED AUTHORIZATION** **CUIC ID# 20CAE56**

<b>Finance Department:</b>	<b>Authorization:</b>  Andrew F. Icken, Deputy Director Planning and Development Services Division	<b>Other Authorization:</b>
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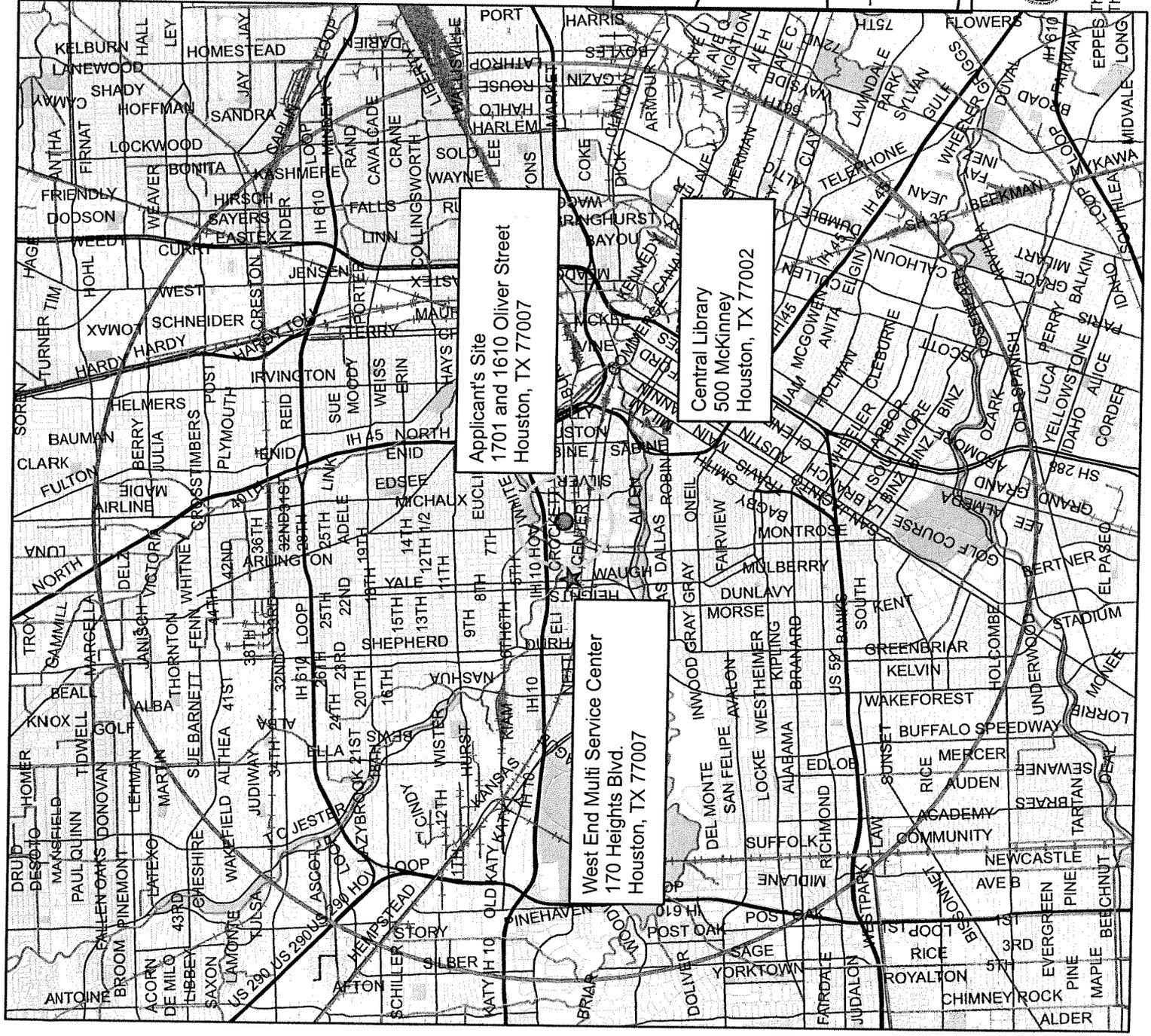
# Municipal Settings Designation Application 2009-019-Oliver Street Vicinity Map

## Legend

-  MSD Application
-  Community Center
-  Library
-  5 Mile Notification Area
-  1/2 Mile Notification Area



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



**REQUEST FOR COUNCIL ACTION**

**TO:** Mayor via City Secretary

**RCA# 8529**

**Subject:** Purchase of Utility Vehicles Through the Houston-Galveston Area Council for the Houston Police Department  
S34-N23459-H

Category #  
1 & 4

Page 1 of 1

Agenda Item

79-39A #11A

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

**Origination Date**  
November 17, 2009

**Agenda Date**  
~~DEC 09 2009~~  
DEC 16 2009

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

**Council District(s) affected**  
All

**For additional information contact:**  
Joseph Fenninger *JF 11/20/09* Phone: (713) 308-1708  
Ray DuRousseau Phone: (832) 393-8726

**Date and Identification of prior authorizing Council Action:**  
Ordinance No. 2009-1076, Passed 11/4/2009

**RECOMMENDATION: (Summary)**

Approve an ordinance authorizing the appropriation of \$17,547.04 out of the Equipment Acquisition Consolidated Fund (Fund 1800) and approve the purchase of utility vehicles through the Houston-Galveston Area Council (H-GAC) in the amount of \$167,543.04 for the Houston Police Department.

Award Amount: \$167,543.04

**Finance Budget**  
*[Signature]*

\$ 17,547.04 - Equipment Acquisition Consolidated Fund (Fund 1800)  
\$149,996.00 - Equipment Acquisition Consolidated Fund (Fund 1800), Appr. Ord. No. 2009-1076, 11/4/2009

**SPECIFIC EXPLANATION:**

The City Purchasing Agent recommends that City Council approve an ordinance authorizing the appropriation of \$17,547.04 out of the Equipment Acquisition Consolidated Fund (Fund 1800). It is further recommended that City Council approve the purchase of seven 4-door, heavy-duty, utility vehicles through the Interlocal Agreement for Cooperative Purchasing with H-GAC in the amount of \$167,543.04 for the Houston Police Department, and that authorization be given to issue a purchase order to the H-GAC contractor, Philpott Motors, Ltd. These vehicles will be used citywide by the Department's SWAT Division to transport police officers and specialized equipment to crime scenes involving barricaded suspects and hostage situations. The funding for these vehicles is included in the adopted Equipment Acquisition Plan. The appropriation amount of \$17,547.04 is required to supplement an appropriation previously approved by City Council on November 4, 2009, Ordinance No. 2009-1076.

These new vehicles will meet the EPA's current emission standards for low emission vehicles. They will come with a full three-year/36,000 mile warranty and the life expectancy is seven years or 100,000 miles. As detailed in the Equipment Usage Summary below, these new utility vehicles will replace existing units that have exceeded their life expectancy and will be sent to auction for disposition.

Requisition No.	Qty	Description	Vehicle Replacement		
			Shop No.	Age	Mileage
10085166	7	Heavy-Duty Utility Vehicles	29084	11	241,474
			32547	7	186,835
			32543	7	185,557
			32538	7	177,934
			28333	11	165,757
			32546	7	163,112
			32532	7	154,864

Buyer: Larry Benka

**REQUIRED AUTHORIZATION**

Finance Department: *[Signature]* Other Authorization: *[Signature]* Other Authorization: *[Signature]*

*MS*

*MS*

*MS*

R

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 8476

Subject: Approve Spending Authority for the Purchase of Tech-Related Products/Services through the Texas Department of Information Resources and the Master Intergovernmental Coop. Purchasing Agreement with U.S. Communities for Various Dept./E23418

Category #  
4

Page 1 of 2

Agenda Item

180/15

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

Origination Date  
December 03, 2009

Agenda Date  
DEC 16 2009  
~~DEC 09 2009~~

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

Council District(s) affected  
All

For additional information contact:  
Richard Lewis Phone: (832) 393-0082  
Douglas Moore Phone: (832) 393-8724

Date and Identification of prior authorizing Council Action:

**RECOMMENDATION: (Summary)**

Approve spending authority for the purchase of technology-related products/services in an amount not to exceed \$83,000,000.00 through the Texas Department of Information Resources (DIR) and the Master Intergovernmental Cooperative Purchasing Agreement (MICPA) with U.S. Communities for various departments.

Estimated Spending Authority: \$83,000,000.00

Finance Budget

Various funds for various departments

**SPECIFIC EXPLANATION:**

**Background**

Beginning in the 1980's, the Texas Legislature began to recognize the potential benefits of information and communication technology to reduce the cost of state and local government. As a result, acts of the Legislature since that time have streamlined the procurement processes and provided cooperative purchasing programs between the state and political subdivisions; i.e., counties, cities, school districts, etc. Additional changes made by the 2007 Texas Legislature have delegated State contracts to be administered by DIR. This change allows the City to leverage numerous existing State contracts, which have increased the utilization of the DIR Go-Direct program.

**Recommendation**

The City Purchasing Agent recommends that City Council approve spending authority for the purchase of technology-related products/services in an amount not to exceed \$83,000,000.00 through DIR and MICPA with U.S. Communities for various departments and that authorization be given to issue purchase orders, as-needed, to DIR contract holders and U.S. Communities Lead Public Agency contractors as shown below. Individual purchases over \$300,000.00 will require separate Council approval, and the Information Technology Department will continue to provide quarterly reports to Council detailing spending under each agreement.

**DIR:** Approve estimated spending authority in an amount not to exceed \$75,000,000.00.

**GTSI Corp.:** Approve estimated spending authority in an amount not to exceed \$6,000,000.00.

**Insight Public Sector, Inc.:** Approve estimated spending authority in an amount not to exceed \$1,000,000.00.

**Solutions4SURE.com, Inc., D/B/A Tech Depot:** Approve estimated spending authority in an amount not to exceed \$1,000,000.00.

**REQUIRED AUTHORIZATION**

NDT

Finance Department:

Other Authorization:

Other Authorization:

Date: 12/3/2009	Subject: Approve Spending Authority for the Purchase of Tech-Related Products/Services through the Texas Department of Information Resources and the Master Intergovernmental Coop. Purchasing Agreement with U.S. Communities for Various Dept./E23418	Originator's Initials DM	Page 2 of 2
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The DIR and MICPA with US Communities Lead Public Agency contractors will provide technology products and services for all City Departments and will significantly reduce the amount of staff time required to develop specifications and bid items for IT software, hardware, equipment and related services. The utilization of the MICPA allows the City to leverage numerous existing US governmental contracts with over 38,000 participating agencies with an estimated purchasing power value of \$1.5 billion annually. Moreover, the City will receive the (most favored nation rate). As a result, the City shall capitalize on significant cost savings.

The City is eligible to participate in the US Communities Purchasing Alliance as set out in Section 791.011 of the Government Code and such purchases satisfy state bid laws as set out in Section 791.025 of the Government Code.

**M/WBE Compliance:**

All purchases made pursuant to the DIR and MICPA with US Communities Lead Public Agency contractors valued at \$100,000.00 or greater are assessed in terms of divisibility of the work and the M/WBE capacity related to the type of work to be performed. The City assigns the M/WBE participation goal in the pre-procurement phase and will be referenced on each purchase order issued.

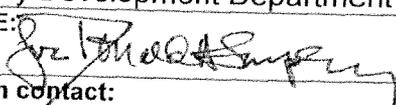
This item was presented to the Budget & Fiscal Affairs Committee on December 1, 2009. No action was taken due to lack of quorum.

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

HCD09-165

09-Hollyview

<b>SUBJECT:</b> An Ordinance authorizing an Agreement between the City of Houston and Holly View Apartments LLC.		<b>Category #</b>	<b>Page</b> 1 of 2	<b>Agenda Item #</b> 46
<b>FROM (Department or other point of origin):</b> Richard S. Celli, Director Housing and Community Development Department		<b>Origination Date</b> 11/16/09	<b>Agenda Date</b> 81 <del>DEC 09 2009</del>	
<b>DIRECTOR'S SIGNATURE:</b> 		<b>Council District affected:</b> District "B" <span style="float: right;">DEC 16 2009</span>		
<b>For additional information contact:</b> Donald Sampley, Assistant Director <b>Phone:</b> 713-868-8458		<b>Date and identification of prior authorizing Council action:</b> None		

**RECOMMENDATION: (Summary)**

The Department recommends approval of an Ordinance authorizing an Agreement between the City of Houston and Holly View Apartments LLC to rehabilitate the Hollyview Apartments.

<b>Amount of Funding:</b> \$8,020,000 Special CDBG - DR	<b>F&amp;A Budget:</b>
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**SOURCE OF FUNDING**     General Fund     Grant Fund     Enterprise Fund

Other (Specify) **CDBG FUNDS - DR Funds**

**SPECIFIC EXPLANATION:**

Holly View Apartments LLC (Borrower) is the owner of the Hollyview Apartments ("Hollyview"). Hollyview is a 328-unit multifamily project located at 5555 Holly View Drive on the east side of Antoine Drive, approximately two miles north of U.S. Highway 290 in northwest Houston. The Property was constructed around 1981, suffered roof damage to all 22 buildings on the property from Hurricane Ike, and is in need of extensive renovation of the interior and some exterior modernizations to improve its useful life.

Holly View Apartments LLC, 100 percent owned by Thomas B. Miller, has been the owner ("Owner") of the Hollyview since June of 2005. The purchase included a considerable equity contribution by the Owner, and subsequent financial contributions to sustain operations. The Owner is involved with a Super Block Coalition of neighboring property and business owners and community organizations whose goal is to improve the neighborhood through the reduction of crime and drug related activities. The Owner uses a property management company with extensive experience operating income restricted properties and will hire a general contractor and/or construction consultant to oversee the project on his behalf.

Hollyview suffered exterior damage as a result of Hurricane Ike which was repaired with insurance proceeds including new roofs for all the buildings with 25 year shingles. Many other components of Hollyview are nearing the end of their useful life. The proposed rehab project will repair exterior siding and replace old windows with new double-pane windows. Aging HVAC units will be replaced. Improved security with lighting and fencing improvements will be completed. Landscaping updates include the elimination of the tennis courts and one pool to make room for a playground, picnic, and gathering areas.

**REQUIRED AUTHORIZATION**

<b>Finance Director:</b>	<b>Other Authorization:</b>	<b>Other Authorization:</b>
		

Exterior stairs (treads and rails) and balcony railing replacement will extend useful life and increase safety. The interior rehab will include remodeling kitchens, family/living areas, and bathrooms consisting of new appliances, flooring, cabinetry, sinks, tubs, and toilets. A new Leasing Center will be created through the elimination of four of the 328 original apartment units, which will make space available in the existing leasing/community center for additional activity and meeting space.

Fifty-one percent (51%) of the surviving 324 units, or 166, will be restricted as CDBG Affordable Floating Units for a period of five (5) years, and will be comprised of units of all floor-plan types distributed throughout the complex. The residents eligible to reside in these units can earn no more than 80% of Area Median Income, and rental rates will be capped at the High HOME Rents.

The City Performance Based Loan (PBL) will have an interest rate of 0% and a term of five (5) years. The PBL will be forgiven at the end of the 5-year period so long as the Borrower complies with all City loan agreement terms and conditions, and the property is in compliance with all HUD and City requirements. The subject property is subject to a first lien mortgage held by Imperial Capital Bank with a loan balance of approximately \$5,360,000. While the City's loan will be inferior to this lien, the City's LURA will prime the loan through a subordination agreement. The Owner will guarantee 100% of the City loan until completion of the rehab construction satisfactory to the City.

<u>Source of Funds</u>	<u>Overall Project</u>	<u>Per Unit</u>	<u>Per Sq. Ft</u>
City of Houston PBL	\$8,020,000	\$24,753	\$34.23
Owner Equity	400,000	1235	1.71
<b>Total</b>	<b>\$8,420,000</b>	<b>\$25,988</b>	<b>\$35.93</b>

<u>Use of Funds</u>	<u>Overall Project</u>	<u>Per Unit</u>	<u>Per Sq. Ft</u>
Hard Construction Costs	\$8,020,000	\$24,753	\$34.23
Soft Construction Costs	303,675	937	1.30
Operating Deficits	96,325	297	0.41
<b>Total</b>	<b>\$8,420,000</b>	<b>\$25,988</b>	<b>\$35.93</b>

The City's performance based loan proceeds will be used for costs associated with the rehabilitation of the project.

This project is consistent with the City of Houston Consolidated Plan to provide affordable housing for low-income families. The City's participation in the project will contribute to the goal of increasing the number of affordable rental housing units for low-income residents.

The Department recommends approval of an agreement between the City and Holly View Apartments LLC.

RC:DS:LC:SG  
 cc: Finance & Administration  
 Legal Department  
 City Secretary  
 Mayor's Office

HCD09-162

TO: Mayor via City Secretary      REQUEST FOR COUNCIL ACTION

09-Sterling Grove

<b>SUBJECT:</b> An Ordinance authorizing an Agreement between the City of Houston and Sterling Grove L.P.		<b>Category #</b>	<b>Page</b> 1 of 2	<b>Agenda Item #</b> 47
<b>FROM (Department or other point of origin):</b> Richard S. Celli, Director Housing and Community Development Department		<b>Origination Date</b> 11/05/09	<b>Agenda Date</b> 82 <del>DEC 09 2009</del> DEC 16 2009	
<b>DIRECTOR'S SIGNATURE:</b> <i>Richard S. Celli</i>		<b>Council District affected:</b> District "B"		
<b>For additional information contact:</b> Donald H. Sampley Phone: 713-868-8458		<b>Date and identification of prior authorizing Council action:</b>		
<b>RECOMMENDATION: (Summary)</b> The Department recommends approval of an Ordinance authorizing an Agreement between the City of Houston and Sterling Grove L.P. to rehabilitate the Sterling Grove Apartments.				
<b>Amount of Funding:</b> \$11,943,067 Special CDBG – DR			<b>Finance Budget:</b>	
<b>SOURCE OF FUNDING</b> <input type="checkbox"/> General Fund <input checked="" type="checkbox"/> Grant Fund <input type="checkbox"/> Enterprise Fund				
<input type="checkbox"/> Other (Specify) CDBG – DR FUNDS				
<b>SPECIFIC EXPLANATION:</b>  Sterling Grove L.P. ("Sterling"), currently owns the Sterling Grove Apartments, a 336-unit multifamily project located at 6420 Antoine Drive in District "B" on the east side of Antoine Drive, approximately two miles north of U.S. Highway 290 in northwest Houston. The Property was constructed in 1974 and is in need of extensive renovation of both the interior and exterior.  The managing general partner of Sterling is 361 Realty Corp., whose sole shareholder and president is Joseph Gontownik. Mr. Gontownik currently has a controlling interest in over 4,500 units in the greater Houston area. Mr. Gontownik and his development team, Stonepost Properties, have over 25 years experience in real estate development and management. The management division of his development team, Rockwell Management Corp. ("Rockwell"), currently manages over 6,000 units in the Houston area and has extensive management experience of all types of apartment projects and in particular with rehabilitation and management of low income housing developments.  Many of the components of the Sterling Grove Apartments are nearing the end of their useful life. The proposed rehab will address these components and are designed to extend the useful life of the property for at least 20 years. The rehab will include modernization of the plumbing, electrical system, and the HVAC, with a focus on energy efficiency; improving security with lighting and fencing improvements; landscaping updates; replacing the roofs, siding and balconies; and full interior upgrades including new carpet, appliances, and cabinets.				
<b>REQUIRED AUTHORIZATION</b>				
<b>Finance Director:</b>		<b>Other Authorization:</b>		<b>Other Authorization:</b>

Fifty-one percent (51%) or 172 units will be restricted as CDBG Affordable Floating Units for a period of five (5) years for families whose annual income does not exceed 80% of AMI, and not to exceed High HOME rent limits. A Low-Income Housing Tax Credit rehab was completed in 1996 and per the terms of its LURA, 100% of the units are set aside for families whose annual income does not exceed 60% of AMI for an initial compliance period of 15 years with an additional 15 year extended use period commencing after the end of the initial compliance period.

The City Performance Based Loan (PBL) will have an interest rate of 0% and a term of 5 years. The PBL will be forgiven at the end of the 5-year period so long as the Borrower complies with all City loan agreement terms and conditions, and the property is in compliance with all HUD and City requirements. The subject property is subject to first and second lien mortgages with current balances of approximately \$2,300,000 and \$11,100,000 respectively, with the first lien maturing on 9/1/12 and the second lien maturing on 10/1/12. While the City's loan will be inferior to these liens, the City's LURA will prime both of these loans through subordination agreements. An additional condition will be the extension of the first and second lien maturities to coincide with the term of the City's Loan. The principal, Joseph Gontownik will guarantee 100% of the City loan until completion of the rehab construction satisfactory to the City.

Source of Funds:

City of Houston / PBL	\$11,943,067	\$35,545/unit	\$40.14/sf
1 <sup>st</sup> and 2nd Lien*	13,400,000		
Developer Cash Equity	<u>1,790,575</u>		
Total	\$27,133,642	\$80,755/unit	\$91.20/sf

Uses of Funds:

Rehab Hard Costs	\$11,943,067
Acquisition, Refinance, Rehab	13,400,000
Soft Costs & Reserves	<u>1,790,575</u>
Total	\$27,133,642

\*Financing provided by family related entities.

The City's performance based loan proceeds will be used for costs associated with the rehabilitation of the project.

This project is consistent with the City of Houston Consolidated Plan to provide affordable housing for low-income families. The City's participation in the project will contribute to the goal of increasing the number of affordable rental housing units for low-income residents.

The Department recommends approval of an agreement between the City and Sterling Grove L.P.

RC:DS:LC:JR

cc: CSC, CTR, FIN, LGL, MYR

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

<b>SUBJECT:</b> First Amendment to Professional Services Contract with Ron Smith & Associates to provide management services to the Houston Police Department Latent Prints Processing/Comparison Unit.	<b>Page</b> 1 of 2	<b>Agenda Item #</b> 83 
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<b>FROM: (Department or other point of origin):</b> Houston Police Department	<b>Origination Date:</b> 12/3/09	<b>Agenda Date:</b> <del>DEC 16 2009</del>
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<b>DIRECTOR'S SIGNATURE:</b> Harold L. Hurtt, Chief of Police 	<b>Council District affected:</b> All DEC 16 2009
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<b>For additional information contact:</b> Joseph A. Fenninger  12/3/09 CFO & Deputy Director Phone: 713-308-1770	<b>Date and identification of prior authorizing Council action:</b> Ordinance 2008-1233; 12/30/08
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**RECOMMENDATION: (Summary)** Adopt an ordinance approving a First Amendment to the Professional Services Contract with Ron Smith & Associates to provide management services to the Houston Police Department Latent Prints Unit and allocating funds.

**Amount and Source of Funding:** \$4,000,000.00 - General Fund (1000) - 2 years  
(Previous funding: \$570,000 General Fund)

**Specific Explanation:**

Because the Houston Police Department was aware of operational issues within the Latent Print Unit, it recommended in 2008 that City Council approve a two-year contract with Ron Smith & Associates to provide HPD with a specialized technical audit of, and management consulting for, HPD's Identification Division. That contract was approved in December of 2008 via Ordinance 2008-1233. Particular attention was to be given to the Latent Print Processing/Latent Print Comparison, Automated Fingerprint Identification System and Audio-Video Units. The scope of work required the contractor to perform on-site collection and analysis of forensics data to determine how well the units were performing; how existing processes could be improved so compliance with industry standards can be strengthened; and if the existing operational and management structure was consistent with the needs of a forensics service division of its size and complexity. The contractor examined the administrative functions of the units inclusive of: evidence receiving, storage, tracking, disposal, research, reporting, quality assurance and quality control procedures.

Ron Smith & Associates' findings have confirmed the fact that this unit must be substantially overhauled to improve effectiveness and efficiency, and to eliminate the current, and growing, backlogs. Because HPD does not have the internal expertise or capacity to do this, an outside contractor must be engaged that is expert in the scientific and highly specialized field of forensics. Having already gone through the vetting process, and having already selected Ron Smith & Associates as the most qualified firm, HPD seeks to amend the current contract in order to move forward quickly and minimize risks.

Therefore, the Chief of Police recommends that City Council adopt an ordinance approving a First Amendment to the existing contract with Ron Smith & Associates. The Amendment will increase the maximum contract amount and extend the original two year from January 7, 2011 to December 31, 2012, plus two additional one-year option periods. The requested additional funding of \$4,000,000 is estimated to cover contract costs for two years, as it is expected that the necessary work under this contract will be completed within two years. Further funding will require future Council action should it be needed.

**REQUIRED AUTHORIZATION**

10TNO01

NDT

<b>Finance:</b>	<b>Other Authorization:</b>  12/3/09	<b>Other Authorization:</b>
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<b>Date</b>	<b>Subject:</b> First Amendment to Professional Services Contract with Ron Smith & Associates to provide management services to the Houston Police Department Latent Prints Processing/Comparison Unit.	<b>Originator's Initials</b>	<b>Page 2 of 2</b>
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This contract amendment also decreases the contractor's hourly rate from \$150 to \$135 for all work performed under the existing and new scopes of service. Deliverables will incorporate new duties to include, but not be limited to, interim technical services operations of all aspects of the Latent Print Unit. This will help eliminate the backlog, stay current with incoming print requests, conduct re-analysis of casework and enable HPD to rebuild the permanent operation by developing scientifically sound administrative operations protocols and expanded operational throughput capacity.

**Pay or Play:**

The proposed contract requires compliance with the City's 'Pay or Play' ordinance regarding health benefits for employees of City contractors. In this case, the contractor provides health benefits to eligible employees in compliance with City policy.

<b>SUBJECT:</b> A Professional Civic Art and Conservation Administration Services Contract with the Houston Arts Alliance (HAA) on behalf of the General Services Department.		Page 1 of 2	Agenda Item <b>84</b> <del>52</del>
<b>FROM (Department or other point of origin):</b> General Services Department		Origination Date 12/4/09	Agenda Date <del>DEC 16 2009</del>
<b>DIRECTOR'S SIGNATURE:</b> Issa Z. Dadoush, P.E. <i>Issa Z. Dadoush</i> 11/24/09		Council District affected: All DEC 16 2009	
<b>For additional information contact:</b> Jacquelyn L. Nisby Phone: 832-393-8023		<b>Date and identification of prior authorizing Council action:</b>	

**RECOMMENDATION:** Approve a professional services contract with HAA, a Texas nonprofit corporation, for civic art and conservation administration services on behalf of the General Services Department, and allocate funds.

<b>Amount and Source of Funding:</b>	<b>Finance Budget:</b>
\$ 30,000.00 General Consolidated Construction Fund (4509) \$ 10,286.72 Fire Consolidated Construction Fund (4500) \$ 13,810.14 W&S System Consolidated Construction Fund (8500) \$ 15,660.95 Police Consolidated Construction Fund (4504) \$ 27,136.30 Public Library Consolidated Construction Fund (4507) \$ 17,374.83 Parks Consolidated Construction Fund (4502) \$ 2,663.98 Public Health Consolidated Construction Fund (4508) <b>\$ 116,932.92 Total Allocation (previously appropriated for Civic Art)</b>	

**SPECIFIC EXPLANATION:** In compliance with the City's Civic Art Ordinance, 1.75% of the appropriation for eligible CIP projects is appropriated for Civic Art Program purposes, including civic art and conservation projects.

The proposed contract with HAA will provide civic art and conservation project administration services for properties managed by the General Services Department (GSD). The contract provides for a six-month term and a monthly administrative fee of \$14,488.82. The requested allocation will also fund the creation of a database that will allow City employees to track art projects in real time and the public to view the City's art collection, which currently consists of 381 pieces. HAA will assist in selecting appropriate locations for art pieces and managing the projects, to include: overseeing the artist selection panel, negotiating artist contracts where appropriate, purchasing art on behalf of the City, managing construction/installation, and closing out projects. HAA will also assess the City's art collection, propose restoration/conservation treatment of those pieces in need of professional treatment, oversee professional conservator selection and negotiate conservator contracts.

GSD recommends approval of a professional civic art and conservation administration services contract with the HAA.

25MSCL62

**REQUIRED AUTHORIZATION**

<b>Department of Health and Human Services:</b> <i>Stephen L. Williams</i> Stephen L. Williams, M. ED, MPA	<b>Houston Public Library:</b> <i>Rhea Brown Lawson</i> Rhea Brown Lawson, Ph. D. Director	<b>Houston Fire Department:</b> <i>NOT</i> <i>Phil Boriskie</i> Phil Boriskie Fire Chief
<b>Houston Police Department:</b> <i>Harold L. Hurtt</i> 12-3-09 Harold L. Hurtt Chief of Police	<b>Public Works and Engineering Department:</b> copy signed Michael S. Marcotte, P.E., D.E.E. Director	<b>Parks and Recreation Department:</b> <i>Joe Turner</i> Joe Turner Director

<b>Date</b>	<b>SUBJECT:</b> A Professional Civic Art and Conservation Administration Services Contract with the Houston Arts Alliance (HAA) on behalf of the General Services Department.	<b>Originator's Initials</b> AS	<b>Page</b> 2 of 2
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**FUNDING SUMMARY:**

\$ 86,932.92 Administrative Services  
\$ 30,000.00 Reimbursable Expenses  
**\$ 116,932.92 Total Allocation**

**M/WBE INFORMATION:** The M/WBE goal for this contract is 5% of HAA's administrative costs and services, which equals 3.5% of the total contract amount.

**PAY OR PLAY PROGRAM:** The proposed contract requires compliance with the City's "Pay or Play" Ordinance regarding health benefits for employees of City contractors. In this case, the consultant provides health benefits to eligible employees in compliance with City policy.

IZD:JLN:AS:as

c: Issa Z. Dadoush, P.E., Wendy Heger, Jacquelyn L. Nisby, Marty Stein, Harold L. Hurtt, Michael S. Marcotte, Phil Boriskie, Stephen L. Williams, Joe Turner, Dr. Rhea Brown Lawson, James Tillman IV, Project File

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

**SUBJECT:** A professional services contract with the Houston Arts Alliance (HAA) for the administration of the City's Civic Art Program art and conservation projects on behalf of the Houston Airport System (HAS). WBS# A-000422-0011-3-01

Category #

Page 1 of 2

Agenda Item #

85 # 513

**FROM (Department or other point of origin):**  
Houston Airport System

**Origination Date**  
October 30, 2009

**Agenda Date**  
~~DEC 09 2009~~  
DEC 16 2009

**DIRECTOR'S SIGNATURE:** *Eric R. Dotts*

**Council District affected:**  
B, E, I

**For additional information contact:**  
Pamela K. Ingersoll Phone: (281) 233-1642

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

**AMOUNT & SOURCE OF FUNDING:**  
(previously appropriated for Civic Art)

122 (28)

**Prior appropriations:**

**RECOMMENDATION: (Summary)**

Approve and authorize a professional services contract with the Houston Arts Alliance (HAA) for the administration of the City's Civic Art Program art and conservation projects on behalf of the Houston Airport System (HAS).

**SPECIFIC EXPLANATION:**

In compliance with the provisions of the City's Civic Art Ordinance, 1.75% of the appropriation for eligible Houston Airport System (HAS) CIP projects is appropriated for Civic Art Program purposes, including civic art projects and conservation projects.

To execute these civic art projects in a professional and timely manner, HAS proposes entering into a one-year professional services contract with the Houston Arts Alliance (HAA) to administer this program. HAA will assist in managing the art acquisition and professional conservation projects. Duties include, but are not limited to: overseeing the artist selection panel, negotiating artist contracts where appropriate, purchasing art on behalf of the City, installation management and assistance in closing out the projects. HAA will also assess the HAS art collection, propose restoration/conservation treatment of those pieces in need of professional treatment, assist with professional conservator selection, negotiate conservator contracts, perform conservation project management and assist in closing out the projects.

The proposed contract provides that the City may terminate the agreement at any time during the term on 30 days notice.

The proposed contract requires compliance with the City's 'Pay or Play' ordinance regarding health benefits for employees of City contractors. In this case, the contractor provides health benefits to eligible employees in compliance with City policy.

**PROJECT COST:** The total amount to be provided for services under this contract consists of the following:

- \$ 353,000.00 Basic Services
- \$ 2,180,000.00 Additional Services
- \$ 15,000.00 Reimbursable Expenses
- \$ 2,548,000.00 Total

REQUIRED AUTHORIZATION

NDT

Finance Department:

Other Authorization:

Other Authorization:

**Subject:** A professional services contract with the Houston Arts Alliance (HAA) for the administration of the City's Civic Art Program art and conservation projects on behalf of the Houston Airport System

**Originator's  
Initials**

**Page  
2 of 2**

**M/WBE PARTICIPATION:**

Because of the special nature of the projects undertaken by the Houston Arts Alliance and the difficulty determining the scope of work prior to contracting with an artist, a 0% M/WBE goal has been assigned on the portion of contract funding for art projects or the commissioning of artists. The contract budget for administration and purchasing is \$353,000, and HAA will make a good faith effort to achieve a 5% goal on this portion.

Houston Arts Alliance will continue its history of employing small, women and minority business enterprises. The Houston Arts Alliance will also encourage contractors to utilize M/WBEs as well as conduct outreach events and seminars to encourage artists and subcontractors to become certified M/WBE subcontractors.

**Houston Arts Alliance Contract  
October 2009**

**Prior Appropriations to be Encumbered for New Contract with HAA (October 2009)**

Orig. CIP	Orig. Proj. #	Fund	Ord. #	Ord. Date	Amt. for this Encumbrance	A-CIVART - 0001-02	Facility
A-0422.29	536D	8011	02001-0754	08/15/01	82,542.00	4 & 24	IAH
A-0422.49	490M	8011	02005-0655	05/25/05	89,285.00	16	IAH
A-0422.56	612F	8011	02006-0499	05/17/06	88,778.00	23	IAH
A-0422.22	490H	8011	02008-0032	01/09/08	739,902.00	26	IAH
A-422.06	536K	8011	02008-0425	05/14/08	734,493.00	31	IAH
A-0422.08	592	8011	02005-0804	06/22/05	12,606.00	18	HOU
A-0422.09	417F	8011	02005-1108	09/28/05	40,595.00	17	HOU
A-0422.42	417F	8011	02008-0618	07/02/08	225,750.00	33	HOU
A-0442.28	417F	8011	02009-0365	04/29/09	519,049.00	42	HOU
A-0422.69	516C	8011	02008-0619	07/02/08	15,000.00	32	HAS
					<b>2,548,000.00</b>		

**Cost and Asset Breakdown Associated with New Contract with HAA**

	Facility	Project	Artist/Cons	Cost
	<b>Additional Services</b>	HOU	Acq. Vector II	Buvoli
HOU		Projects TBD	TBD	80,000.00
IAH		500N	TBD	150,000.00
IAH		Projects TBD	TBD	200,000.00
IAH		Cons/Leopard Sky	TBD	400,000.00
IAH		Acq. Port. Col	TBD	500,000.00
IAH		Projects TBD	TBD	150,000.00
<b>Additional Services Total</b>				<b>\$2,030,000.00</b>
<b>HOU Contingency</b>				<b>50,000.00</b>
<b>IAH Contingency</b>				<b>100,000.00</b>
<b>Basic Serv. &amp; Reimbursables (BS \$353,000.00 + R \$15,000.00)</b>				<b>368,000.00</b>
				<b>\$2,548,000.00</b>

**Exhibit B**

**Houston Airport System - Civic Art Plan FY10/11**

Facility	Project	Artist/ Conservator	Estimated Additional Services New Art Acquisition or Conservation Treatment	Contingency Funding for Additional Services	Basic Services HAA Professional Project Management
William P. Hobby Airport - New Art Acquisition - review and update design - project management - fabrication - installation	Vector HH	Luca Buvoli	\$550,000.00		\$110,000.00
William P. Hobby Airport - Professional Conservation/Acquisition of Art Projects to be Determined	TBD	TBD	80,000.00		8,000.00
* Contingency for Additional Services - William P. Hobby Airport				\$50,000.00	
George Bush Intercontinental Airport - New Art Acquisition Phase I - artist selection for four (4) to five (5) new art acquisitions - design consultation - no fabrication - no installation	Term.D 500N & R Artist Selection & Consultation	TBD	150,000.00		25,000.00
George Bush Intercontinental Airport - Professional Conservation Treatment - professional assessment - conservator selection - conservation treatment - provide project photographic documentation - maintenance schedule	West of the Pecos	Ben Waitena	200,000.00		40,000.00
George Bush Intercontinental Airport - Professional Conservation Treatment Phase II - dismantle and storage of portion of artwork for construction project - conservator selection - initiate conservation treatment	Leopard Sky	TBD	400,000.00		90,000.00
George Bush Intercontinental Airport - Portable Works Collection	Portable Works Collection	TBD	500,000.00		50,000.00
George Bush Intercontinental Airport - Professional Conservation/Acquisition of Art -Projects to be Determined	TBD	TBD	150,000.00		30,000.00
* Contingency Additional Services- George Bush Intercontinental Airport				100,000.00	
			\$2,030,000.00	\$150,000.00	\$353,000.00

Total Additional Services (Acquisitions & Conservation)	\$2,030,000.00
Total Basic Services (HAA Prof. Project Management)	353,000.00
Contingency Funding for Additional Services	150,000.00
Reimbursable Expenses	15,000.00
<b>Total Expenditure</b>	<b>\$2,548,000.00</b>

\* Contingency Funding for Additional Services - The cost of the project is estimated in the contract but actual costs are determined in the condition assessment of the first phase of the project. The actual cost could possibly be more than has been the estimated additional services.

<b>SUBJECT:</b> Award Four Job Order Contracts for the Residential Energy Efficiency Program (REEP)		Page 1 of 2	Agenda Item 53
<b>FROM (Department or other point of origin):</b> General Services Department		<b>Origination Date</b> 12.01.09	<b>Agenda Date</b> <del>DEC 24 2009</del>
<b>DIRECTOR'S SIGNATURE</b> Issa Z. Dadoush, P.E. <i>Issa Dadoush</i> 11/6/09		<b>Council District(s) affected:</b> All DEC 16 2009	
<b>For additional information contact:</b> Jacquelyn L. Nisby <i>JLN</i> Phone: 832-393-8023		<b>Date and identification of prior authorizing Council action:</b>	
<b>RECOMMENDATION:</b> Award Job Order Contracts to Payless Insulation, Inc., Direct Energy, LP, Standard Renewable Energy, L.P. and PMG Project Management Group, LLC, set a maximum contract amount and allocate funds.			
<b>Amount and Source of Funding:</b> Maximum contract amount for each contract - \$5,000,000.00 – 3 years		<b>Finance Budget:</b> <i>Amended Budget</i>	
<b>Initial Allocation for each contract:</b> \$2,000,000.00 American Recovery and Reinvestment Act (ARRA) (5300) \$2,000,000.00 Out Years			
<b>SPECIFIC EXPLANATION:</b> Recently, the City of Houston was awarded \$22.7 million in American Recovery and Reinvestment Act (ARRA) grant funds to allow the City to continue the installation of energy efficiency improvements in low-income residential homes participating in REEP. The size of this award requires the City to expand the number of contractors to help efficiently and effectively execute this program. This increase will allow the City to meet its goal of weatherizing 8,000 homes by the end of calendar year 2009, and a total of 20,000 homes in the next two to three years. On March 26, 2008, Ordinance Nos. 2008-0261 and 2008-0262, City Council awarded two three-year job order contracts to Payless Insulation, Inc. and Direct Energy, LP, respectively, to provide energy efficiency upgrades to low-income residences and appropriated \$1,000,000.00 out of bond and TIRZ funds to each contract. The appropriated funds have been expended and the contracts have been terminated.			
Therefore, the General Services Department (GSD) recommends that City Council award four Job Order Contracts to Payless Insulation, Inc., Direct Energy, LP, Standard Renewable Energy, L.P. and PMG Project Management Group, LLC (PMG), and delegate authority to the director to approve supplemental allocations up to the maximum contract amount of \$5,000,000 for each contract. All weatherization improvements will be funded out of the ARRA Weatherization Assistance Program Grant.			
Payless Insulation, Inc. and Direct Energy, LP were selected through a Request for Proposal (RFP) process in 2007 and Standard Renewable Energy, L.P. and PMG were selected through a RFP process in March 2009.			
<b>PROJECT LOCATIONS:</b> City Wide			
<b>PROJECT DESCRIPTION:</b> The scope of work consists of installing weatherization measures in eligible homes based on Home Energy Rating standards. The scope of services may include installing weather-stripping to exterior doors, caulking windows, insulating water heaters, replacing light bulbs with compact fluorescent lamps and installing attic insulation.			
Through the existing REEP, the City, in partnership with CenterPoint Energy, has weatherized over 7,000 homes. The REEP has helped lower energy costs and energy consumption for residences in over 7,000 homes throughout the City. REEP has cut electricity consumption by an average 12% – 18% per year, with a 20% rate of savings during Houston's hot summers.			
<b>REQUIRED AUTHORIZATION</b>		CUIC ID 25MSCL55 <i>MS</i>	
		<b>Other Authorization:</b>	

*Revised 792*

~~DEC 09 2009~~

**M/SBE PARTICIPATION:** A 14% MBE goal and 10% SBE goal have been established for each contract. Each contractor has submitted the following certified firms to achieve the goals:

Contractor	MBE/SBE Subcontractor	Work Description	MBE/SBE	% of Contract
Payless Insulation, Inc.	PMG Project Management Group, LLC	Weatherization Inspection	MBE	5%
	CBIC Construction & Development, L.P.	Construction	MBE	4%
	CIRE Industrial Supplies, LLC	Material Supplier	MBE	5%
	K. Harris Unlimited, LLC, d/b/a Partners of Texas	Weatherization Inspection	SBE	5%
	Southern Comfort Screens & More	Solar Screens	SBE	5%
Direct Energy, LP	Project Management Group, LLC	Weatherization Inspection	MBE	4%
	Baylor Asset Management, LLC	Infiltration and Inspection	MBE	5%
	Pretty Quick Delivery Services, LLC	Appliance Delivery	MBE	5%
	Comfortemp Insulation, Inc.	Insulation	SBE	10%
PMG Project Management Group, LLC	CIRE Industrial Supplies, LLC	Material Supplier	MBE	14%
	CBIC Construction & Development, L.P.	Construction	SBE	10%
Standard Renewable Energy, L.P.	J's Quality Construction, Inc.	Construction	MBE	10%
	CIRE Industrial Supplies, LLC	Material Supplier	MBE	4%
	Southern Comfort Screens & More	Solar Screens	SBE	2%
	CBIC Construction & Development, L.P.	Construction	SBE	8%

**PAY OR PLAY PROGRAM:** The proposed contracts require compliance with the City's 'Pay or Play' Ordinance regarding health benefits for employees of City contractors. In this case, Direct Energy, LP, Payless Insulation, Inc and PMG will provide health benefits to eligible employees in compliance with City policy. Standard Renewable Energy, L.P. will provide benefits to some employees, but will pay into the Contractor Responsibility Fund for others, in compliance with City policy.

**ARRA REQUIREMENTS:** Each contractor will adhere to and comply with the special reporting requirements associated with this American Recovery and Reinvestment Act of 2009 (ARRA) Grant as required by the Department of Energy and/or the City of Houston.

The City of Houston will adhere to and comply with the special reporting requirements associated with this American Recovery and Reinvestment Act of 2009 (ARRA) Grant as required by the granting agency and/or the U.S. Office of Management and Budget.

IZD:JLN:GMD:LM:mlg

c: Issa Dadoush, P.E., Marty Stein, Jacquelyn L. Nisby, File

**SUBJECT:** Professional Residential Post Weatherization Home Inspection Contract  
 The Nelrod Company  
 Residential Energy Efficiency Program (REEP)

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Page 1 of 2  
 Agenda Item 56

**FROM (Department or other point of origin):** General Services Department  
**Origination Date:** 12.01.09  
**Agenda Date:** ~~DEC 8 2009~~

**DIRECTOR'S SIGNATURE:** Issa Z. Dadoush, P.E. *Issa Z. Dadoush 11/6/09*  
**Council District(s) affected:** All DEC 16 2009

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

**RECOMMENDATION:** Approve Professional Residential Post Weatherization Home Inspection Contract for REEP and allocate funds.

**Amount and Source Of Funding:**  
**Maximum Contract Amount:** \$2,500,000.00 - 3 years  
**Initial Allocation:** \$1,250,000.00 – American Recovery Reinvestment Act (ARRA) (5300)  
**Finance Budget:** *Mitchell*

**SPECIFIC EXPLANATION:** The General Services Department (GSD) recommends that City Council approve a Professional Residential Post Weatherization Home Inspection Contract with The Nelrod Company, to perform inspection services to ensure that all energy efficiency measures are properly installed in compliance with the Department of Energy guidelines and that residents are satisfied with the service. It is further recommended that City Council delegate authority to the director to approve supplemental allocations up to the maximum contract amount of \$2,500,000.00.

The Nelrod Company was selected through a Request for Qualifications (RFQ) process that ranked respondents on experience, capacity, references, project management plan, years in business, and claims history. Four firms responded: The Nelrod Company, PMG Project Management Group, LLC, Your Home Check, and ESPA Corp. GSD evaluated the respondents and The Nelrod Company received the most points based on the advertised criteria.

**PROJECT LOCATIONS:** Citywide

**SCOPE OF CONTRACT AND FEE:** The consultant will perform post-weatherization inspections through work orders. Work orders issued under the contract will be paid on a per house basis.

**M/WBE PARTICIPATION:** A 24% M/WBE goal has been established for this contract. The consultant has submitted the following certified firms to achieve the goals:

<u>M/WBE Firm</u>	<u>Scope of Work</u>	<u>Amount</u>	<u>% of Contract</u>
Jarco Ventures, LLC	Scheduling/Telecommunications Support	\$175,000	14%
Global Force USA, Inc.	Call Center – Dispatch	\$ 87,500	7%
Staffing Etc, Inc.	Inspectors/Labor	\$ 37,500	3%
		<b>\$300,000</b>	<b>24%</b>

**PAY OR PLAY PROGRAM:** The proposed contract requires compliance with the City's 'Pay or Play' Ordinance regarding health benefits for employees of City contractors. In this case, the consultant provides health benefits to eligible employees in compliance with City policy.

**REQUIRED AUTHORIZATION** CUIC ID 25MSCL56  
**Other Authorization:** *MT*

<b>Date:</b>	<b>SUBJECT:</b> Professional Residential Post Weatherization Home Inspection Contract The Nelrod Company Residential Energy Efficiency Program (REEP)	<b>Originator's Initials</b> GD	<b>Page</b> 2 of 2
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**ARRA REQUIREMENTS:** The consultant will adhere to and comply with the special reporting requirements associated with this American Recovery and Reinvestment Act of 2009 (ARRA) Grant as required by the Department of Energy and/or the City of Houston.

The City of Houston will adhere to and comply with the special reporting requirements associated with this American Recovery and Reinvestment Act of 2009 (ARRA) Grant as required by the granting agency and/or the U.S. Office of Management and Budget.

IZD:JLN:LM:mlg

c: Issa Dadoush, P.E., Marty Stein, Jacquelyn L. Nisby, File



# CITY OF HOUSTON

General Services Department

## Interoffice

Correspondence

# ~~56~~  
12/8/09

A handwritten signature in black ink, appearing to read "Issa Dadoush".

**To:** Marty Stein  
Agenda Director

**From:** Issa Dadoush, PE  
Director of General Services  
Department

**Date:** December 8, 2009

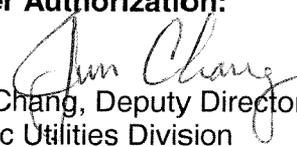
**Subject:** Update MWBE to Item 56 – The Nelrod  
Company RCA

An adjustment was made to Agenda Item number 56, the Professional Residential Post Weatherization Home Inspection Contract with the Nelrod Company. Jarco Ventures was not certified in time for the December 9<sup>th</sup> Council Session and, therefore, cannot be used on this contract. We have replaced Jarco Ventures with ESPA Corp. Global Force USA was also not able to be used in this contract. Staffing Etc., Inc. received the Global Force's share of the contract. The change is demonstrated below:

**M/WBE PARTICIPATION:** A 24% MWBE goal has been established for this contract. The consultant has submitted the following certified firms to achieve the goals:

M/WBE Firm	Scope of Work	Amount	% of Contract
ESPA Corp	Inspector	\$175,000	14%
Staffing Etc, Inc.	Inspectors/Labor	<u>\$125,000</u>	<u>10%</u>
		<b>\$300,000</b>	<b>24%</b>

Please let me know if you have any other questions.

<b>SUBJECT</b> Ordinance appropriating funds and approving a Professional Services Contract for Negotiated Work Orders for Investment Grade Audit for Various Wastewater Facilities Q23420		Page 1 of 2	Agenda Item # <b>88</b> <del>63</del>
<b>From: (Department or other point of origin):</b> Public Works and Engineering Department	<b>Origination Date</b> December 2, 2009	<b>Agenda Date</b> DEC 16 2009 <del>DEC 04 2009</del>	
<b>Director's Signature:</b>  Michael S. Marcotte, P.E. D.WRE, BCEE	<b>Council District affected: (Council District Letter Only)</b> All		
<b>For additional information contact:</b> Dannelle H. Belhateche, P. E. Sr. Assistant Director <b>Phone:</b> (713) 641-9182	<b>Date and identification of prior authorizing Council action:</b> N/A		
<b>Recommendation: (Summary)</b> Adopt Ordinance appropriating funds and approving an Investment Grade Audit (IGA) contract for performing a detailed analysis of energy consumption reduction options at several Wastewater Treatment Facilities for the Department of Public Works and Engineering.			
<b>Award Amount:</b> \$7,500,000.00 Combined Utility System General Purpose Fund (8305). <i>JHB 12/4/09</i>			
<b>SPECIFIC EXPLANATION:</b> The Director of the Department of Public Works and Engineering (PW&E) recommends that City Council approve a professional services contract for energy audit services to Siemens Industry, Inc. (f/k/a Siemens Building Technologies), to identify innovative energy efficient and sustainable operating solutions for the City's wastewater treatment and collection system for a term of one (1) year with additional one (1) year period renewal option.  The City is looking for long term technologies and methods to reduce its energy consumption in the treatment of municipal and industrial wastewaters and processing and disposal of related biosolids. Energy saving performance contracts were created by the legislative process and are authorized by Chapter 302 of the Texas Local Government Code. The Energy savings contract represents a partnership between the Energy Service Company (ESCO) and the City to deliver self-funding facility improvements with substantial reductions in energy consumption. The ESCO contractually guarantees that the energy savings realized by the project will payback the entire project costs over a specified timeframe.  This contract allocation represents the maximum compensation set aside for the vendor's preliminary engineering effort in the IGA. This allocation will be spent only in the event that PWE decides not to enter into a subsequent guaranteed Energy Performance Contract with the vendor to implement the negotiated energy conservation measures developed through the IGA. Should the City enter into a subsequent contract with the vendor to implement some or all of the developed energy conservation measures, this funding will be de-appropriated from the fund at the completion of the IGA, and all compensation to the vendor will be payable through the subsequent Energy Performance Contract.  The City established a multi-disciplinary team to design a fair and transparent process for selecting the contractor for this project. The team was comprised of seven members including representatives from the Mayor's Office of Environmental Programming, the City Legal Department, General Services Department, and Public Works and Engineering. The team			
<b>REQUIRED AUTHORIZATION</b> <i>JOBHB 25</i>			
<b>Finance Department</b>	<b>Other Authorization:</b>  Jun Chang, Deputy Director Public Utilities Division	<b>Other Authorization:</b>	

developed and issued a Request for Qualifications (RFQ) to identify qualified ESCOs to develop specific energy savings projects. Financial viability of each ESCO was an important component of the qualification, as the ESCO will be contractually bound to guarantee the savings required to finance repayment of the project costs. Responses were received on July 20, 2009. Four firms responded to the RFQ and were evaluated by the team. The team concluded that all four firms were qualified and then issued a Request for Proposal (RFP) to the four respondents. The RFP required the firms to propose actual energy savings improvements and provide specific information regarding the quantity of savings that could be achieved and the means of validating and measuring those savings. Responses to the RFP were received October 20, 2009. Each of the four respondents was invited for intensive interviews with the evaluation team. All references provided by the respondents were verified.

The contract is a work order based contract that envisions long term improvements at six treatment facilities: the 69<sup>th</sup> Street Wastewater Treatment Plant (WWTP); the Alameda Sims WWTP; the Sims (North) Bayou WWTP, the Sims South WWTP; the Clinton Park WWTP; and the Homestead WWTP at this time, although other facilities may be added at a later date. The energy conservation measures (ECMs) considered will include both the liquids processing and sludge processing facilities, and include potential decommissioning of up to four treatment plants. These ECMs are expected to result in significant cost reductions in operations and maintenance of the identified facilities, both in the short term and in the future. In addition, there will be significant reduction of green house gases and increased resiliency in case of loss of power in an emergency.

The City expects to implement some, if not all, of the proposed ECMs, and will request City Council to approve a subsequent contract to implement those ECMs following completion of specific work orders envisioned by the IGA.

This project is being done in conjunction with the City's partnership with the Clinton Climate Initiative (CCI). CCI's mission is to reduce green house gases in practical and measurable ways, through creative purchasing consortiums and by tapping into energy savings to pay for project costs.

**PAY OR PLAY PROGRAM:** The proposed contract requires compliance with the City's "Pay or Play" Ordinance regarding health benefits for employees of City contractors. In this case, the contractor provides health benefits to eligible employees in compliance with City policy.

**M/WDBE INFORMATION:** A W/WBE goal of 24% has been established for each contract. The consultants have submitted the following certified firms to achieve the goal. Each additional work order contract will address specific goals for M/WDBE firms:

<b><u>Firm</u></b>	<b><u>Work Description</u></b>
Associated Testing Laboratories, Inc.	Geotechnical Investigations, Instrumentations, Lab Testing, Engineering Analysis; Construction Inspection; Lab Testing, Reports and Recommendations
Bocci Engineering, LLC	Engineering Consulting Services focusing on Energy Engineering
Briones Consulting & Engineering, LTD	Civil Engineering/Construction Management
ISANI Consultants, Inc.	Construction Management & Engineering Services
Kalluri Group, Inc.	Engineering, Consulting, Project Management, Water and Wastewater Treatment Design
KIT Professionals, Inc.	Full Service Engineering Consulting and Information Technologies Solutions Provider
Omega Engineers, Inc.	Consulting Engineer: Civil Design/Drafting; Project Management & Contract Administration

C: Marty Stein  
Waynette Chan  
Gary Drabek  
Sophia Chang  
Jun Chang, P.E.



# CITY OF HOUSTON

Public Works and Engineering  
Department

## Interoffice

Correspondence

To: Marty Stein  
Agenda Director

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

Date: December 8, 2009

Subject: **INVESTMENT GRADE AUDIT  
CONTRACT BETWEEN CITY AND  
SIEMENS INDUSTRY, INC. - REVISED**

Council is being asked to award a professional services contract for energy audit services with Siemens Industry, Inc. to identify innovative energy efficient and sustainable operating solutions for the City's wastewater system. The City is seeking for methods to reduce its energy consumption in the treatment of municipal and industrial wastewater and processing and disposal of biosolids. The City's wastewater operations comprise approximately 40% of our entire energy consumption.

The legislature enacted Chapter 302 to allow local governments to implement capital-intensive projects that can be paid for out of the project's guaranteed energy savings. An Energy Service Company (ESCO) contractually guarantees the project savings over a specified timeframe. These savings are used to reimburse capital costs to implement the energy related improvements. If the implemented energy conservation measures do not provide the predicted energy savings, the ESCO must pay the local government what the government expected to save. Therefore, the project payback is guaranteed. After the guarantee period has expired, the utility can use the savings to reduce operating costs going forward.

This project is being done in conjunction with the City's partnership with the Clinton Climate Initiative (CCI). CCI's mission is to reduce greenhouse gases in practical and measurable ways, through creative purchasing consortiums and by tapping into energy savings to pay for project costs.

This audit is the first phase of a project that envisions long term improvements at six treatment facilities: 69<sup>th</sup> Street; Almeda Sims; Sims North; Sims South; Clinton Park; and Homestead and their associated lift stations. The audit will identify specific energy conservation measures (ECMs) that can be implemented and will determine the amount of savings that can be achieved. The cost for performing the audit is rolled into a subsequent energy savings performance contract with the ESCO. If, however, the City elects for any reason not to implement a specific energy savings project developed through the audit, the ESCO receives reimbursement on a time and materials basis for the degree of developmental upfront work performed by the firm. The audit contract will be work order based. The City will initiate a work order, design the concept and specify its particular goals, objectives and criteria. The City and Siemens will negotiate the cost for each audit work order. In addition, the City will be integrally involved with the audit process. It will be required to review the work product at various stages and provide input as to whether and how the work should proceed.

The total appropriation for this professional service contract is \$7,500,000 from Combined Utility System General Purpose Fund (8305). As depicted above, the funds will be paid to the ESCO only if the City issues a work order and then elects not to implement a viable energy savings project derived from the audit.

MB

The ECMs that are likely to be developed by Siemens will include both liquids and sludge processing facilities, and include potential decommissioning of up to four treatment plants. The energy savings from these projects are expected to result in significant cost reductions in operations and maintenance both in the short term and in the future. In addition, there will be significant reduction of greenhouse gases and increased resiliency in case of loss of power in an emergency.

Selection Process: The City established a multi-disciplinary team to design a comprehensive, fair and transparent process for selecting an ESCO for this project. The team was comprised of seven members, including representatives from the City's Legal Department, General Services Department, Mayor's Office of Environmental Programming, and three divisions in the department of Public Works and Engineering. The team developed and issued a Request for Qualifications (RFQ) to identify qualified ESCOs to develop specific energy savings projects. Financial viability of each ESCO was an important component of the qualification, as the ESCO will be contractually bound to guarantee the savings. Responses were received on July 20, 2009. Four firms responded to the RFQ and were evaluated by the team.

The team concluded that all four firms were qualified to receive Request for Proposal (RFP) and then developed and issued a RFP to those four firms. The RFP required the firms to propose actual energy savings improvements and provide specific information regarding the quantity of savings that could be achieved and the means for validating and measuring those savings. The RFP required the firms to provide examples of cases in which energy conservation measures did not attain the projected savings and the firm had written a check. Responses to the RFP were received on October 14, 2009. Each of the four responders was invited for extensive interviews with the evaluation team. All references provided by all four firms were contacted. After careful consideration, the evaluation team made its selection of Siemens.

Questions on why selecting one ESCO and why not dividing the work and awarding multiple contracts to local engineering firms:

As stated above, due to the financial liability required of the ESCOs in meeting long term financial guarantee in the contract, all four responding ESCOs are large national firms with local presence. This contract is between the City and an ESCO. The ESCO will then select their own engineering firms and enter into contracts with them. The City is not involved in the selection of consultants. The decision of selecting one ESCO is based solely on the qualification of the ESCOs. Although that was made clear in the RFP, the inclusion of all four respondents in the RFP process may have created false expectations from other ESCOs. Dividing the tasks within the scope of work and awarding a contract to a less qualified ESCO is not in the best interest of the City and may be unfair since each task within the scope of work may carry different financial burdens and profit margins.



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

MSM:JC

C: Ceil Price  
Dannelle Belhateche  
Gary Drabek

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DEC 16 2009

MOTION NO. 2009 0900

MOTION by Council Member John that the following item be postponed for one week:

Item 93 - Ordinance appropriating \$592,728.00 out of TIRZ Affordable Housing Fund and approving and authorizing Developer Participation Contract between the City of Houston and CFG TX GP, LLC for Reimbursement of costs for paving in Settegast

Seconded by Council Member Khan and carried.

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

PASSED AND ADOPTED this 9th day of December 2009.

Pursuant to Article VI, Section 6 of the City Charter, the effective date of the foregoing motion is December 15, 2009.

City Secretary

TO: Mayor via City Secretary      REQUEST FOR COUNCIL ACTION

<b>SUBJECT:</b> Developer Participation Contract for 100% Reimbursement for Paving in Settegast between the City of Houston and CFG TX GP, LLC      WBS P-001002-0001-4	Page 1 of 1	Agenda Item # <div style="border: 1px solid black; padding: 2px; display: inline-block;"> <del>937</del> </div>
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<b>FROM (Department or other point of origin):</b> Department of Public Works and Engineering	<b>Origination Date</b> 11-23-09	<b>Agenda Date</b> <del>DEC 02 2009</del> <del>DEC 03 2009</del> DEC 16 2009
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<b>DIRECTOR'S SIGNATURE</b> Michael S. Marcotte, P.E., D.WRE, BCEE	<b>Council District affected:</b> B
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<b>For additional information contact:</b> Ann Marie Stone Sheridan 713-837-9142 <i>AMS</i>	<b>Date and identification of prior authorizing Council action:</b> none
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**RECOMMENDATION: (Summary)**  
 Adopt ordinance approving Developer Participation Contract with CFG TX GP, LLC for Reimbursement for Paving Design and Construction in Settegast and appropriate funds.

**Amount and Source of Funding:**  
**\$592,728.00 TIRZ Affordable Housing Fund 2409**

**SPECIFIC EXPLANATION:**

The principle objective of this reimbursement is to support the construction of streets in Settegast, a neighborhood in northeast Houston. Settegast is a platted but undeveloped neighborhood that has been designated as a HOPE neighborhood. It was originally platted in 1913 and the lots were sold prior to the provision of any public infrastructure including streets, drainage, water, and sewer service. Without these services, the individual lot owners were unable to construct homes and the neighborhood has remained undeveloped with portions used for illegal dumping for over 95 years.

CFG TX GP, LLC has purchased 38 lots in Settegast and has agreed to advance the funding for the public infrastructure required for development of a 162-lot section. The City will reimburse CFG TX GP, LLC for design and construction of water, wastewater, and storm sewer infrastructure under a standard form Developer Participation Contract, as authorized by Chapter 47, Article IV of the Code of Ordinances.

In order to facilitate construction of paved roads for the 162-lot section, the Public Works and Engineering Department requests Council approve a Developer Participation Contract for paving, by which the City will reimburse CFG TX GP for 100% of the costs to design and construct roads for the entire section. Although CFG TX GP, LLC owns less than one-quarter of the lots, the developer agrees to advance the funding for infrastructure that will serve all 162 lots, which will facilitate development on the remainder of the lots.

CFG TX GP will be required to design and build the streets to City of Houston standards and will dedicate all infrastructure to the City, once PWE inspects and accepts it.

Attachments

cc:  
 Susan Bandy  
 Chris Butler

<b>REQUIRED AUTHORIZATION</b> <b>Other Authorization:</b> Andrew F. Icken, Deputy Director Planning and Development Services	20UPA6A <b>Other Authorization:</b>
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