

**AGENDA - COUNCIL MEETING - TUESDAY - JUNE 29, 2010 - 1:30 P. M.**  
**COUNCIL CHAMBER - SECOND FLOOR - CITY HALL**  
**901 BAGBY - HOUSTON, TEXAS**

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

**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 - JUNE 30, 2010 - 9:00 A. M.**

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

**MAYOR'S REPORT** - City Council Redistricting - David Feldman, City Attorney

**CONSENT AGENDA NUMBERS 1 through 51**

**MISCELLANEOUS** - NUMBERS 1 through 3

1. REQUEST from Mayor for confirmation of the appointment of the following individuals to the **HOUSTON ARTS ALLIANCE**, for terms to expire June 30, 2012  
Position Five - **MS. SHANNON BUGGS**  
Position Six - **MR. DAVID ASHLEY WHITE**
2. REQUEST from Mayor for confirmation of the reappointment of **MS. MEG AHERN OSWALD** as full-time **MUNICIPAL COURT JUDGE**, for a two year term
3. RECOMMENDATION from Director Administration & Regulatory Affairs for the designation of a residential parking permit area in the Super Neighborhoods of University Place and Washington Coalition/Memorial Park - **DISTRICTS C - CLUTTERBUCK and H - GONZALEZ**

**AGENDA - JUNE 30, 2010 - PAGE 2**

**ACCEPT WORK** - NUMBERS 4 through 10

4. RECOMMENDATION from Interim Director General Services Department for approval of final contract amount of \$10,179,760.00 and acceptance of work on contract with **PRIME CONTRACTORS, INC** for The African American Library at the Gregory School - 19.59% over the original contract amount - **DISTRICT I - RODRIGUEZ**
5. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$2,743,130.50 and acceptance of work on contract with **BOYER, INC** for 69th Street Wastewater Treatment Plant Improvements (Package 1) - 3.04% under the original contract amount - **DISTRICT I - RODRIGUEZ**
6. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$3,228,436.51 and acceptance of work on contract with **METRO CITY CONSTRUCTION, L.P.** for Neighborhood Sanitary Sewer Improvements: Peden Street to Willard Street and West Polk to West Gray Street - 13.60% under the original contract amount **DISTRICT D - ADAMS**
7. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$22,625,867.12 and acceptance of work on contract with **REYNOLDS INLINER, LLC** for Sanitary Sewer Rehabilitation by Cured-In-Place Pipe Method - 4.82% over the original contract amount - **DISTRICTS D - ADAMS; F - HOANG; H - GONZALEZ and I - RODRIGUEZ**
8. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$2,116,837.68 and acceptance of work on contract with **D. L. ELLIOTT ENTERPRISES, INC** for Water Line Replacement in the Blossom Heights Area - 2.73% under the original contract amount - **DISTRICT G - PENNINGTON**
9. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$2,151,881.08 and acceptance of work on contract with **METRO CITY CONSTRUCTION, L.P.** for Water Line Replacement in Brookhaven Area - 16.17% under the original contract amount - **DISTRICT D - ADAMS**
10. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,830,688.48 and acceptance of work on contract with **ACM CONTRACTORS, INC** for Water Line Replacement in First Ward Section 1 - 4.69% over the original contract amount - **DISTRICT H - GONZALEZ**

**PROPERTY** - NUMBERS 11 and 12

11. RECOMMENDATION from City Attorney to deposit the amount of the Award of Special Commissioners, into the Registry of the Court and pay the costs of Court in connection with eminent domain proceeding styled City of Houston v. Woon Sun Lee and Kil Soon Lee, d/b/a Lee's Sign Co., et al., Cause No. 951,765; for acquisition of Parcel AY8-051; for the **BUNKER HILL PAVING PROJECT, PHASE II (IH-10 Feeder Road - Long Point Road)** - **DISTRICT A - STARDIG**
12. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Michael Breazeale, for sale of ±2,731 square feet of excess, fee-owned Sawyer Street right-of-way (Parcel A67-156), located within Tracks 9A and 10A, Block 385, W. R. Baker Addition, out of the John Austin Survey, A-1, Parcel SY10-064, SY10-077 and SY10-078 - **DISTRICT H - GONZALEZ**

**PURCHASING AND TABULATION OF BIDS** - NUMBERS 13 through 20

13. ORDINANCE appropriating \$103,000.00 out of Equipment Acquisition Consolidated Fund for Purchase of Driver Training System from **VIGIL SOLUTIONS INC** for the Houston Fire Department
  - a. **VIGIL SOLUTIONS INC** for VigilVanguard Driver Training System for Houston Fire Department
14. ORDINANCE appropriating an additional \$46,938.00 out of Fire Consolidated Construction Fund for issuance of purchase order to **TERRAIN SOLUTIONS, INC** for Additional Assessment and Corrective Action for the Houston Fire Department
  - a. **AMEND MOTION #2009-505, 6/30/09, TO INCREASE** spending authority from \$63,998.00 to \$110,936.00 for Additional Assessment and Corrective Action for Houston Fire Department, awarded to **TERRAIN SOLUTIONS, INC** - \$46,938.00 - Fire Consolidated Construction Fund **DISTRICTS A - STARDIG and D - ADAMS**
15. ORDINANCE appropriating \$742,350.00 out of General Improvement Consolidated Construction Fund for Parking Lot Improvements under the Pierce Elevated, for the General Services Department
  - a. **CARRERA CONSTRUCTION, INC** for Parking Lot Improvements under the Pierce Elevated for General Services Department - \$707,000.00 and contingencies for a total amount not to exceed \$742,350.00 - **DISTRICT I - RODRIGUEZ**
16. **HOUSTON WORKS USA** to train and employ youth to be energy and environmental conservation advocates - \$73,953.92 - Mayor's Summer Youth Conservation Corps and Grant Funds
17. **ALTIVIA CORPORATION** - \$148,944.28; **DX TERMINALS, LTD.** - \$332,814.78 and **UNIVAR USA** - \$424,802.93 for Emergency Purchase of Caustic Soda for Department of Public Works & Engineering - Enterprise Fund
18. **THE MUR-TEX COMPANY** for Chemical Storage Tanks for Department of Public Works & Engineering - \$79,494.00 - Enterprise Fund
19. ORDINANCE appropriating \$1,400,000.00 out of Street & Bridge Consolidated Construction Fund for Emergency Repair of Clay Road at the Langham Creek Bridge for Public Works & Engineering Department
  - a. **TOM-MAC, INC** for Repairs to Clay Road at the Langham Creek Bridge for Department of Public Works & Engineering - \$1,151,328.29 and contingencies for a total amount not to exceed \$1,277,893.73 - **DISTRICT A - STARDIG**
20. **GODWIN PUMPS OF AMERICA, INC** - \$273,723.00, **HAHN EQUIPMENT CO., INC** - \$1,054,508.00, **JDC FLUID EQUIPMENT** - \$169,452.00 and **GRIFFIN DEWATERING CORPORATION** - \$63,340.00 for Pumps for Department of Public Works & Engineering \$1,561,023.00 - Enterprise Fund

**AGENDA - JUNE 30, 2010 - PAGE 4**

**ORDINANCES** - NUMBERS 21 through 51

21. ORDINANCE **AMENDING SECTION 4-12 OF CHAPTER 4 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to the provision of Emergency Medical Services and Medical Transfer Services in the City to modify patient transport guidelines; containing findings and other provisions relating to the foregoing subject; providing an effective date; providing for severability
22. ORDINANCE **AMENDING THE CODE OF ORDINANCES, HOUSTON, TEXAS, CHAPTER 14**, relating to the payment of holiday compensation to eligible employees who have a regularly scheduled day off on a holiday; containing findings and other provisions relating to the foregoing subject, providing for severability
23. ORDINANCE approving the issuance and sale of Coastal Water Authority Contract Revenue Refunding Bonds, Series 2010 (Luce Bayou Project), approving the form, terms, and substance of the Bond Resolution of the Authority relating to its Contract Revenue Bonds, Series 2010; making various provisions relating to the subject; and declaring an emergency
24. ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of East Avenue O, from 96th Street to its eastern terminus (Parcel SY9-009A) and East Avenue N, from 96th Street to its eastern terminus (Parcel SY9-009B), in the Manchester Subdivision, Callahan and Vince Survey, A-9; vacating and abandoning said tracts to Valero Refining - Texas, L.P., abutting owner; in consideration of its payment to the City of \$145,538.00  
**DISTRICT I - RODRIGUEZ**
25. ORDINANCE amending Exhibits "A" and "B" of City of Houston Ordinance No. 90-1292 (as amended by City of Houston Ordinance No. 2009-722), to amend the Master Classification Ordinance to revise the pay structure, change one job title and increase the number of positions for the Associate Judge Classification; providing a repealer; providing for severability
26. ORDINANCE amending Exhibit "A" of City of Houston Ordinance No. 2009-0632 by adding eight Engineer/Operator Positions; substituting the amended exhibit as part of the current Fire Department Classified Personnel Ordinance
27. ORDINANCE approving and authorizing first amendment to Loan Agreement between the City of Houston and **GUIDING LIGHT COMMUNITY DEVELOPMENT CORPORATION** authorized by Ordinance Number 2010-313 to increase the portion of loan proceeds which may be allocated to allowed project delivery costs - **DISTRICT B - JOHNSON**
28. ORDINANCE appropriating \$16,238,886.43 out of Tax Increment Funds for Reinvestment Zone Number Two, City of Houston, Texas (Midtown Zone), Reinvestment Zone Number Three, City of Houston, Texas (Main Street/Market Square Zone), Reinvestment Zone Number Eight, City of Houston, Texas (Gulfgate Zone), Reinvestment Zone Number Nine, City of Houston, Texas (South Post Oak Zone), Reinvestment Zone Number Ten, City of Houston, (Lake Houston Zone), and Reinvestment Zone Number Eleven, City of Houston, Texas (Greater Greenspoint Zone) for administrative expenses, payment of project costs, payment to Humble Independent School District, and payments to certain redevelopment authorities as provided herein - **DISTRICTS B - JOHNSON; D - ADAMS; E - SULLIVAN; H - GONZALEZ and I - RODRIGUEZ**
29. ORDINANCE approving and adopting an Updated Ongoing Service and Assessment Plan for and on behalf of the Lamar Terrace Public Improvement District No. 2 covering the period 2010 through 2019 pursuant to Chapter 372 of the Texas Local Government Code - **DISTRICT C - CLUTTERBUCK**
  - a. ORDINANCE appropriating \$223,725.26 out of Fund 7508, Lamar Terrace Public Improvement District No. 2 Fund, for payment to Saint George Place Redevelopment Authority pursuant to Ordinance No. 2003-0432 - **DISTRICT C - CLUTTERBUCK**

**ORDINANCES** - continued

30. ORDINANCE approving and authorizing Amendment No. 1 to agreement for Convention and Tourism Services between the City of Houston and the **GREATER HOUSTON CONVENTION AND VISITORS BUREAU**
31. ORDINANCE approving and authorizing submission of application for grant assistance for Bioterrorism Discretionary Projects and contract with the **DEPARTMENT OF STATE HEALTH SERVICES** to implement four Public Health Emergency Preparedness Projects from such grant funds; declaring the City's eligibility for such grant; authorizing the Director of the Houston Department of Health & Human Services or his designee to act as the City's representative in the application process, with the authority to approve, accept, reject, alter or terminate such grant funds, if awarded, and to apply for and accept all subsequent awards, if any, pertaining to the program
32. ORDINANCE approving and authorizing submission of an application for grant assistance to the **TEXAS PARKS AND WILDLIFE DEPARTMENT**, Urban Indoor Recreation Grant Fund, administered by the Texas Parks and Wildlife Department, to renovate and expand the Moody Park Community Center; declaring the City's eligibility for such grant; authorizing the Director of the Parks & Recreation Department to act as the City's representative in the application process, to accept such grant funds, if awarded, and to apply for and accept all subsequent awards, if any, pertaining to the program - **DISTRICT H - GONZALEZ**
33. ORDINANCE approving and authorizing Interlocal Agreement between the City of Houston and **THE HOUSTON INDEPENDENT SCHOOL DISTRICT** for Printing, Copying, Scanning and On-site Copy Shop Management Services for City Departments - 5 Years with 5 one-year options
34. ORDINANCE approving and authorizing contract between the City of Houston and **THE OHMSTEDE GROUP, INC. D/B/A COIN COPIERS** to install and maintain a Coin and Debit Card Copier Machine System for the Houston Public Library Department - 5 years
35. ORDINANCE appropriating \$35,000.00 out of Public Library Consolidated Construction Fund for purchase of Materials, Furniture and Information Technology Equipment for the Ring Neighborhood Library - **DISTRICT A - STARDIG**
36. ORDINANCE amending Ordinance No. 2009-1411 (Passed 12/29/2009) to permit use of previously appropriated funds for the purchase of real property located within the Industrial Center Subdivision, Harris County, Texas, in connection with the expansion and renovation of the BARC Facility; approving and authorizing the use of such funds to bid at a Harris County Tax Sale; authorizing the Mayor's designee to make the purchase - **DISTRICT B - JOHNSON**
37. ORDINANCE amending Ordinance No. 2009-981, relating to the City of Houston Term Limits Review Commission, to defer the date of the Commission's final report to the City Council
38. ORDINANCE appropriating \$850,200.00 out of Metro Projects Construction Fund; approving and authorizing Advance Funding Agreement between the City of Houston and **TEXAS DEPARTMENT OF TRANSPORTATION** for Houston's Heritage Corridor, Bayou Trails West from San Jacinto Street to Stude Park (Approved by 95-1290) - **DISTRICT H - GONZALEZ**
39. ORDINANCE appropriating \$30,190.00 out of Street & Bridge Consolidated Construction Fund and \$30,422.00 out of Water & Sewer System Consolidated Construction Fund as an additional appropriation to the Construction and Maintenance Agreement between the City of Houston and **TEXAS DEPARTMENT OF TRANSPORTATION** for Replacement of Sherwell Street Bridge at Jordan Gully (Approved by Ordinance No. 1998-279) - **DISTRICT E - SULLIVAN**

**ORDINANCES** - continued

40. ORDINANCE approving and authorizing first amendments to Advance Funding Agreements between the City of Houston and **TEXAS DEPARTMENT OF TRANSPORTATION** for Safe Routes to School Projects (Approved by Ordinance No. 2009-0971) - **DISTRICTS H - GONZALEZ and I - RODRIGUEZ**
41. ORDINANCE appropriating \$472,362.00 out of Airports Improvement Fund and approving and authorizing Project Development Agreement between the City of Houston and **CONTINENTAL AIRLINES, INC** for Construction Management Services for Terminal A North-Gate A 3 Expansion at George Bush Intercontinental Airport/Houston (Project 641); providing funding for the Civic Art Program - **DISTRICT B - JOHNSON**
42. ORDINANCE appropriating \$3,887,592.00 out of Airport Improvement Fund and awarding construction contract to **THE GONZALEZ GROUP, LP** for Terminal A North-Gate A 3 Expansion at George Bush Intercontinental Airport/Houston (Project 641); 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 the Civic Art Program, engineering testing services and for contingencies relating to construction of facilities financed by such funds - **DISTRICT B - JOHNSON**
43. ORDINANCE appropriating \$508,750.00 out of Airports Improvement Fund and approving and authorizing Amendment No. 1 to contract between the City of Houston and **WHITLOCK, DALRYMPLE, POSTON AND ASSOCIATES, INC** for Professional Engineering Services at William P. Hobby Airport (Project No. 592); providing funding for the Civic Art Program **DISTRICT I - RODRIGUEZ**
44. ORDINANCE appropriating \$1,000,000.00 out of Airports Improvement Fund for supplemental allocation to contract for Professional Consulting Services by and between the City of Houston and **HNTB CORPORATION** for On-Call Planning Services for the Houston Airport System (Project No. 616; Contract No. 4600004495) - **DISTRICTS B - JOHNSON; E - SULLIVAN and I - RODRIGUEZ**
45. ORDINANCE appropriating \$224,000.00 out of General Improvement Consolidated Construction Fund, \$222,000.00 out of Water & Sewer System Consolidated Construction Fund, and \$172,000.00 out of Public Health Consolidated Construction Fund for Minor Construction, Repairs, Rehabilitations or Alterations of various facilities under the Job Order Contracts Program
46. ORDINANCE appropriating \$196,099.00 out of Fire Consolidated Construction Fund; awarding construction contract to **AIA GENERAL CONTRACTORS, INC** for Underground Storage Tank Remediation, Removal and Installation at Fire Station 28; 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 materials testing and project management and contingencies relating to construction of facilities financed by the Fire Consolidated Construction Fund - **DISTRICT C - CLUTTERBUCK**
47. ORDINANCE No. 2010-0482, passed first reading on June 23, 2010  
ORDINANCE adopting amended Land Use Assumptions, Capital Improvement Plan, and Impact Fees in accordance with Chapter 395 of the Texas Local Government Code; amending Chapter 47 of the Code of Ordinances of Houston, Texas and containing findings and other provisions relating to the foregoing subject; containing a savings clause; and providing for severability - **SECOND AND FINAL READING**

**ORDINANCES** - continued

48. ORDINANCE No. 2010-0490, passed first reading on June 23, 2010  
ORDINANCE granting to **TEXAS ENVIRONMENTAL CONTROL, INC, A Texas Corporation**, the right, privilege and franchise to collect, haul and transport solid waste and industrial waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions  
**SECOND READING**
49. ORDINANCE No. 2010-0491, passed first reading on June 23, 2010  
ORDINANCE granting to **FPF DEMOLITION, LLC, A Texas Limited Liability Company, dba FERNANDEZ & SONS**, the right, privilege and franchise to collect, haul and transport solid waste and industrial waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions  
**SECOND READING**
50. ORDINANCE No. 2010-0492, passed first reading on June 23, 2010  
ORDINANCE granting to **AMERIWASTE SERVICES, LLC, A Texas Limited Liability Company**, the right, privilege and franchise to collect, haul and transport solid waste and industrial waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions  
**SECOND READING**
51. ORDINANCE No. 2010-0493, passed first reading on June 23, 2010  
ORDINANCE granting to **TWISTER WASTE INC, A Texas Corporation**, the right, privilege and franchise to collect, haul and transport solid waste and industrial waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions - **SECOND READING**

**END OF CONSENT AGENDA**

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

**NON CONSENT AGENDA** - NUMBER 52

**MISCELLANEOUS**

52. RECOMMENDATION from Director Department of Public Works & Engineering to amend Motion #2010-303 and #2010-392, which set public hearing dates to consider adopting Municipal Setting Designation Ordinances for **FPA/PINPOINT MYKAWA, LLC** and **BAE SYSTEMS RESOLUTION**, to reflect the correct published hearing dates - **REQUIRES THREE MOTIONS**

**AGENDA - JUNE 30, 2010 - PAGE 8**

**MATTERS HELD** - NUMBERS 53 through 59

53. ORDINANCE approving and authorizing contract between the City of Houston and **eCIVIS, INC** for subscription to the grant network and related services for the Mayor's Office of Intergovernmental Relations; providing a maximum contract amount - 3 Years - \$201,450.00 General Fund - **TAGGED BY COUNCIL MEMBER ADAMS**  
This was Item 12 on Agenda of June 23, 2010
54. ORDINANCE approving and authorizing Parking Operations and Management Services Agreement between the City of Houston and **REPUBLIC PARKING SYSTEM, INC** for Convention & Entertainment Facilities Department; providing a maximum contract amount 3 Years with two one-year options - \$11,929,380.00 - Enterprise Fund - **DISTRICTS D - ADAMS; H - GONZALEZ and I - RODRIGUEZ** - **TAGGED BY COUNCIL MEMBER JONES**  
This was Item 13 on Agenda of June 23, 2010
55. ORDINANCE approving and authorizing third amendment to contract between the City of Houston and **SEVERN TRENT ENVIRONMENTAL SERVICES, INC** for Operation and Maintenance Services for the Kingwood Area Water and Wastewater Utilities and Facilities (Approved by Ordinance No. 2002-91); amending Ordinance No. 2002-91 to increase the maximum contract amount - \$1,000,000.00 - Enterprise Fund - **DISTRICT E - SULLIVAN**  
**TAGGED BY COUNCIL MEMBERS JOHNSON, JONES and ADAMS**  
This was Item 19 on Agenda of June 23, 2010
56. ORDINANCE appropriating \$50,000.00 out of Drainage Improvement Commercial Paper Series F Fund and approving and authorizing Interlocal Agreement between the City of Houston and **GEOTECHNOLOGY RESEARCH INSTITUTE** for Professional Consulting Services for a sustainable infrastructure program - **TAGGED BY COUNCIL MEMBER COSTELLO**  
This was Item 24 on Agenda of June 23, 2010
57. ORDINANCE appropriating \$1,563,164.75 out of Street & Bridge Consolidated Construction Fund as an additional appropriation to the Professional Engineering Services Contract between the City of Houston and **NATHELYNE A. KENNEDY & ASSOCIATES, L.P. d/b/a NATHELYNE A. KENNEDY & ASSOCIATES, INC** for Design of Broadway Street from IH 45 to Airport Boulevard (Approved by Ordinance No. 2006-0201) - **DISTRICT I - RODRIGUEZ**  
**TAGGED BY COUNCIL MEMBER JONES**  
This was Item 27 on Agenda of June 23, 2010
58. ORDINANCE amending Ordinance No. 2009-1359 to increase the maximum contract amount for contract between the City and **RON SMITH & ASSOCIATES, INC** (Contract #4600009345) for Latent Print Support Services - \$2,332,000.00 - General Fund  
**TAGGED BY COUNCIL MEMBER JONES**  
This was Item 37 on Agenda of June 23, 2010
59. ORDINANCE relating to Water Conservation Incentive Program for rent restricted apartment units; containing provisions related to the subject  
**TAGGED BY COUNCIL MEMBER JONES**  
This was Item 39 on Agenda of June 23, 2010

**MATTERS TO BE PRESENTED BY COUNCIL MEMBERS** - Council Member Sullivan 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  
JUNE 29, 2010 - 2:00 PM**

**AGENDA**

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**NON-AGENDA**

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MS. ALECIA LAWYER – 1973 W. Gray, Ste. 3 – 77019 – 713-665-2700 – HOT Tax

MS. LYNETTE WALLACE – 2402 Munzer St. – 77053 – 713-9226-6368 – HOT Tax – Houston Art Alliance

MR. DAVID BRACHER – Post Office Box 38592 – 77238 – 713-822-6062 – Water rate

MR. LAWRENCE SPENCE – 2112 Crockett – 77007 – 281-684-0288 – Issues the youth observe in communities

MS. JULIE FARR – 4848 Main – 77002 – 713-529-4848 ext. 103 – Support for Arts funding

MR. DAVID MEARS - 5107 Tidewater - 77045 – 713-433-0563 – Public Works project issue and driveways

MR. FRANCES MEARS – 5107 Tidewater - 77045 – 713-433-0563 – Public Works issues and driveways

MR. MARVIN SMITH – 5103 Tidewater Dr. – 77045 – 713-962-6017 - Public Works issues and driveways

MR. LAMAR KHANNA – 7920 Bluff Trl. Dr. – Pasadena – TX – 77332 – 713-743-1403 – HOV concerns

MR. JAMES WILLIAMS – 3030 Gorton – 77051 – 713-738-1170 – Lien on property

MS. JACKALINE HICKMAN – 4210 FM 196, No. 100 – 77269 – 832-884-6197 – Homeless

MR. ARTHUR SCHECHTER – 1100 Uptown Park Blvd., No. 279 – 77056 – 713-757-7811 – Term Limits revisions

MS. SHAW GUO – 1515 Holcombe Blvd., No. 77030 – 832-771-0226 – Shen Yun Performance

MR. LUIS RAMOS – 1120 Hammock – 77009 – 832-671-3620 – Thank the police officers who watched my neighborhood - Dist. H

MR. JACK TERENCE – 7265 Sims – 77061 – 832-434-7998 – Houston Chronicle and Jim Robinson

MR. /COACH R. J. BOBBY TAYLOR - 3107 Sumpter - 77026 - FA34511 - Behavior; Fiesta Ballroom, 200 Jackson Street, Houston, disgracing Parents/Children

MS. DARLENE KING – Post Office Box 87784 – 77287 – 832-892-3278 – David Feldman Assistance

MS. L. JONES – 3534 Russell - 77026 – 832-885-0386 – Four Police Officers bonds is only \$1,000.00

MS. ANGIE KELLY – 5565 Gasmer – 77035 – 832-359-2484 – Housing issues

**PREVIOUS**

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**PRESIDENT JOSEPH CHARLES - Post Office Box 524373 - 77052-4373 – City Hall-HPD W/City populations w/illegal headquarters radio devices w/compute**

**MR. WILLIAM BEAL - 5814 Overdale St. – 77033 – 713-738-3410 – State of California: Governor Arnold SWA: Chase Bank: stolen money**

**MS. MARY TAYLOR - 1403 Fashion Hill Dr. - 77088 - 281-445-0682 – Stuebner Airline Park**



ANNISE D. PARKER  
MAYOR

OFFICE OF THE MAYOR  
CITY OF HOUSTON  
TEXAS

JUN 30 2010

COPY TO EACH MEMBER OF COUNCIL:

CITY SECRETARY: 6-14-10  
date

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

June 14, 2010

The Honorable City Council  
Houston, Texas

Dear Council Members:

I am pleased to nominate for appointment the following individuals to the board of the Houston Arts Alliance, subject to Council confirmation:

Ms. Shannon Buggs, appointment to Position Five, for a term to expire June 30, 2012; and  
Mr. David Ashley White, appointment to Position Six, for a term to expire June 30, 2012.

The résumés of the nominees are attached for your review.

Sincerely,

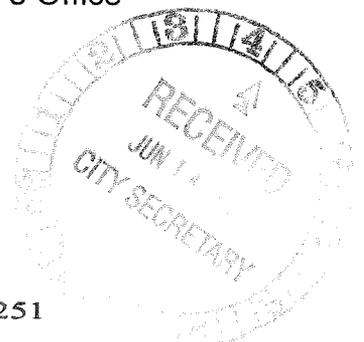
Handwritten signature of Annise D. Parker in cursive.

Annise D. Parker  
Mayor

AP:JC:jsk

Attachments

cc: Mr. Jonathon Glus, Chief Executive Officer, Houston Art Alliance  
Ms. Minnette Boesel, Mayor's Assistant for Cultural Affairs, Mayor's Office  
Ms. Fabené J. Welch, Chair, Houston Arts Alliance





ANNISE D. PARKER  
MAYOR

OFFICE OF THE MAYOR  
CITY OF HOUSTON  
TEXAS

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JUN 3 0 2010

COPY TO EACH MEMBER OF COUNCIL:

CITY SECRETARY: 6-16-10  
date

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

June 10, 2010

The Honorable City Council  
Houston, Texas

**Re: Reappointment of Full-Time Municipal Court Judge**

Dear Council Members:

I reappoint the following individual as full-time Municipal Court Judge, subject to Council confirmation. The Judge shall serve two-year term beginning immediately upon Council confirmation.

Names	Position
Meg Ahern Oswald	15

The résumé of the nominee is attached for your review.

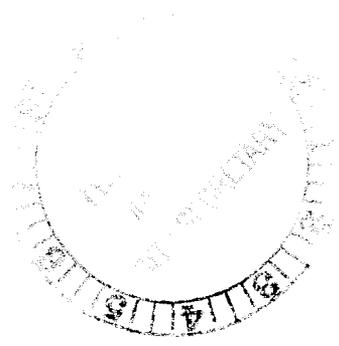
Sincerely,

Annise D. Parker  
Mayor

AP:JC:jsk

Attachment

cc: The Honorable Barbara E. Hartle, Presiding Judge of Municipal Courts  
Ms. Marty Stein, Agenda Director, Mayor's Office



TO: Mayor via City Secretary

**REQUEST FOR COUNCIL ACTION**

<b>SUBJECT:</b> Designation of Residential Parking Permit areas in various neighborhoods in the City of Houston.	<b>Page</b> 1 of 1	<b>Agenda Item</b> <b>3</b>
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<b>FROM: (Department or other point of origin):</b> Alfred J. Moran, Jr., Director Administration & Regulatory Affairs	<b>Origination Date</b> June 21, 2010	<b>Agenda Date</b> JUN 30 2010
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<b>DIRECTOR'S SIGNATURE:</b> <i>Alfred Moran for Alfred Moran</i>	<b>Council District affected:</b> C, H
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<b>For additional information contact:</b> Liliana Rambo, CAPP <b>Phone:</b> 713.853.8193 Christopher Newport <b>Phone:</b> 713.837.9533	<b>Date and identification of prior authorizing Council Action:</b>
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**RECOMMENDATION:** Adopt a motion authorizing the designation of a residential permit parking area in the Super Neighborhoods of University Place and Washington Coalition/Memorial Park.

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

The Administration & Regulatory Affairs Department (ARA) recommends that two proposed areas be designated as Residential Parking Permit areas, where on-street parking at the times of day and days of the week specified in the attachment require a valid permit.

Section 26-311 of the City of Houston Code of Ordinances provides for the creation of Residential Permit Parking areas in neighborhoods where excessive commuter parking is deemed a problem for residents. To date, 97 Residential Permit Parking areas have been designated. ARA and Public Works and Engineering (PWE) reviewed the applications for the two proposed Residential Parking Permit areas. The required public hearing was held on June 15, 2010 and all outstanding issues have been satisfactorily resolved.

The proposed Residential Parking Permit areas are described below:

- 1800 block of Bolsover, both sides, between Kent and Ashby
- 4500-4600 blocks of Nett, both sides, between Patterson and Parker

The findings and related regulations for the proposed areas are attached.

The designation will be effective 60 days after passage of the Motion, during which time Parking Management will notify residents of on-street parking regulations, post signs and review resident vehicle parking permit applications. Parking Management will issue permits within the permit areas and, after 60 days, enforce the posted parking regulations.

The attached maps indicate the proposed locations and previously approved areas in the vicinity.

**REQUIRED AUTHORIZATION**

<b>Other Authorization</b>	<b>Other Authorization:</b>	
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## Designation of Residential Parking Permit Areas:

### Findings

#### Permit Area and Restrictions Proposed by Applicant:

Application 041510-28-155

**1800 block of Bolsover**, between Kent and Ashby, proposed parking by permit only parking restrictions from Monday – Sunday, 7 a.m. – 10 p.m.

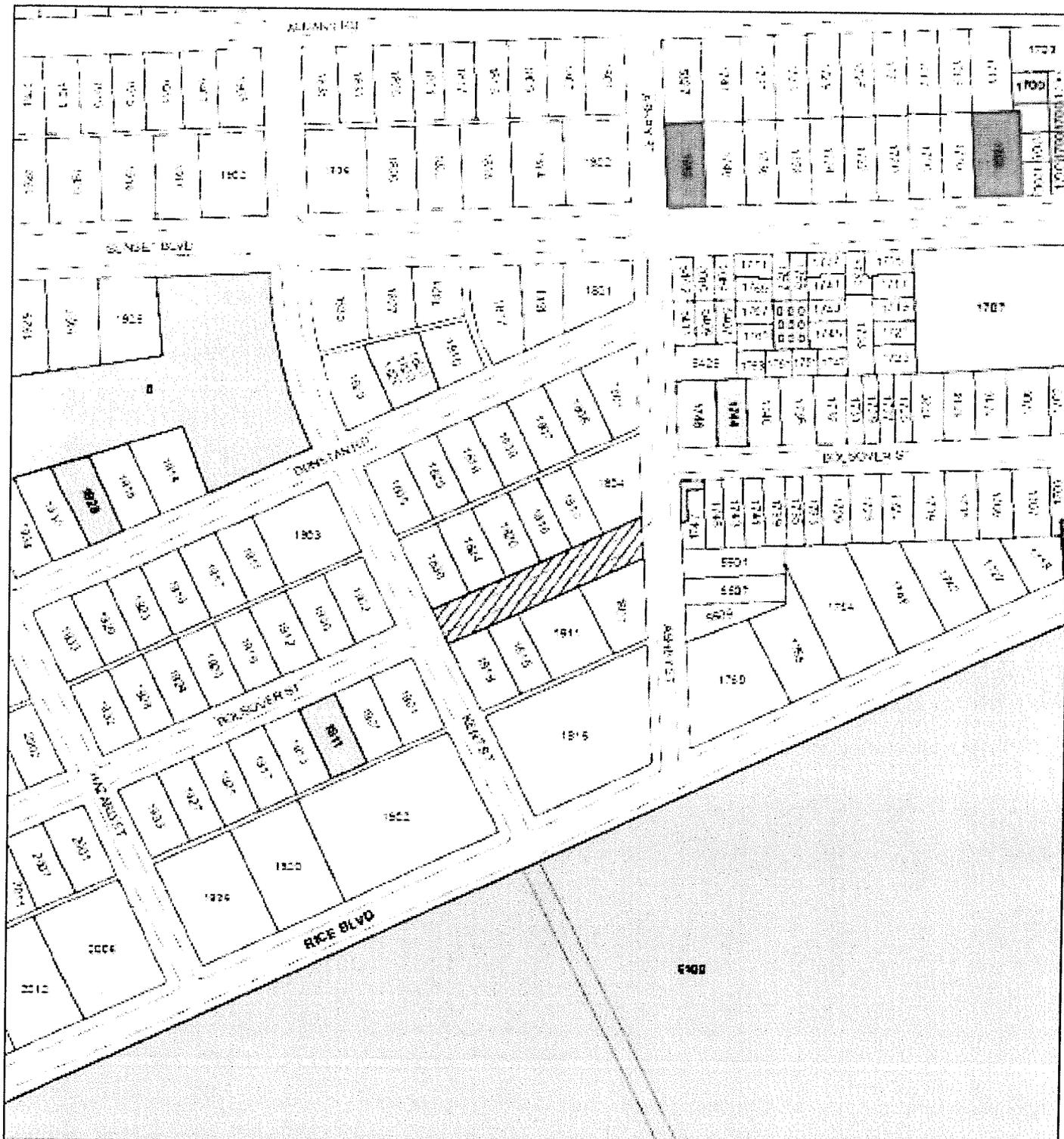
#### Findings:

Testimony from the Parking Management Division, approval by the Public Works and Engineering – Traffic Engineering Branch, and the public at the June 15, 2010 hearing leads the Parking Official to find:

- A parking problem exists between the hours of 9 a.m. and 10 p.m., Monday through Sunday.
- More than 60 percent of the available parking spaces were occupied. More than 25 percent of cars parked curbside were vehicles generated by commuters from Rice University.
- Excessive commuter parking on the blocks creates traffic congestion and reduces safety and residential quality.
- Neighborhood support is demonstrated by 100 percent of residents (out of 10 households affected) signing the petition in favor of the permit area.
- No oral testimony in opposition was received at the public hearing.
- Designating a parking permit area is the most cost-effective way to resolve the parking problem.

#### Parking Official Recommendation:

**Designate a Residential Parking Permit Area with regulations requiring a valid residential parking permit to park curbside from 9 a.m. to 10 p.m., Monday through Sunday.**



**Proposed Residential Parking Permit Area**

**Application: 041510-28-155**

**1800 BOLSOVER ST (77005)**

City of Houston  
 Planning & Development Department  
 GIS Services Division  
 Map Date: April 2010

**Disclaimer:**  
 This map was prepared and published in general information purposes only and should not be used for any specific legal or financial purposes without the aid of a professional. The City of Houston neither warrants nor makes any representation or guarantee, expressed or implied, in connection with this map or any information derived therefrom.

**Legend**

- Proposed
- Land Use:**
  - Single-Family
  - Multi-Family
  - Commercial
  - Office
  - Industrial
  - Parks & Recreation
  - Transportation & Utilities
  - Parks & Open Areas
  - Agriculture/Forestry
  - Undeveloped
  - Unknown

**412**  
 R15533\_bolsover

# Residential Parking Permit Areas

## Legend

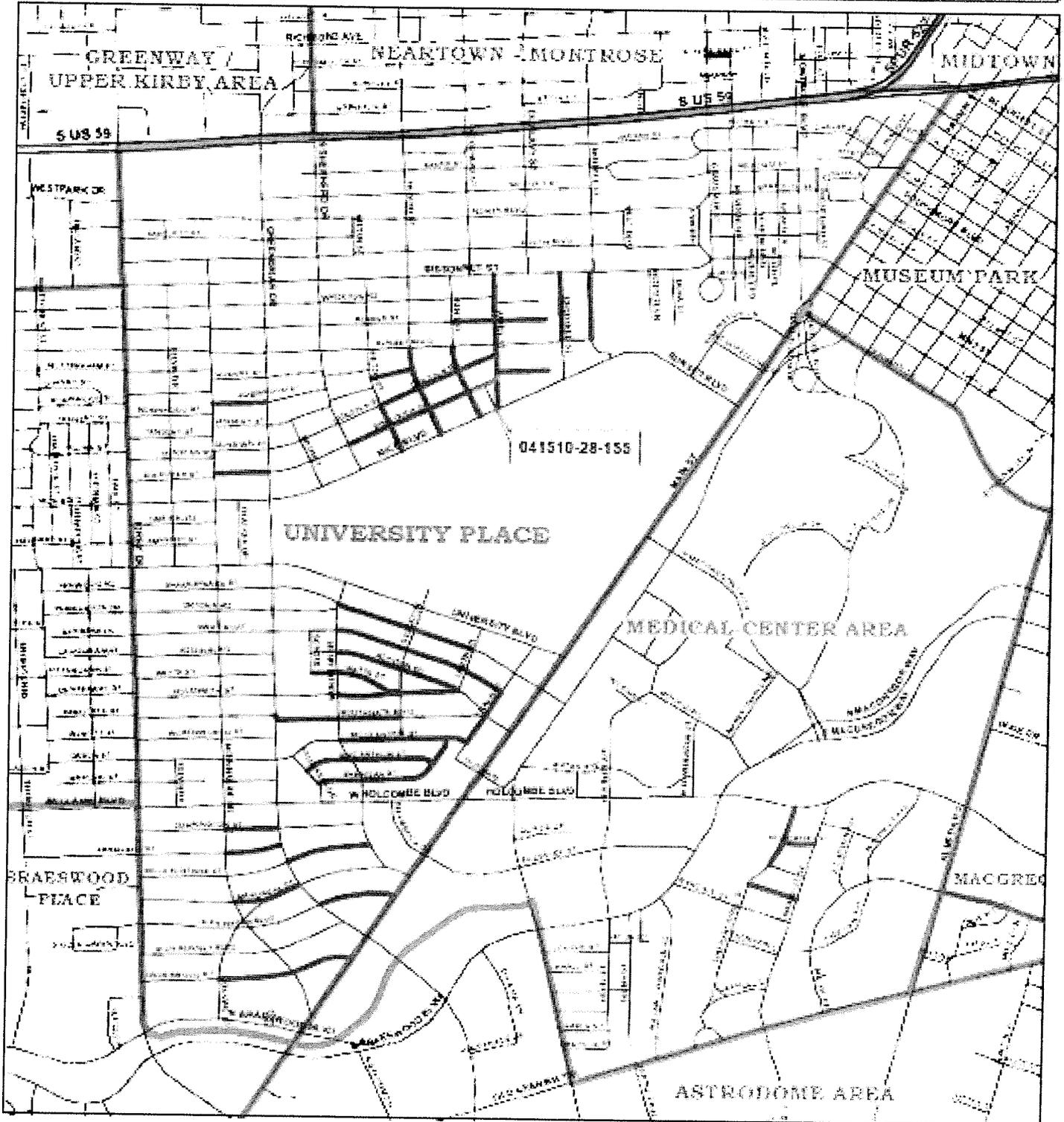
-  UNIVERSITY PLACE (SPR23)
-  Existing Areas
-  Proposed Areas

041510-28-155: 1800 BOLSOVER ST



City of Houston  
 Planning & Development Department  
 GIS Services Division  
 Map Date: June 2010

Disclaimer:  
 GIS data is provided as a service of the City of Houston. The City of Houston does not warrant the accuracy, completeness, or timeliness of the data. The City of Houston is not responsible for any errors or omissions in the data. The City of Houston is not responsible for any damages, including consequential damages, arising from the use of the data. The City of Houston is not responsible for any damages, including consequential damages, arising from the use of the data.



## **Designation of Residential Parking Permit Areas:**

### **Findings**

#### **Permit Area and Restrictions Proposed by Applicant:**

Application 042710-22-156

**4500-4600 blocks of Nett**, both sides between Patterson and Parker, proposed parking restrictions by permit only from Thursday – Saturday 9 p.m. – 3 a.m., Sunday 12 p.m. – 7 p.m. with tow-away zone

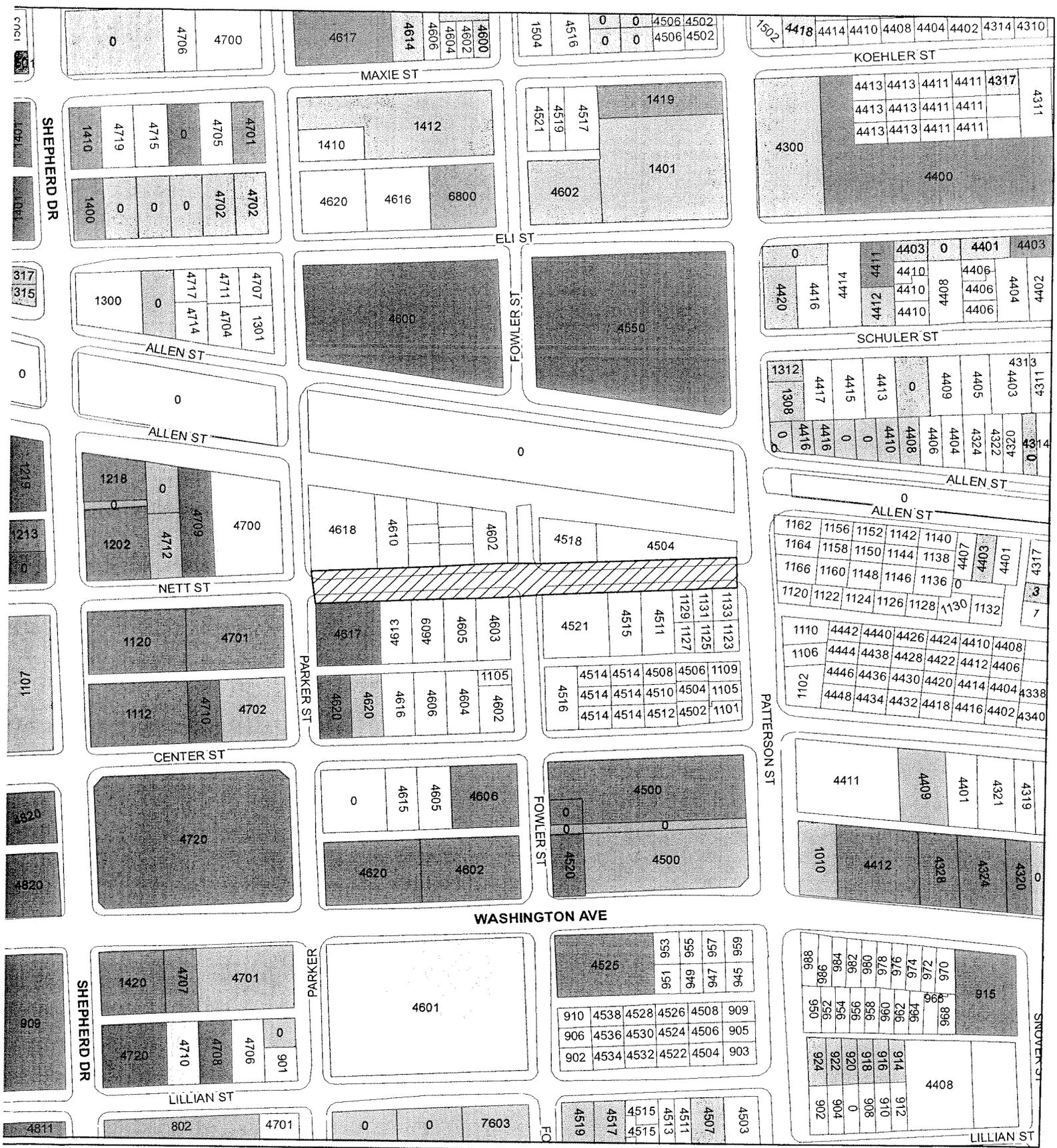
#### **Findings:**

Testimony from the Parking Management Division, approval by the Public Works and Engineering – Traffic Engineering Branch, and the public at the June 15, 2010 hearing leads the Parking Official to find:

- A parking problem exists between the hours of 11 p.m. to 5 a.m., Wednesday through Sunday.
- More than 60 percent of the available parking spaces were occupied. More than 25 percent of cars parked curbside were vehicles generated by commuters from local bars and restaurants.
- Excessive commuter parking on the blocks creates traffic congestion and reduces safety and residential quality.
- Neighborhood support is demonstrated by 100 percent of residents (out of 14 households affected, 9 vacant) signing the petition in favor of the permit area.
- No oral testimony in opposition was received at the public hearing.
- Designating a parking permit area is the most cost-effective way to resolve the parking problem.

#### **Parking Official Recommendation:**

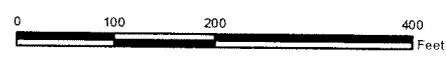
**Designate a Residential Parking Permit Area with regulations requiring a valid residential parking permit to park curbside from 11 p.m. to 5 a.m., Wednesday through Sunday with tow-away zone.**



# Proposed Residential Parking Permit Area

Application: 042710-22-156

4500-4600 NETT ST (77007)



pj15619\_net

- Legend**
- Proposed
  - Land Use:**
    - Single-Family
    - Multi-Family
    - Commercial
    - Office
    - Industrial
    - Public & Institutional
    - Transportation & Utilities
    - Parks & Open Areas
    - Agriculture Production
    - Undeveloped
    - Unknown

City of Houston  
 Planning & Development Department  
 GIS Services Division  
 Map Date: May 2010

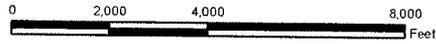
**Disclaimer:**  
 COHGIS data is prepared and made available for general reference purposes only and should not be used, or relied upon for specific applications, without independent verification. The City of Houston neither represents, nor warrants COHGIS data accuracy, or completeness, nor will the City of Houston accept liability of any kind in conjunction with its use.

# Residential Parking Permit Areas

## Legend

-  WASHINGTON COALITION/MEMORIAL PARK (#22)
-  Existing Areas
-  Proposed Areas

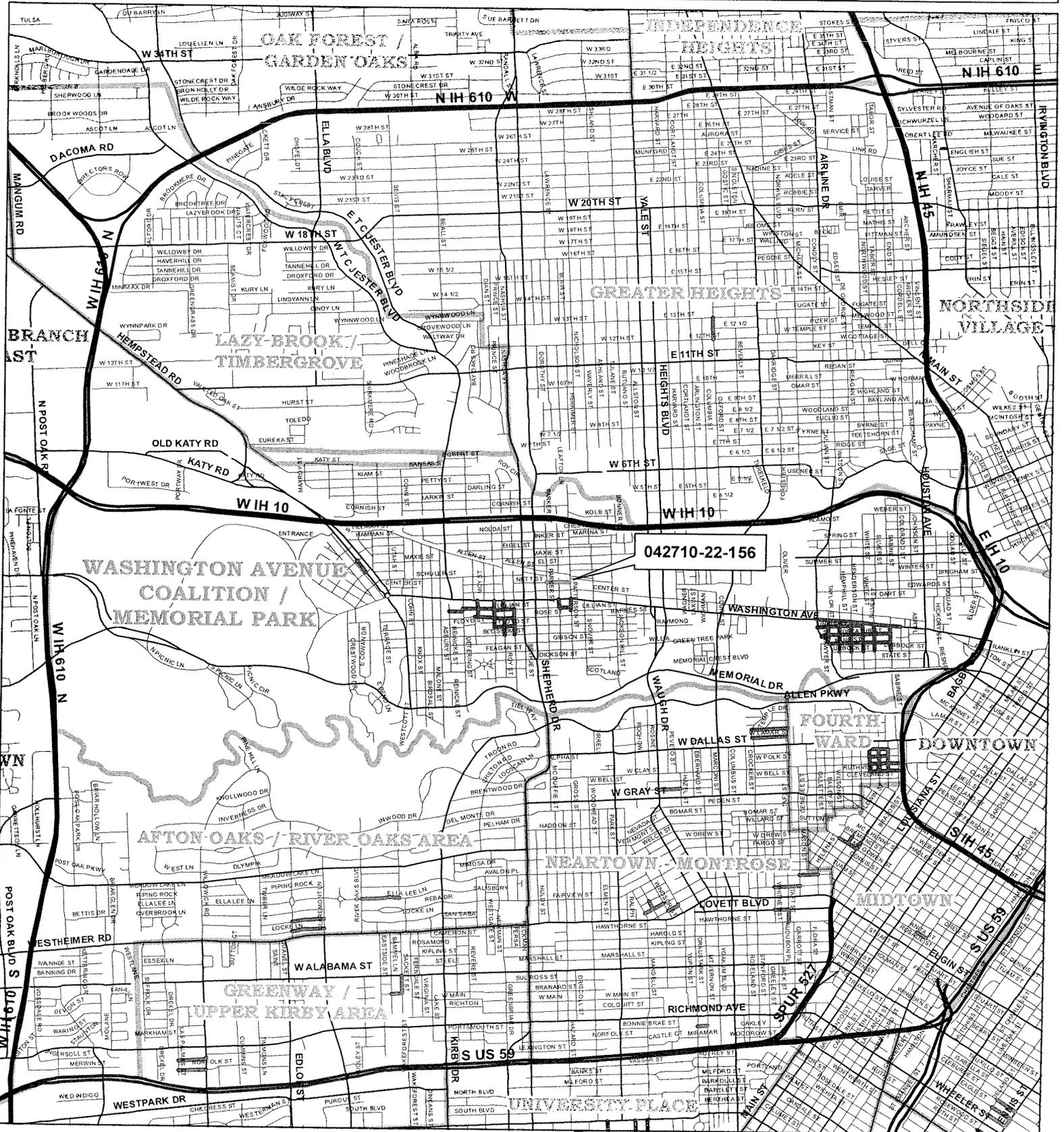
042710-22-156: 4500-4600 NETT ST



City of Houston  
 Planning & Development Department  
 GIS Services Division  
 Map Date: June 2010

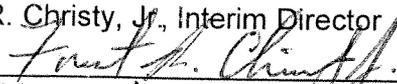


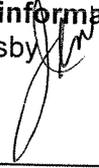
**Disclaimer:**  
 COGIS data is prepared and made available for general reference purposes only and should not be used, or relied upon for specific applications, without independent verification. The City of Houston neither represents, nor warrants COGIS data accuracy, or completeness, nor will the City of Houston accept liability of any kind in conjunction with its use.  
 PJ15684\_net



<b>SUBJECT:</b> Accept Work Prime Contractors, Inc. The African American Library at the Gregory School WBS No. E-000144-0004-4	<b>Page</b> 1 of 2	<b>Agenda Item</b> 4
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<b>FROM (Department or other point of origin):</b> General Services Department	<b>Origination Date</b> 6/24/10	<b>Agenda Date</b> JUN 30 2010
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<b>DIRECTOR'S SIGNATURE:</b> Forest R. Christy, Jr., Interim Director 	<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> Ordinance 2008-0332: dated April 16, 2008 Ordinance 2009-0282: dated April 01, 2009 Ordinance 2009-0719: dated August 05, 2009
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**RECOMMENDATION:** Pass a motion approving the final contract amount of \$10,179,760.00, accept the work, and authorize final payment.

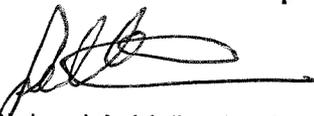
<b>Amount and Source of Funding:</b> No Additional Funding Required <b>Previous Funding:</b> \$3,568,280.00 General Improvement Consolidated Construction Fund (4509) \$ 121,000.00 Federal Government—Grant Funded (5000) EDI \$3,000,000.00 Reimbursement of Equipment/Projects Fund (1850) \$2,400,000.00 Federal Government—Grant Funded (5000) CDBG \$1,417,960.00 Public Library Consolidated Construction Fund (4507) <b>\$10,507,240.00 Total Funding</b>	<b>Finance Budget:</b>
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**SPECIFIC EXPLANATION:** The General Services Department recommends that City Council approve the final contract amount of \$10,179,760.00 or 19.59% over the original contract amount, accept the work and authorize final payment to Prime Contractors, Inc. for construction of the African American Library at the Gregory School for the Houston Public Library (HPL).

**PROJECT LOCATION:** 1300 Victor Street (493P)

**PROJECT DESCRIPTION:** The Gregory School Building is a historical institution located in Houston's Fourth Ward. The building, originally constructed in 1926, has been designated a State Archaeological Landmark by the Texas Historical Commission (THC). The project renovated and restored the school, according to THC standards, to become an African American Library and Archival Center that tells the history of African Americans in Houston through photographs, letters, documents and oral histories.

**PREVIOUS HISTORY AND PROJECT SCOPE.** On April 16, 2008, City Council awarded a construction contract to Prime Contractors Inc. to provide construction services for the African American Library at the Gregory School for the Houston Public Library, and appropriated \$9,233,000. On April 1, 2009, City Council approved a First Amendment to increase the maximum contract contingency up to 14% to address unforeseen conditions related to structural integrity and hazardous materials abatement as a result of the age and historical nature of the building. On August 5, 2009, City Council approved a Second Amendment to increase the maximum contract contingency up to 20.5% to address additional improvements requested by the HPL, other unforeseen conditions and latent defects.

<b>REQUIRED AUTHORIZATION</b>			CUIC ID#25CONS144
<b>General Services Department:</b>  Richard A. Vella, AAIA Chief of Design & Construction Division	<b>Houston Public Library:</b>  Rhea Brown Lawson, PhD Director	<b>Housing and Community Development Department:</b>  James Noteware Director	

<b>Date</b>	<b>Subject:</b> Accept Work Prime Contractors, Inc. The African American Library at the Gregory School WBS No. G-000144-0004-4	<b>Originator's Initials</b> JBW	<b>Page</b> 2 of 2
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**CONTRACT COMPLETION AND COST:** The contractor completed the project within 543 days: the original contract time of 365 days plus an additional 178 days approved by change orders. The final cost of the project, including Change Orders is \$10,179,760.00 an increase of \$1,667,760.00 over the original contract amount.

Smith & Company Architects was the project design consultant.

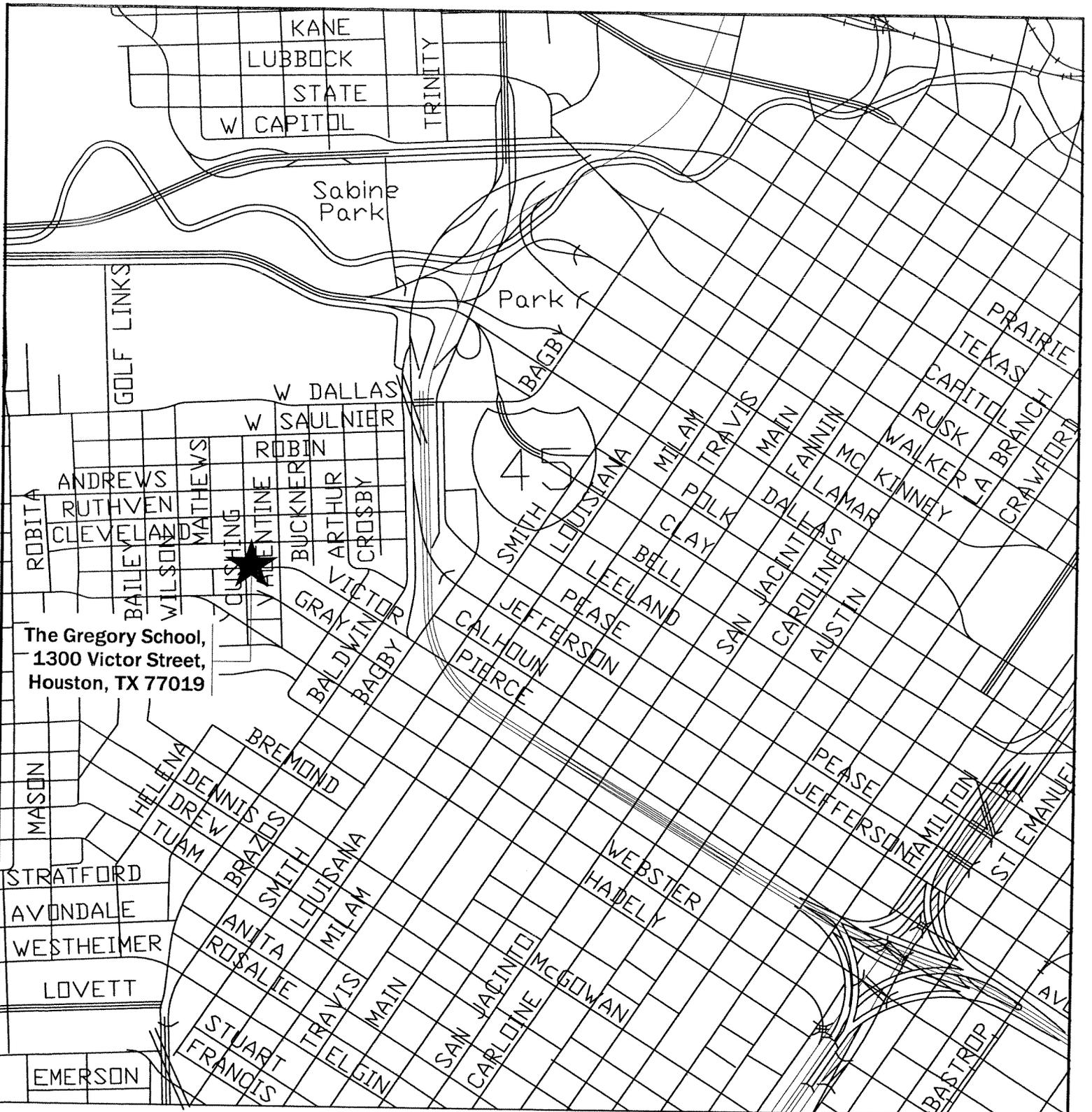
**PREVIOUS CHANGE ORDERS:** Change Orders 1-16 addressed unforeseen conditions discovered during the renovation process and provided additional improvements requested by HPL. The overall increased scope of work consisted of the following: corrective work required for many unforeseen conditions with the existing structure, Gallery enhancements, archival HVAC enhancements, and other improvements requested by HPL.

**M/WBE PARTICIPATION:** The contract contained a 15% MBE goal, 5% WBE goal and 5% SBE goal. According to the Affirmative Action and Contract Compliance Division, the contractor achieved 22.04% MBE, 5.44% WBE, and 9.66% SBE actual participation and was assigned an outstanding rating.



FRC:JLN:RCR:RAV:MCP:jbw

c: Marty Stein, Humberto Bautista, Richard Vella, Christopher Gonzalez, Jacquelyn L. Nisby, Pirooz Farhoomand, Gayve Anklesaria, Wendy Heger, Martha Leyva, Gabriel Mussio, File 1108

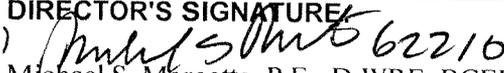


**The African American Library at the  
Gregory School  
1300 Victor Street, Houston, TX 77019**

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

**SUBJECT:** Accept Work for 69<sup>th</sup> Street Wastewater Treatment Plant Improvements (Package 1). WBS No. R-000509-0010-4. Page 1 of 1      Agenda Item # 5

**FROM (Department or other point of origin):**  
 Department of Public Works and Engineering Origination Date 6/24/10      Agenda Date JUN 30 2010

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

**For additional information contact:**  
 J. Timothy Lincoln, P.E.   
 Senior Assistant Director Phone: (832) 395-2355  
 Date and Identification of prior authorizing Council Action:  
 Ord. #2007-588 dated 05/16/2007

**RECOMMENDATION: (Summary)** Pass a motion to approve the final Contract Amount of \$2,743,130.50, which is 3.04% under the original Contract Amount, accept the Work and authorize the final payment.

**Amount and Source of Funding:** No additional appropriation required.  
 (Original appropriation of \$3,062,300.00 from Water and Sewer System Consolidated Construction Fund No. 8500.)

**PROJECT NOTICE/JUSTIFICATION:** This project was part of the City's program to renew/replace inefficient components of the existing wastewater treatment plant (WWTP) facilities.

**DESCRIPTION/SCOPE:** The project consisted of: removing and replacing 6,082 linear feet weir plates on 1<sup>st</sup> and 2<sup>nd</sup> step clarifier, removing and replacing of 12 RAS pumps with new high efficiency motors, replacing conduit and cables to the equipments. Camp Dresser & McKee, Inc. designed the project with 420 calendar days allowed for construction. The project was awarded to Boyer, Inc. with an original Contract Amount of \$2,829,217.00.

**LOCATION:** The project is located at 2525 S/Sgt. Macario Garcia. The project is located in Key Map Grid 494-R.

**CONTRACT COMPLETION AND COST:** The Contractor, Boyer, Inc. has completed the Work under subject Contract. The project was completed with an additional 407 days approved by Change Order Nos. 1, 2, and 3. The final cost of the project, including overrun and underrun of estimated bid quantities, previously approved Change Order Nos. 1, 2, and 3 is \$2,743,130.50, a decrease of \$86,086.50 or 3.04% under the original Contract Amount.

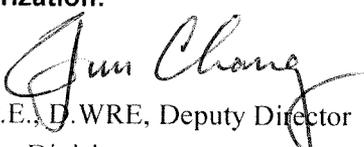
The cost underrun is primarily due to the work not requiring use of Clean Air Incentive Items and most Extra Unit Price Items.

**M/WBE PARTICIPATION:** The M/WBE goal set for this project was 20.00%. According to Affirmative Action and Contract Compliance Division, the actual participation was 20.77%. The Contractor was awarded a "Satisfactory" rating for M/WBE compliance.

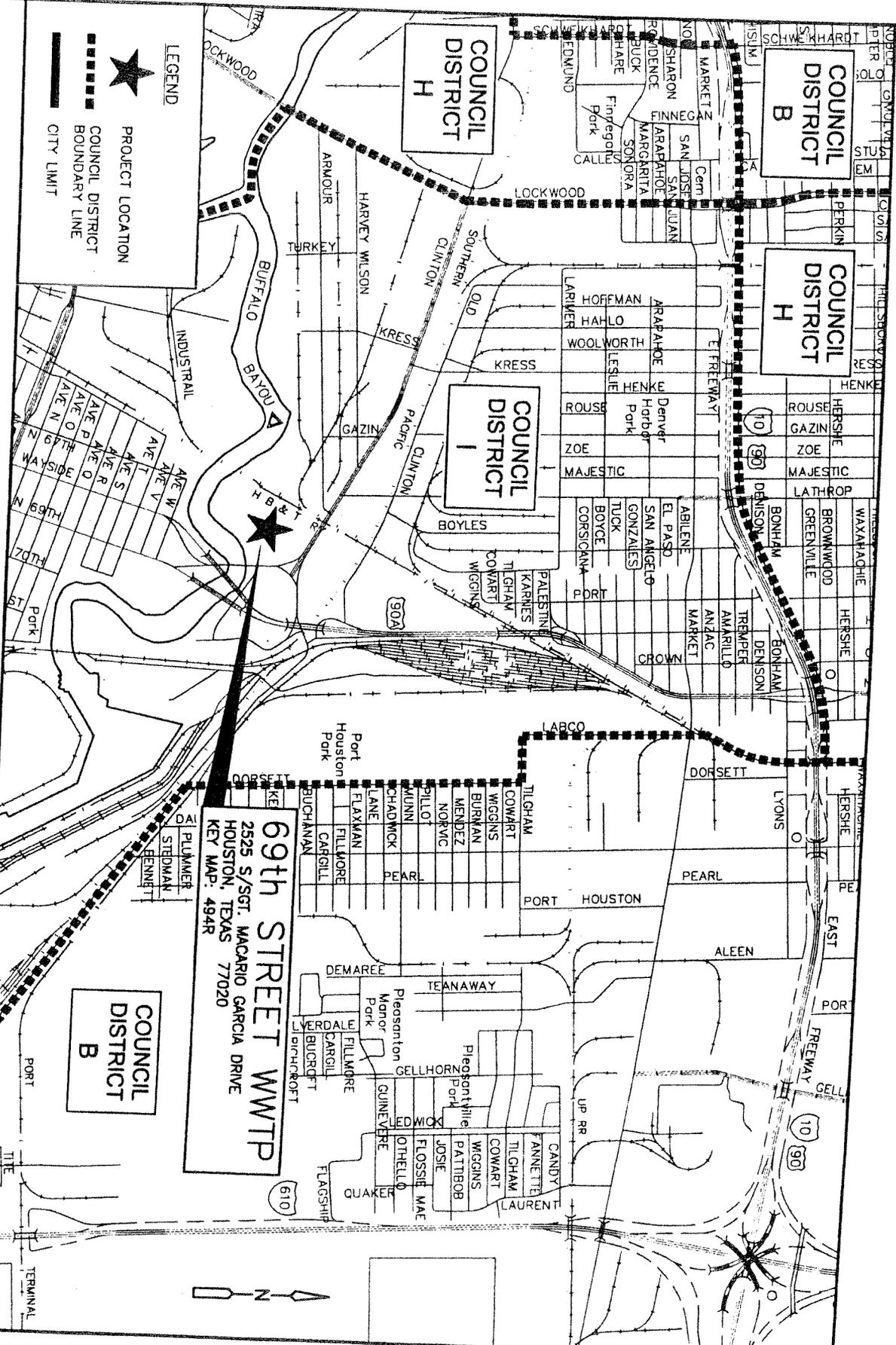
MSM:DRM:JTL:SKF:RC:mq  
Z:\E&C Construction\Facilities\Projects\R-000509-0010-4 69th St Pkg 1\Closeout\RCA\RCA.DOC

c: File No. R-000509-0010-4 - Closeout

**REQUIRED AUTHORIZATION      CUIC ID# 20MZQ167**

<b>Finance Department:</b>	<b>Other Authorization:</b>  Jun Chang, P.E., D.WRE, Deputy Director Public Utilities Division	<b>Other Authorization:</b>  Daniel R. Menendez, P.E., Deputy Director Engineering and Construction Division
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*MDJ*



**LEGEND**

★ PROJECT LOCATION

--- COUNCIL DISTRICT BOUNDARY LINE

— CITY LIMIT

**69th STREET WWTP**  
 2525 S/SGT. MACARIO GARCIA DRIVE  
 HOUSTON, TEXAS 77020  
 KEY MAP: 494R

**CDM** Camp Dresser & McKee Inc.  
 consulting · engineering · construction · operations  
 1800 WEST LOOP SOUTH, SUITE 1550, HOUSTON, TEXAS 77027  
 (713) 856-1971

**CITY OF HOUSTON, TEXAS**  
 DEPARTMENT OF PUBLIC WORKS AND ENGINEERING  
**69th STREET WASTEWATER TREATMENT PLANT IMPROVEMENTS (PACKAGE 1)**  
 COUNCIL DISTRICT BOUNDARY MAP  
 WBS No.: R-000509-0010-4

VICINITY MAP

Date: MARCH 2007

O: Mayor via City Secretary

### REQUEST FOR COUNCIL ACTION

**SUBJECT:** Accept Work for Neighborhood Sanitary Sewer Improvements: Peden Street to Willard Street and West Polk to West Gray Street.  
WBS No. R-002011-0043-4.

Page 1 of 1

Agenda Item #

6

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

Department of Public Works and Engineering

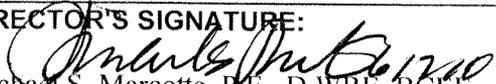
**Origination Date**

6/24/10

**Agenda Date**

JUN 30 2010

**DIRECTOR'S SIGNATURE:**

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

**Council Districts affected:**

D

**For additional information contact:**

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

  
**Phone:** (832) 395-2355

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

Ord. #2007-562 dated 05/09/2007

**RECOMMENDATION: (Summary)** Pass a motion to approve the final Contract Amount of \$3,228,436.51, which is 13.60% under the original Contract Amount, accept the Work and authorize the final payment.

**Amount and Source of Funding:** No additional appropriation required.  
(Original appropriation of \$4,350,000.00 from Water and Sewer System Consolidated Construction Fund No. 8500.)

**PROJECT NOTICE/JUSTIFICATION:** This project was part of the City's ongoing program to improve and upgrade its neighborhood sanitary sewers systems.

**DESCRIPTION/SCOPE:** This project consisted of construction of new sanitary sewers, water lines, storm sewers, and sidewalks in the street right-of-way. Civil Tech Engineering, Inc. designed the project with 365 calendar days allowed for construction. The project was awarded to Metro City Construction, L.P. with an original Contract Amount of \$3,736,469.10.

**LOCATION:** The project area is generally bound by West Polk on the north, Bomar on the south, Taft on the east and Waugh on the west. The project is located in the Key Map Grid 493-N.

**CONTRACT COMPLETION AND COST:** The Contractor, Metro City Construction, L.P. has completed the Work under subject Contract. The project was completed beyond the established completion date and liquidated damages in the amount of \$90,000.00 at \$1,200.00/day for 75 days have been assessed and are reflected in the final payment to the Contractor. The final cost of the project, including previously approved Change Order No. 1, liquidated damages, and overrun and underrun of estimated bid quantities is \$3,228,436.51, a decrease of \$508,032.59 or 13.60% under the original Contract Amount.

The decreased cost is primarily due to an underrun in Base Unit Price Item No. 10 - Restore Existing Sprinkler System Piping-all Sizes, Base Unit Price Item No. 13 - 2" Schedule 40 PVC Streetlight Conduit, the work not requiring use of Clean Air Incentive Items and Extra Unit Price Items and liquidated damages.

**M/WBE PARTICIPATION:** The M/WBE goal for this project was 20%. According to Affirmative Action and Contract Compliance, the actual participation was 24.35%. The Contractor was awarded an "Outstanding" rating for M/WBE compliance.

MSM:DRM:JTL;JAK:JC.mq  
ZAE&C Construction\South Sector\PROJECT FOLDER\R-2011-43-4\CLOSEOUT\RCA\RCA.DOC

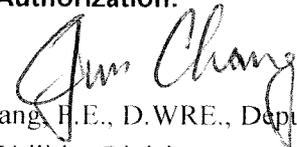
File No. R-002011-0043-4 - 21.0

#### REQUIRED AUTHORIZATION

CUIC ID# 20MZQ174

**Finance Department:**

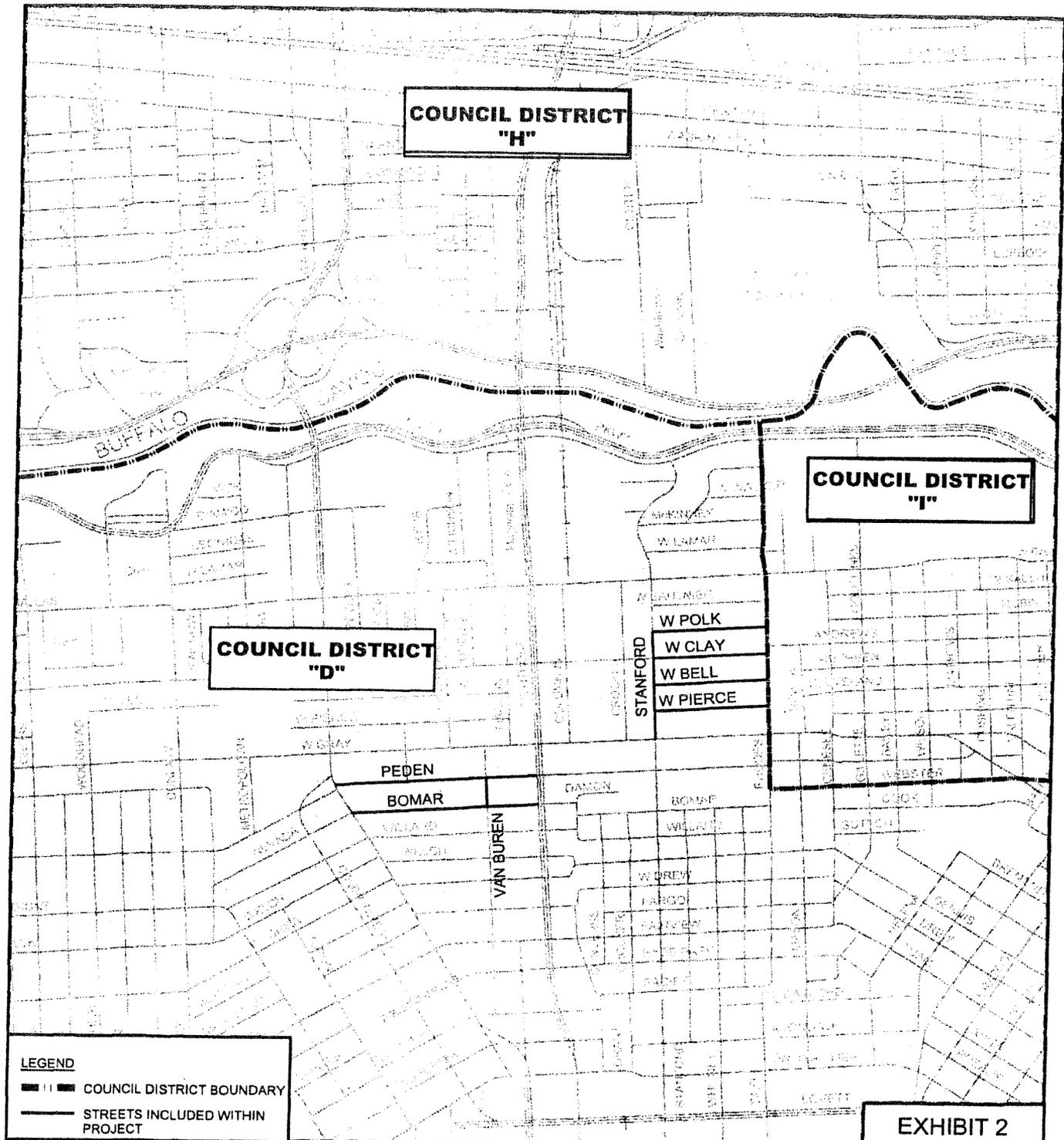
**Other Authorization:**

  
Jun Chang, P.E., D.WRE., Deputy Director  
Public Utilities Division

**Other Authorization:**

  
Daniel R. Menendez, P.E., Deputy Director  
Engineering and Construction Division

NOT



**EXHIBIT 2**

NEIGHBORHOOD SEWER IMPROVEMENTS  
 WEST POLK TO WEST GRAY  
 SITE MAP  
 GIMS MAP NO. 5357C  
 KEY MAP NO. 493 N

**CivilTech**  
**Engineering, Inc.**

11821 Telge Road  
 Cypress, Texas 77429  
 (281) 304-0200 Fax (281) 304-0210

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

<b>SUBJECT:</b> Accept Work for Sanitary Sewer Rehabilitation by Cured-In-Place Pipe Method WBS# R-002013-0020-4	<b>Page</b> 1 of 1	<b>Agenda Item #</b>  7
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<b>FROM (Department or other point of origin):</b> Department of Public Works and Engineering	<b>Origination Date</b> 6/24/10	<b>Agenda Date</b> JUN 30 2010
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<b>DIRECTOR'S SIGNATURE:</b>  Michael S. Marcotte, P.E., D.WRE, BCEE, Director	<b>Council District affected:</b> D, F, H and I
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<b>For additional information contact:</b> Dannelle H. Belhateche, P.E. Sr. Assistant Director Phone: (281) 575-2847	<b>Date and identification of prior authorizing Council action:</b> Ordinance No. 2008-25, dated 01/09/2008
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**RECOMMENDATION: (Summary)**  
Pass a motion to approve the final contract amount of \$2,625,867.12, which is 4.82% over the original contract amount, accept the work, and authorize final payment.

**Amount and Source of Funding:** No additional funding required. *N.P. 6/9/10*  
Original appropriation of \$2,702,902.00 for construction and contingencies from Water and Sewer System Consolidated Construction Fund No. 8500.

**SPECIFIC EXPLANATION:**

**PROJECT NOTICE/JUSTIFICATION:** Under this project the contractor provided sanitary sewer rehabilitation by cured-in-place pipe method to deteriorated sewer collection systems throughout the City.

**DESCRIPTION/SCOPE:** This project consisted of sanitary sewer rehabilitation by cured-in-place pipe method. The project was awarded to Reynolds Inliner, LLC with an original contract amount of \$2,505,072.02. The Notice to Proceed date was 02/27/2008 and the project had 540 calendar days for completion.

**LOCATION:** The project was located at various locations within Council Districts D, F, H and I.

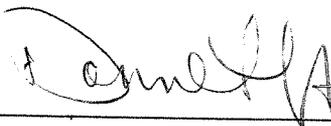
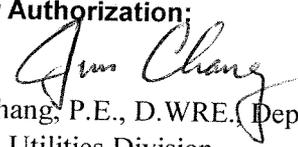
**CONTRACT COMPLETION AND COST:** The contractor, Reynolds Inliner, LLC, has completed the work under the contract. The contract was completed within the contract time with an additional 120 days approved by Change Order No. 1. The final cost of the project is \$2,625,867.12, an increase of \$120,795.10 or 4.82% over the original contract amount. More cured-in-place pipe was needed than anticipated.

**MWDBE PARTICIPATION:** The MWDBE goal for this project was 22%. According to Affirmative Action and Contract Compliance Division, the actual participation was 21.79%. The contractor was awarded a "Satisfactory" rating from Affirmative Action.

*JDR*  
MSM:JC:DHB:JI:DR:mf  
Attachments

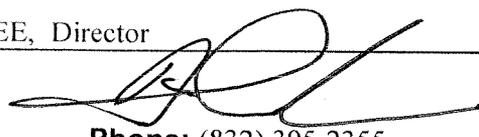
c: Velma Laws                      Craig Foster

Project File 4258-34                      **REQUIRED AUTHORIZATION**                      *NDT* CUIC ID# 20DHB357

<b>Finance Department</b>	<b>Other Authorization:</b> 	<b>Other Authorization:</b>  Jun Chang, P.E., D.WRE, Deputy Director Public Utilities Division
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**O: Mayor via City Secretary      REQUEST FOR COUNCIL ACTION**

<b>SUBJECT:</b> Accept Work for Water Line Replacement in the Blossom Heights Area. WBS No. S-000035-00D7-4.		Page <u>1</u> of <u>1</u>	Agenda Item # <u>8</u>
<b>FROM (Department or other point of origin):</b> Department of Public Works and Engineering		<b>Origination Date</b> <u>6/26/10</u>	<b>Agenda Date</b> JUN 30 2010
<b>DIRECTOR'S SIGNATURE:</b>  Michael S. Marcotte, P.E., D.WRE, BCEE, Director		<b>Council Districts affected:</b> G	
<b>For additional information contact:</b> J. Timothy Lincoln, P.E. Senior Assistant Director  <b>Phone:</b> (832) 395-2355		<b>Date and Identification of prior authorizing Council Action:</b> Ord. #2006-589 dated 06/07/2006	
<b>RECOMMENDATION: (Summary)</b> Pass a motion to approve the final Contract Amount of \$2,116,837.68, which is 2.73% under the original Contract Amount, accept the Work and authorize the final payment.			
<b>Amount and Source of Funding:</b> No additional appropriation required. (Original appropriation of \$2,487,400.00 from Water and Sewer System Consolidated Construction Fund No. 755.)			

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

**DESCRIPTION/SCOPE:** This project consisted of replacement of 26,548 linear feet of 8-inch, 2,188 linear feet of 6-inch, and 214 linear feet of 4-inch diameter water lines with all related appurtenances in the Blossom Heights Area. Amani Engineering, Inc. designed the project with 270 calendar days allowed for construction. The project was awarded to D. L. Elliott Enterprises, Inc. with an original Contract Amount of \$2,176,219.00.

**LOCATION:** The project area is generally bound by Kingsville on the north, Westpark on the south, Dunvale on the east and Ace on the west. The project is located in the Key Map Grids 490-X & Y and 530-B.

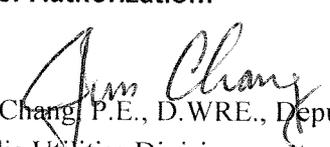
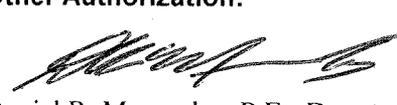
**CONTRACT COMPLETION AND COST:** The Contractor, D. L. Elliott Enterprises, Inc. has completed the Work under subject Contract. The project was completed beyond the established completion date and liquidated damages in the amount of \$8,000.00 at \$800.00/day for 10 days have been assessed and are reflected in the final payment to the Contractor. The final cost of the project, including previously approved Change Order Nos. 1 and 2, liquidated damages, and overrun and underrun of estimated bid quantities is \$2,116,837.68, a decrease of \$59,381.32 or 2.73% under the original Contract Amount.

The cost underrun is primarily due to the work not requiring use of Clean Air Incentive Items and Extra Unit Price Items

**M/WBE PARTICIPATION:** The M/WBE goal for this project was 17%. According to Affirmative Action and Contract Compliance, the actual participation was 18.79%. The Contractor was awarded an "Outstanding" rating for M/WBE compliance.

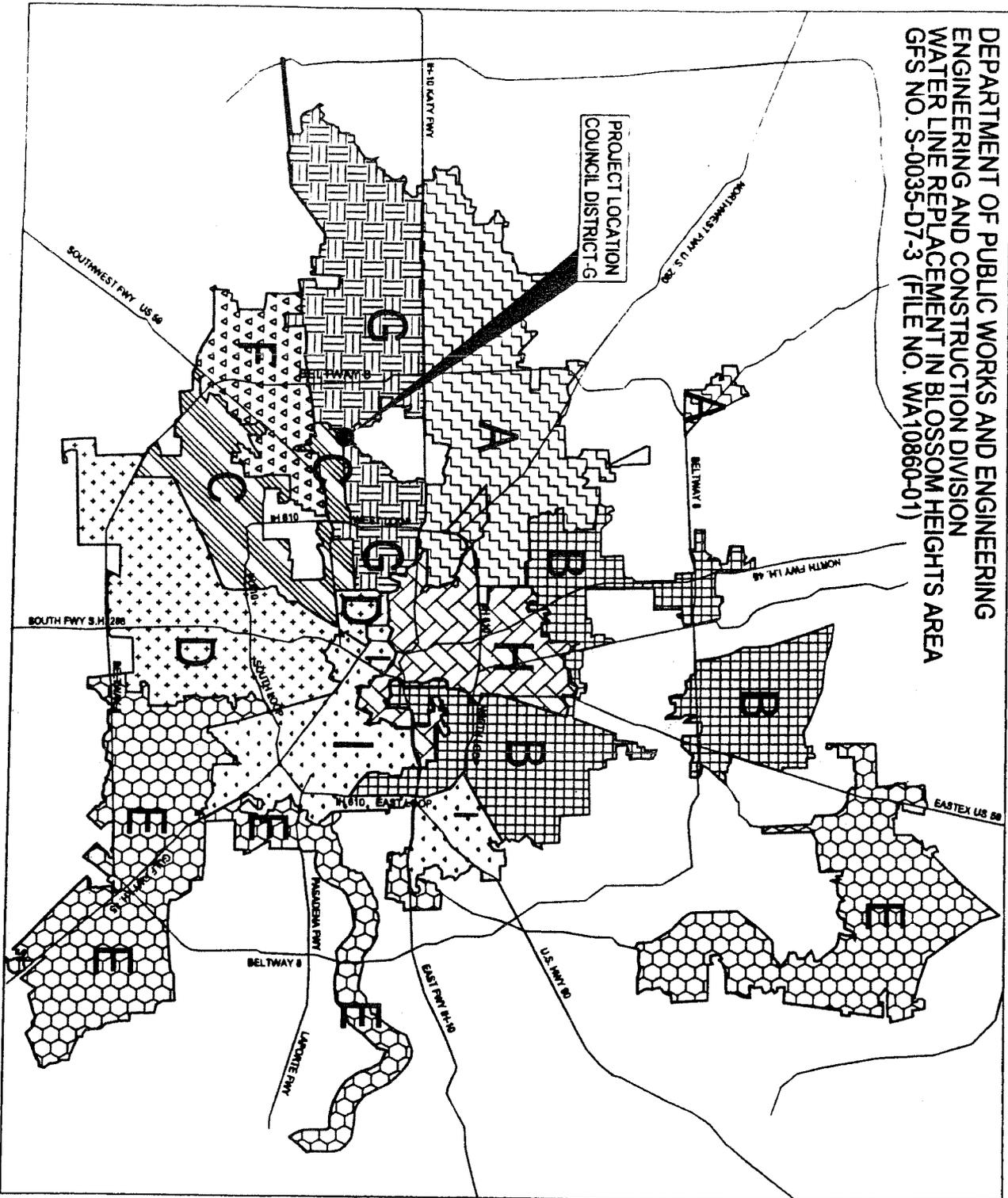
  
MSM:DRM:JTL;JAK:JC:mj  
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c: File No. S-000035-00D7-4 - 21.0

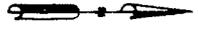
REQUIRED AUTHORIZATION		CUIC ID# 20MZQ173
<b>Finance Department:</b>	<b>Other Authorization:</b>  Jun Chang, P.E., D.WRE., Deputy Director Public Utilities Division	<b>Other Authorization:</b>  Daniel R. Menendez, P.E., Deputy Director Engineering and Construction Division

not

DEPARTMENT OF PUBLIC WORKS AND ENGINEERING  
 ENGINEERING AND CONSTRUCTION DIVISION  
 WATER LINE REPLACEMENT IN BLOSSOM HEIGHTS AREA  
 GFS NO. S-0035-D7-3 (FILE NO. WA10860-01)



PROJECT LOCATION  
 COUNCIL DISTRICT G



KEY MAP #480X Y - 5308  
 COUNCIL DISTRICT G  
 COUNCIL MEMBER PAUL HOUHA

EXHIBIT : 2  
 COUNCIL DISTRICT MAP

WATER LINE REPLACEMENT IN  
 BLOSSOM HEIGHTS AREA  
 (GFS No. S-0035-D7-3; FILE No. WA10860-01)

SCALE : N.T.S. DATE : 05/10/06

AMANI ENGINEERING, INC.  
 4015 W. UNIVERSITY BLVD. SUITE 100  
 DALLAS, TEXAS 75247  
 TEL: 972-242-8888 FAX: 972-242-8889

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

**SUBJECT:** Accept Work for Water Line Replacement in Brookhaven Area.  
WBS. No. S-000035-00E2-4

Page 1 of 1

Agenda Item #

9

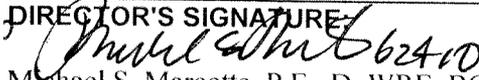
**FROM (Department or other point of origin):**

Department of Public Works and Engineering

**Origination Date**  
6/24/10

**Agenda Date**  
JUN 30 2010

**DIRECTOR'S SIGNATURE:**

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

**Council Districts affected:**  
D

**For additional information contact:**

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

  
**Phone:** (832) 395-2355

**Date and Identification of prior authorizing Council Action:**  
Ord. #2007-45 dated 01/10/2007

**RECOMMENDATION: (Summary)** Pass a motion to approve the final Contract Amount of \$2,151,881.08, which is 16.17% under the original Contract Amount, accept the Work and authorize the final payment.

**Amount and Source of Funding:** No additional appropriation required.  
(Original appropriation of \$2,949,300.00 from Water and Sewer System Consolidated Construction Fund No. 8500.)

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

**DESCRIPTION/SCOPE:** The project consisted of 120 linear feet of 4-inch, 793 linear feet of 6-inch, 26,241 linear feet of 8-inch, and 2,568 linear feet of 12-inch diameter water lines. The project also included valves, fittings, connections, fire hydrants, appurtenances and other materials and tasks needed as shown on the construction drawings and project manual. SCL Engineering, LLC. designed the project with 300 calendar days allowed for construction. The project was awarded to Metro City Construction, L.P. with an original Contract Amount of \$2,566,867.70.

**LOCATION:** The project area is generally bound by Mayflower on the north, Bellfort on the south, Cullen on the east, and Scott on the west. The project is located in the Key Map Grids 533-U, V & Y.

**CONTRACT COMPLETION AND COST:** The Contractor, Metro City Construction, L.P. has completed the Work under the subject Contract. The project was completed beyond the established completion date and liquidated damages in amount of \$93,600.00 at \$800.00 per day for 117 days have been assessed and are reflected in the final payment to the Contractor. The final cost of the project, including overrun and underrun of estimated bid quantities and previously approved Change Order Nos. 1 through 4 is \$2,151,881.08, a decrease of \$414,986.62 or 16.17% under the original Contract Amount.

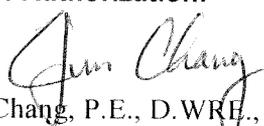
The decreased cost is due to liquidated damages, an underrun of Base Unit Price Item No. 11 – Site Restoration, Base Unit Price Item No. 22 – 8-inch Water Line & Fittings (open cut), and the work not requiring use of most Extra Unit Price Items.

**M/WBE PARTICIPATION:** The M/WBE goal for this project was 20%. According to Affirmative Action and Contract Compliance Division, the actual participation was 21.48%. The Contractor was awarded an "Outstanding" rating for MWBE Compliance.

  
MSM:DRM:JTL:JLS:SK:mq  
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c: File No. S-000035-00E2-4 - Closeout

**REQUIRED AUTHORIZATION      CUIC ID# 20MZQ169**

<p><b>Finance Department:</b></p>	<p><b>Other Authorization:</b></p> <p> Jun Chang, P.E., D.WRE., Deputy Director Public Utilities Division</p>	<p><b>Other Authorization:</b></p> <p> Daniel R. Menendez, P.E., Deputy Director Engineering and Construction Division</p>
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NOT

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

**SUBJECT:** Accept Work for Water Line Replacement in First Ward Section I.  
WBS No. S-000035-00F1-4.

Page 1 of 1

Agenda Item #

10

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

Department of Public Works and Engineering

**Origination Date**

6/29/10

**Agenda Date**

JUN 30 2010

**DIRECTOR'S SIGNATURE:**

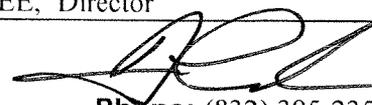
  
Michael S. Marcotte, P.E., D.WRE, BCEE, Director

**Council Districts affected:**

H

**For additional information contact:**

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



**Phone:** (832) 395-2355

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

Ord. #2008-116 dated 02/13/2008

**RECOMMENDATION: (Summary)** Pass a motion to approve the final Contract Amount of \$1,830,688.48, which is 4.69% over the original Contract Amount, accept the Work and authorize the final payment.

**Amount and Source of Funding:** No additional appropriation required.

(Original appropriation of \$2,074,600.00 from Water and Sewer System Consolidated Construction Fund No. 8500.)

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

**DESCRIPTION/SCOPE:** This project consisted of 22,327 linear feet of 4-inch, 6-inch, and 8-inch diameter water lines, valves and appurtenances. Cobb, Fendley & Associates / Claunch & Miller, Inc. designed the project with 280 calendar days allowed for construction. The project was awarded to ACM Contractors, Inc. with an original Contract Amount of \$1,748,673.11.

**LOCATION:** The project area is generally bound by IH-10 on the north, Dart Street on the south, Colorado Street on the east and Oliver Street on the west. The project is located in the Key Map Grids 493-F.

**CONTRACT COMPLETION AND COST:** The Contractor, ACM Contractors, Inc. has completed the Work under subject Contract. The project was completed with an additional 86 days approved by Change Order Nos. 1 and 2. The final cost of the project, including previously approved Change Order Nos. 1 and 2 and overrun and underrun of estimated bid quantities is \$1,830,688.48, an increase of \$82,015.37 or 4.69% over the original Contract Amount.

The cost overrun is primarily due to Base Unit Price Item No. 25 – 8-inch Diameter Water Line by Augering and Base Unit Price Item No. 41 – 1-1/2-inch to 2-inch Diameter Taps and Copper Service Lines with Meter Box, Short Side, which were necessary to complete the Work.

**M/WBE PARTICIPATION:** The M/WBE goal for this project was 22%. According to Affirmative Action and Contract Compliance, the actual participation was 21.06%. The Contractor was awarded a "Satisfactory" rating for M/WBE compliance.

  
MSM:DRM:JTL:JAK:AK:mq

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c: File No. S-000035-00F1-4 – 21.0

**REQUIRED AUTHORIZATION**

**CUIC ID# 20MZQ171**

MST

**Finance Department:**

**Other Authorization:**

  
Jun Chang, P.E., D.WRE., Deputy Director  
Public Utilities Division

**Other Authorization:**

  
Daniel R. Menendez, P.E., Deputy Director  
Engineering and Construction Division



REQUEST FOR COUNCIL ACTION

SUBJECT: Parcel AY8-051; City of Houston v. Woon Sun Lee and Kil Soon Lee, d/b/a Lee's Sign Co., et al., Cause No. 951,765; Bunker Hill Paving Project, Phase II (IH-10 Feeder Road - Long Point Road) WBS/CIP No. N-000767-0001-2-01; Legal Department File No. 052-0800007-008.		Page 1 of 2	Agenda Item #  11
FROM (Department or other point of origin): Legal Department - Real Estate Section David Feldman, City Attorney		Origination Date 05/17/10	Agenda Date  JUN 30 2010
DIRECTOR'S SIGNATURE: <i>David Feldman</i>		Council District affected:  "A" Brenda Stardig; Key Map#450X	
For additional information contact: Russell G. Richardson <i>Ref. DPA</i> Phone: 832.393.6285 (alternatively Joseph N. Quintal 832.393.6286)		Date and identification of prior authorizing Council action: A.O. #2009-703, psd. 7/29/09 B.A.O. #2007-1067, psd. 09/19/07	
RECOMMENDATION: (Summary) That the City Attorney be authorized, by Motion, to deposit the amount of the Award of Special Commissioners into the registry of the Court and pay the costs of court in this matter. Funding will be provided by a previously approved blanket Appropriation Ordinance.			
Amount and Source of Funding: \$80,387.00; No appropriation needed as funding will be provided by previously approved Appropriation Ordinance No. 2007-1067, psd. 09/19/07. Street & Bridge Consolidated Construction Fund <i>U.P. 6/8/10</i>			
SPECIFIC EXPLANATION:  The Bunker Hill Paving Project, Phase II (IH-10 Feeder Road - Long Point Road) will provide for the engineering and reconstruction of the existing roadway with concrete paving, curbs, sidewalks, street lighting, and the necessary underground utilities as needed. The project will upgrade the existing roadway to major collector standards and improve traffic flow.  This eminent domain proceeding involves the acquisition of a permanent easement in and to 1,252 square feet (0.0287 acre) of land out of a parent tract containing 23,418 square feet (0.5376 acre) of land. The property is located at 9819 Long Point Road, and is owned by Woon Sun Lee and Kil Soon Lee, d/b/a Lee's Sign Company. The property is improved with two (2) structures; one being a 4,075 square-foot multi-tenant retail building and the second structure is a 2,400 square-foot warehouse. The City's taking is a rectangularly shaped tract of land varying in width from 10.44 feet to 10.26 feet for 125 feet along the Long Point Road street frontage. The City's final offer of \$23,733.00, in April 2008, to purchase the needed property was rejected by the landowners' attorney and a counter-offer of \$180,805.00 was submitted for consideration. Efforts by Public Works & Engineering to reconcile the difference and negotiate the purchase of the subject property were unsuccessful and the matter was referred to the Legal Department to initiate eminent domain proceedings to acquire the property. The Legal Department retained the same appraiser, utilized by Public Works & Engineering in making the City's final offer, to value the property and testify at the Special Commissioners' Hearing. The appraiser updated their appraisal report for the hearing, and presented the following conclusions and opinions of market value for the Special Commissioners consideration.  <b>City's Testimony Before the Special Commissioners:</b> \$23,773.00 (i.e. \$15.50 psf for the land being acquired; \$3,558.00 for the improvements thereon and \$809.00 for damage to the remainder)			
h:\mark\leesignrca.wpd		REQUIRED AUTHORIZATION	
Other Authorization:		Other Authorization:	
<i>Michael S. Marcotte</i> Michael S. Marcotte, P.E., D.WRE, BCEE Director, PW&E		<i>Mark L. Loebber</i> Mark L. Loebber, PE, CFM, PTOE Acting Deputy Director Planning and Development Services Division, PWE	

Date 05/17/10	SUBJECT: Parcel AY8-051; Woon Sun Lee & Kil Soon Lee; Cause No. 951,765; Bunker Hill Paving Project, Phase II; LD No. 052-0800007-008	Originator's Initials RGR/JNQ	Page 2 of 2
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**Landowners' Testimony Before the Special Commissioners:** \$180,802.00 (i.e. \$15.50 psf for the land being acquired; \$19,534.00 for the improvements thereon; \$141,862.00 for damage to the remainder)

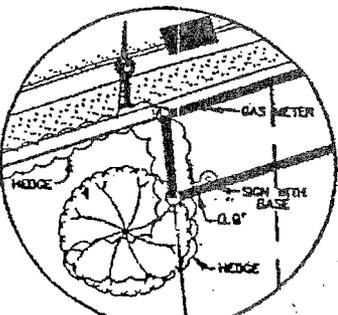
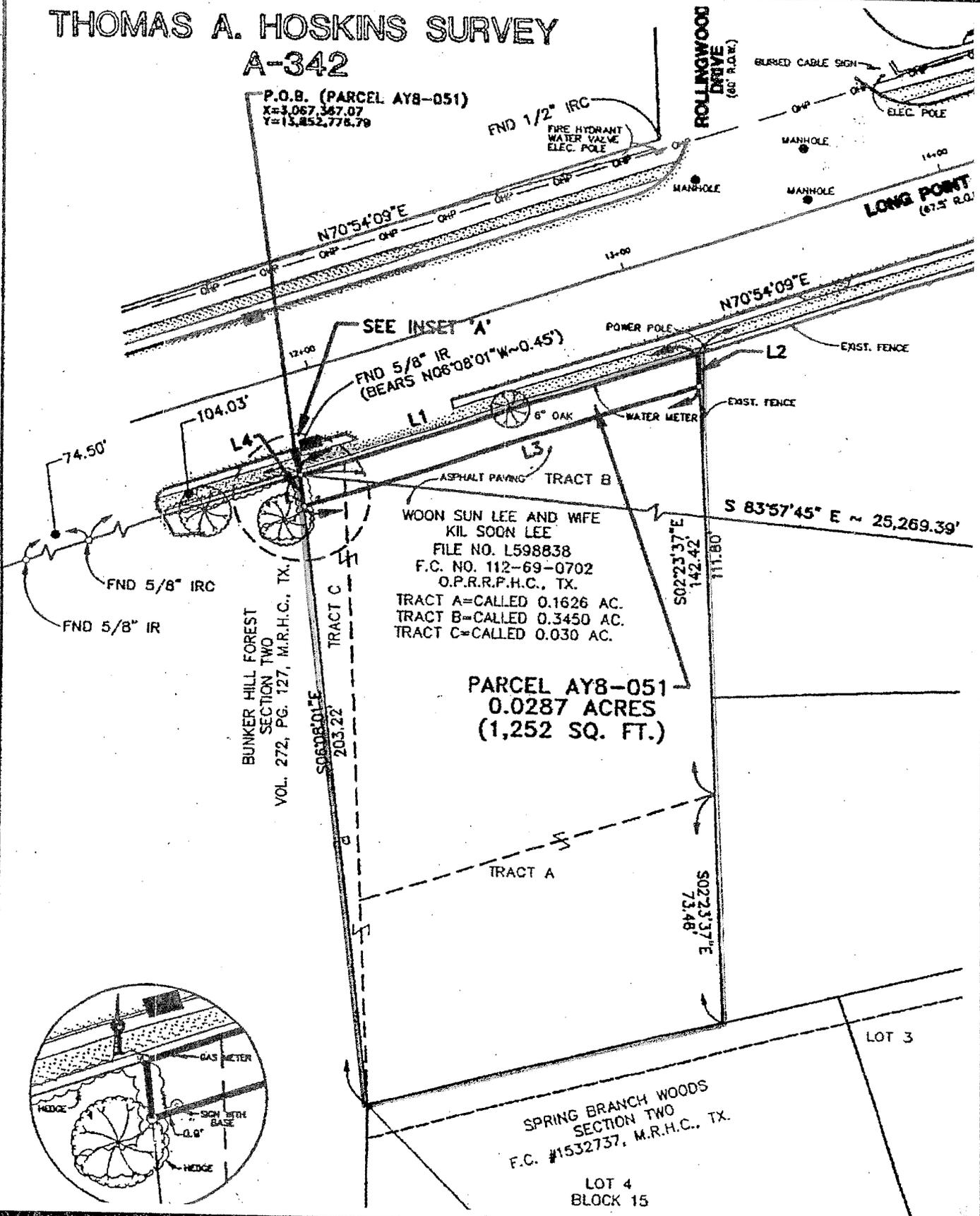
**Award of Special Commissioners:** \$74,440.00 The landowners' legal representative promptly filed Objections to the Award of Special Commissioners and the matter was placed on the Court's trial docket.

The "**Costs of Court**" are as follows, to wit: \$172.00 filing fee; \$75.00 Service of process fee; \$1,800.00 Special Commissioners' fees (i.e. \$600.00 x 3); \$3,900.00 Appraiser's fee; **Total:** \$5,947.00. These "costs of court" account for the monetary difference between the amount of the Award of Special Commissioners and the total amount of funds needed herein.

We recommend that the City Attorney be authorized, by Motion, to deposit the amount of the Award of Special Commissioners into the registry of the Court and pay the costs of court in this matter. Funding will be provided by a previously approved blanket Appropriation Ordinance.

# THOMAS A. HOSKINS SURVEY A-342

P.O.B. (PARCEL AY8-051)  
X=3,067,367.07  
Y=15,452,778.79



**Sketch of Part to be Acquired**



	Whole Property
	Part Acquired

<b>SUBJECT:</b> Sale of ±2,731 square feet of excess, fee-owned Sawyer Street right-of-way (Parcel A67-156), located within Tracks 9A and 10A, Block 385, W. R. Baker Addition, out of the John Austin Survey, A-1. Parcel SY10-064, SY10-077, and SY10-078	<b>Page</b> 1 of 2	<b>Agenda Item #</b>  12
<b>FROM (Department or other point of origin):</b>  Department of Public Works and Engineering	<b>Origination Date</b>  6/24/10	<b>Agenda Date</b>  JUN 30 2010
<b>DIRECTOR'S SIGNATURE:</b>   Michael S. Marcotte, P.E., D.WRE, BCEE, Director	<b>Council District affected:</b> H   Key Map 493K	
<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>	

**RECOMMENDATION: (Summary)** It is recommended City Council approve a council motion authorizing the sale of ±2,731 square feet of excess, fee-owned Sawyer Street right-of-way (Parcel A67-156), located within Tracks 9A and 10A, Block 385, W. R. Baker Addition, out of the John Austin Survey, A-1. Parcel SY10-064, SY10-077, and SY10-078

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

**SPECIFIC EXPLANATION:**

Michael Breazeale, 801 Sawyer Street, Suite 200, Houston, Texas, 77007, requested the sale of ±2,731 square feet of excess, fee-owned Sawyer Street right-of-way (Parcel A67-156), located within Tracks 9A and 10A, Block 385, W. R. Baker Addition, out of the John Austin Survey, A-1. Michael Breazeale and the other property owners, Karen Vargas and Glenwood Cemetery, plan to maintain the subject property.

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

1. The City sell ±2,731 square feet of excess, fee-owned Sawyer Street right-of-way (Parcel A67-156), located within Tracks 9A and 10A, Block 385, W. R. Baker Addition, out of the John Austin Survey, A-1;
2. The applicant be required to furnish the Department of Public Works and Engineering with a durable, reproducible (Mylar) survey plat and field notes of the affected property;
3. The applicant be required to obtain a letter of no objection from each of the privately owned utility companies for the street being abandoned and sold;
4. The applicant be required to obtain an agreement as to the apportionment from all the abutting property owners of the ±2,731 square feet of excess, fee-owned Sawyer Street right-of-way being sold and reflect the division of property on the required Mylar survey and field notes.

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**REQUIRED AUTHORIZATION**

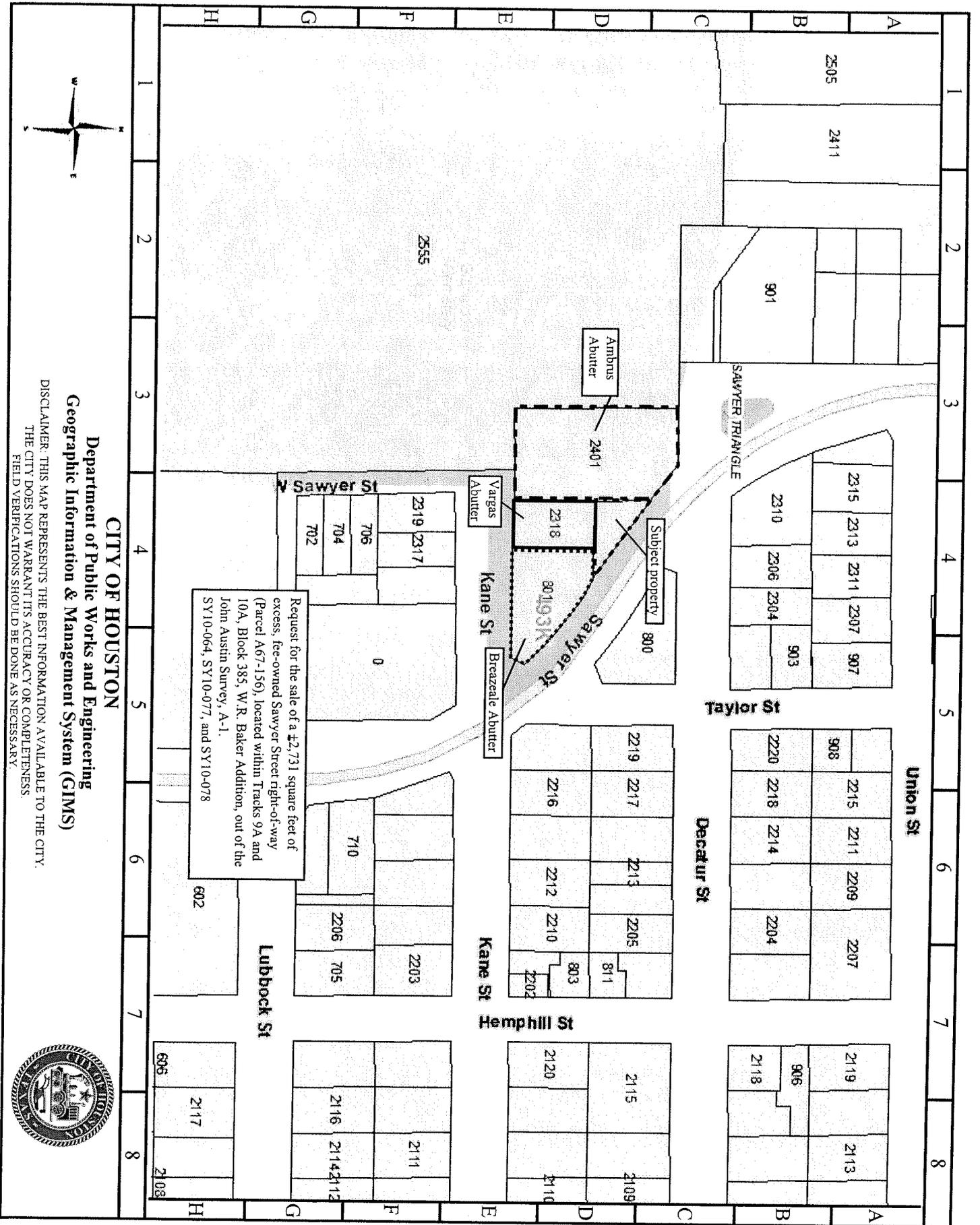
<b>Finance Department:</b>	<b>Other Authorization:</b>	<b>Other Authorization:</b>  Mark Loethen, P.E., CFM, PTOE Acting Deputy Director Planning and Development Services Division
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<b>Date:</b>	<b>Subject:</b> Request for the sale of ±2,731 square feet of excess, fee-owned Sawyer Street right-of-way (Parcel A67-156), located within Tracks 9A and 10A, Block 385, W. R. Baker Addition, out of the John Austin Survey, A-1. <b>Parcel SY10-064, SY10-077, and SY10-078</b>	<b>Originator's Initials</b>	<b>Page</b> <u>2</u> of <u>2</u>
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5. Inasmuch as the value of the City's property interest is not expected to exceed \$1,000,000.00, that the value be established by Jimmy Payton, an independent appraiser appointed by the Director of Public Works and Engineering.

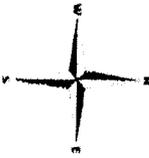
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- c: Jun Chang, P.E.
- David Feldman
- Rick Flanagan
- Marlene Gafrick
- Daniel Menendez, P.E.
- Marty Stein



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

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



**REQUEST FOR COUNCIL ACTION**

**TO:** Mayor via City Secretary

**RCA# 8771**

**Subject:** Authorize an Appropriation Ordinance and Approve the Sole Source Purchase of a VigilVanguard Driver Training System for the Houston Fire Department S33-E23682

Category #  
4

Page 1 of 1

Agenda Item

*13 + 13A*

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

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

**Origination Date**

June 22, 2010

**Agenda Date**

JUN 30 2010

**DIRECTOR'S SIGNATURE**

*Calvin D. Wells*

**Council District(s) affected**

All

**For additional information contact:**

Karen Dupont Phone: (713) 859-4934  
Douglas Moore Phone: (832) 393-8724

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

**RECOMMENDATION: (Summary)**

Approve an ordinance authorizing the appropriation of \$103,000.00 from the Equipment Acquisition Consolidated Fund (1800) and approve the sole source purchase of a VigilVanguard driver training system in the total amount of \$103,000.00 for the Houston Fire Department.

Award Amount: \$103,000.00

**Finance Budget**

\$103,000.00 - Equipment Acquisition Consolidated Fund (1800) WBS V-1800-2010-02-06-23

**SPECIFIC EXPLANATION:**

The City Purchasing Agent recommends that City Council approve an ordinance authorizing the appropriation of \$103,000.00 from the Equipment Acquisition Consolidated Fund (1800) and approve the sole source purchase of a VigilVanguard driver training system in the total amount of \$103,000.00, for the Houston Fire Department (HFD) and that authorization be given to issue a purchase order to Vigil Solutions Inc.

Over the past several months, HFD has conducted and assessed various driver behavior studies and determined the need for a driver training system (DTS) that will assist HFD with driver safety; and provide HFD personnel with the core skills required to operate a fire truck. The DTS shall be a self-contained unit that does not require connectivity or input from any system of a fire truck. The intended purpose of the device is to capture and record video and data in real time and can be used to improve overall driver performance and skills.

This purchase will consist of two fully equipped VigilVanguard driver training systems that include: hardware (laptop computers), software that will be utilized to capture, view, and report driver patterns, geographic positioning system (GPS), motion sensors, cameras, carrying case and mounting apparatus. In addition, each system will include integrations services, training and on-going phone support for one year at no additional cost. Furthermore, all hardware and software shall be warranted for one year.

Vigil Solutions Inc. is the software manufacturer and sole source provider for this technology. Additionally, it has no dealer networks, distributorships, or third-party providers for this technology; therefore, Vigil Solutions Inc. must perform any installation, training, or support to this proprietary technology. This recommendation is made pursuant to Chapter 252.022 (a) (2) of the Texas Local Government Code for exempted procurements.

Buyer: Conley Jackson

**REQUIRED AUTHORIZATION**

Finance Department:

Other Authorization:

Other Authorization:

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

**SUBJECT:** Appropriate Funds for Issuance of a Purchase Order to Terrain Solutions, Inc. for Additional Assessment and Corrective Action for the Houston Fire Department  
WBS No. C-000170-0010-4

Page  
1 of 1

Agenda Item

14-14A

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

**Origination Date**  
6/24/10

**Agenda Date**

JUN 30 2010

**DIRECTOR'S SIGNATURE:**



45  
Forest R. Christy, Jr., Interim Director

**Council Districts affected:**  
A, D

**For additional information contact:**

Jacquelyn L. Nisby

Phone: 832 393- 8023

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

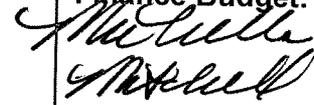
Ordinance No. 2009-0598; June 24, 2009  
Motion No. 2009-0505; June 30, 2009

**RECOMMENDATION:** Amend Motion No. 2009-0505, passed and adopted June 30, 2009 to increase spending authority to Terrain Solutions, Inc. from \$63,998.00 to \$110,936.00.

**Amount and Source of Funding:**

\$46,938.00—Fire Consolidated Construction Fund (4500)

**Finance Budget:**



**Previous Funding:**

\$63,998.00—Fire Consolidated Construction Fund (4500)

**SPECIFIC EXPLANATION:** On June 30, 2009, Motion 2009-0505, City Council authorized the issuance of a purchase order in the amount of \$63,998.00 to Terrain Solutions, Inc. for a risk-based assessment, contaminated groundwater removal and installation of monitoring wells at Fire Stations 49 and 59. The work was necessary due to the presence of petroleum hydrocarbon impacted soils and groundwater resulting from leaking gasoline from the bottom of tankholds at the fire stations.

The requested appropriation of \$46,938.00 is necessary to perform additional assessment and corrective action because the Texas Commission on Environmental Quality (TCEQ) denied the closure on both fire stations and requested an additional 6 - 8 hours mobile-dual phase extraction and analyzing of contaminated groundwater samples.

**PROJECT LOCATIONS:**

Fire Station 49  
1212 Gessner (450W)

Fire Station 59  
13925 S. Post Oak Rd. (571Q)

**PREVIOUS HISTORY AND PROJECT DESCRIPTION:** The previous scope of work included the following:

**Fire Station 49**—Collected and analyzed groundwater samples and completed report for site closure to TCEQ.

**Fire Station 59**— Performed 8 - 9 hours of mobile-dual phase extraction of contaminated groundwater, collected and analyzed groundwater samples, and completed report for site closure to TCEQ.

IZD:HB:JLN:GM:gm

c: Marty Stein, Jacquelyn L. Nisby, Velma Laws, Calvin Curtis, Jack Williams, Gabriel Mussio, Martha Leyva, File

**REQUIRED AUTHORIZATION**

CUIC ID # 25GM 220

**General Services Department**



Humberto Bautista, P.E.  
City Engineer

**Houston Fire Department:**



Rick Flanagan  
Acting Fire Chief

NOT



COUNCIL DISTRICT "D"

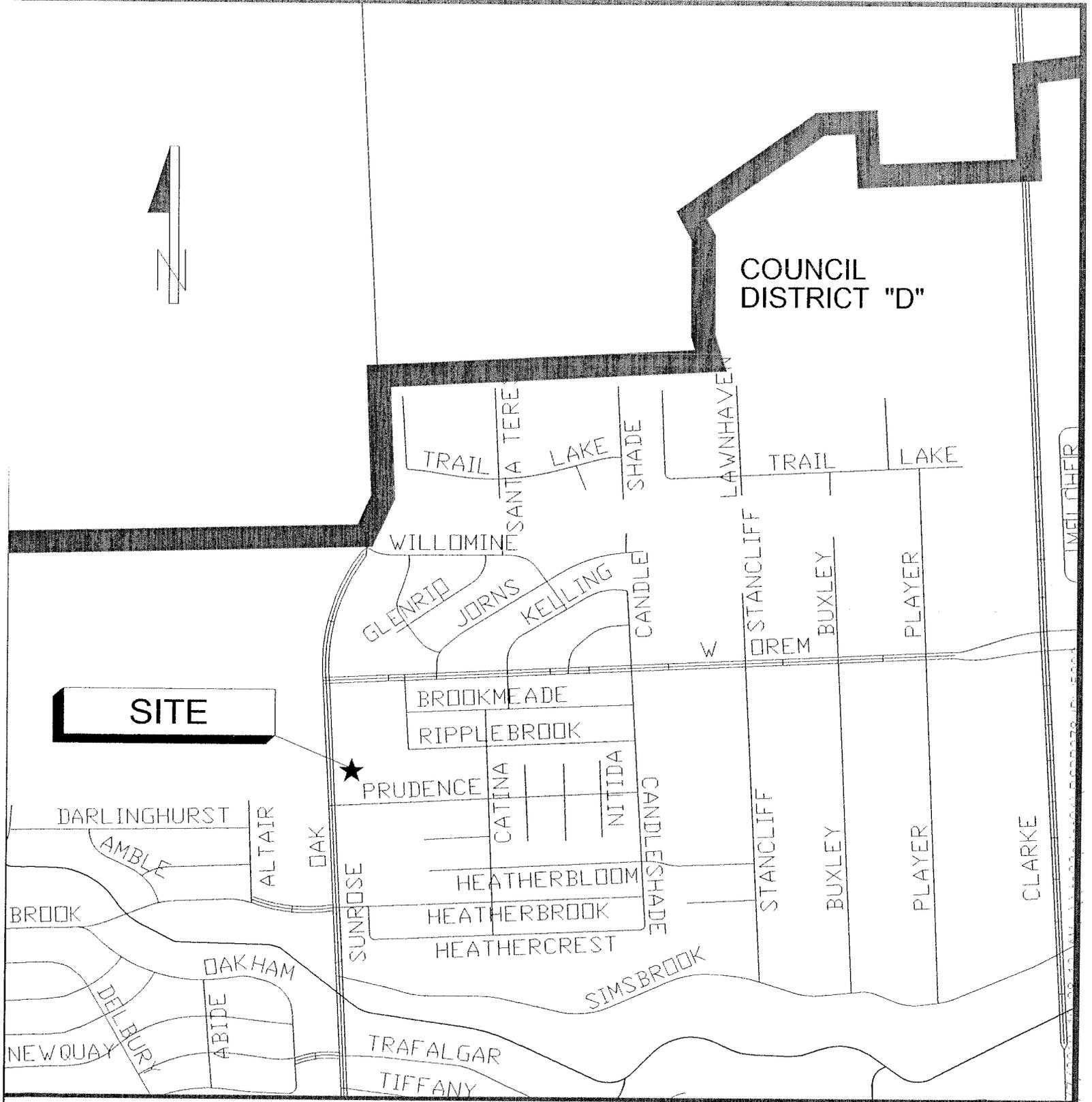
**SITE**

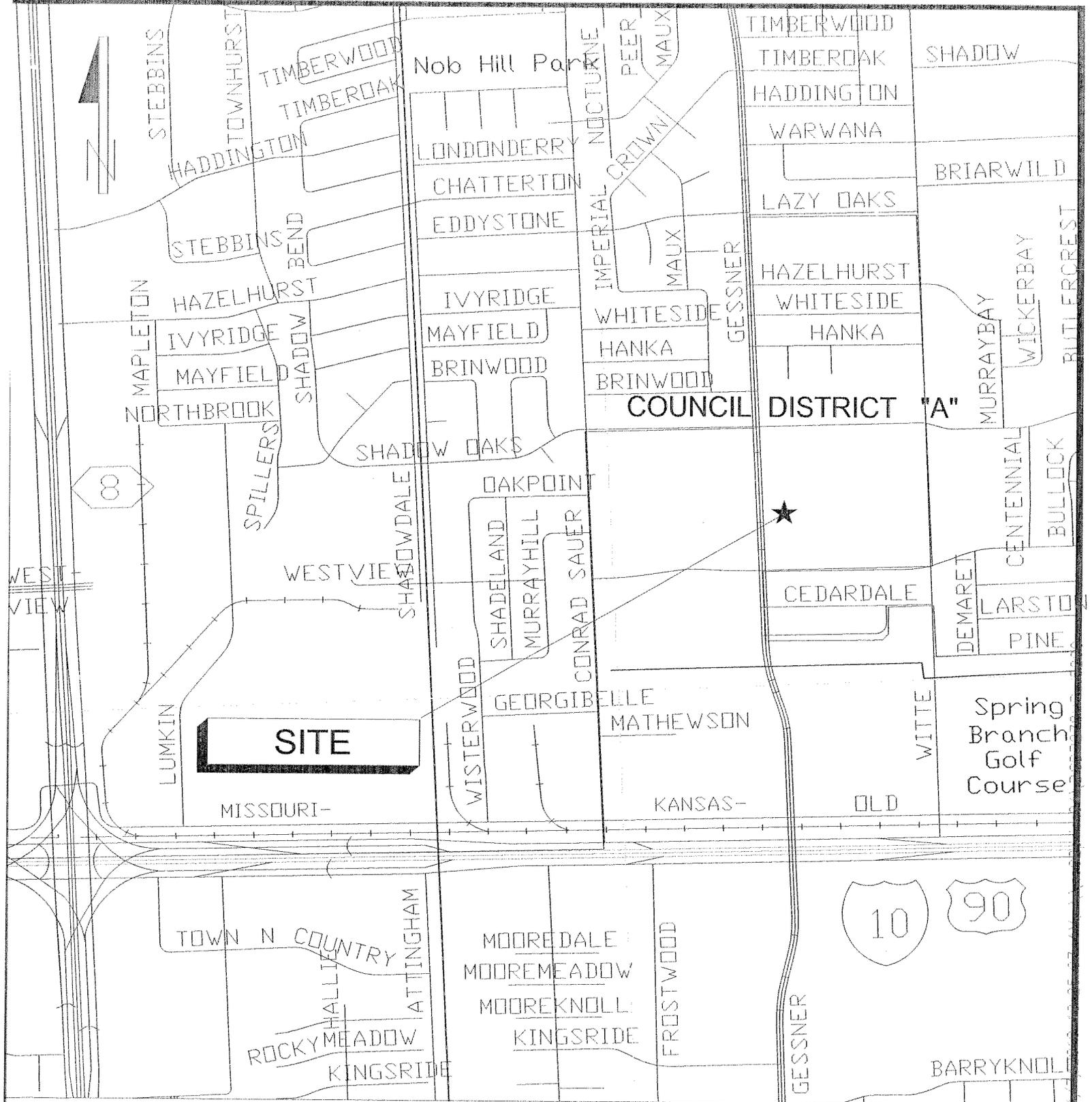


HOUSTON FIRE DEPARTMENT  
FIRE STATION NO. 59  
13925 S. POST OAK ROAD

COUNCIL DISTRICTS "D"

KEY MAP NO. 571Q





**FIRE STATION NO. 49**  
**1212 GESSNER**  
**HOUSTON, TX 77055**

**REQUEST FOR COUNCIL ACTION**

**TO:** Mayor via City Secretary

**RCA# 8732**

**Subject:** Formal Bids Received for Parking Lot Improvements Under the Pierce Elevated for the General Services Department  
S50-C23579

Category #  
4

Page 1 of 2

Agenda Item

*15-15A*

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

**Origination Date**  
June 11, 2010

**Agenda Date**  
JUN 30 2010

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

**Council District(s) affected**  
1

**For additional information contact:**  
Jacquelyn L. Nisby                      Phone: (832) 393-8023  
Ray DuRousseau                         Phone: (832) 393-8726

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

**RECOMMENDATION: (Summary)**

Approve an ordinance authorizing the appropriation of \$742,350.00 out of General Improvement Consolidated Construction Fund (4509) and approve an award to Carrera Construction, Inc. on its low bid in the amount of \$707,000.00 and contingencies (5% for unforeseen changes within the scope of work) in the amount of \$35,350.00 for a total amount not to exceed \$742,350.00 for parking lot improvements under the Pierce Elevated for the General Services Department.

Award Amount: \$742,350.00

**Finance Budget**

\$742,350.00 - General Improvement Consolidated Construction Fund (4509) - WBS - D-000127-0002-4

**SPECIFIC EXPLANATION:**

The City Purchasing Agent recommends that City Council approve an ordinance authorizing the appropriation of \$742,350.00 out of the General Improvement Consolidated Construction Fund (4509). It is further recommended that City Council approve an award to Carrera Construction, Inc. on its low bid in the amount of \$707,000.00 and contingencies (5% for unforeseen changes within the scope of work) in the amount of \$35,350.00 for a total amount not to exceed \$742,350.00 for parking lot improvements under the Pierce Elevated for the General Services Department and that authorization be given to issue purchase orders as necessary. This project is necessary to improve drainage, delineate parking stalls, install electrical service for parking meter stations and address Texas Department of Licensing and Regulation issues.

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

<u>Company</u>	<u>Total Amount</u>
1. Carrera Construction, Inc.	\$707,000.00
2. AAA Asphalt Paving, Inc.	\$747,207.50

The scope of work requires the contractor to provide all tools, materials, equipment, labor, permits, supervision and transportation necessary to prepare the existing surface of the asphalt parking lots and fill existing cracks and pot holes for new slurry seal coating; install slurry seal coating; paint striping for parking spaces; provide new metal fencing; install electrical for lighting and existing security booth; provide and install new entrance signs and address drainage improvements, located from Louisiana to Jackson Street. Materials and workmanship is warranted for three years. The contractor shall have 120 calendar days to complete the work on this project upon issuance of the notice-to-proceed.

**REQUIRED AUTHORIZATION**

Finance Department:

Other Authorization:

Other Authorization:

*NO*

*JA*

Date: 6/11/2010	Subject: Formal Bids Received for Parking Lot Improvements Under the Pierce Elevated for the General Services Department S50-C23579	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: Art Lopez

<b>SUBJECT: Motion authorizing issuance of a purchase order to Houston Works USA to train and employ youth to be energy and environmental conservation advocates</b>		<b>Category # 4</b>	<b>Page 1 of 1</b>	<b>Agenda Item # 16</b>
<b>FROM (Department or other point of origin):</b> Houston Department of Health and Human Services		<b>Origination Date</b> 6-23-10	<b>Agenda Date</b> JUN 30 2010	
<b>DIRECTOR'S SIGNATURE:</b> <i>Kathy Barton</i>		<b>Council District affected:</b> ALL		
<b>For additional information contact:</b> Kathy Barton Phone: 832- 393-5045		<b>Date and identification of prior authorizing Council action:</b> 5-28-08; 08-0466; 5-27-10; 09-0302		
<b>RECOMMENDATION: (Summary)</b> Approval of a motion authorizing issuance of a purchase order to Houston Works USA to train and employ youth to be energy and environmental conservation advocates				
<b>Amount of Funding:</b> Total Amount: \$73,953.92 \$51,985.00 Mayor's Summer Youth Conservation Corps Fund (2006) \$21,968.92 Federal State Local -Pass Through Fund (5030)			<b>Finance Department:</b>	
<b>SOURCE OF FUNDING:</b> <input type="checkbox"/> General Fund <input checked="" type="checkbox"/> Grant Fund <input type="checkbox"/> Enterprise Fund <input checked="" type="checkbox"/> Other (Specify)				
<b>SPECIFIC EXPLANATION:</b> The Houston Department of Health and Human Services requests City Council approval of a motion authorizing the issuance of a purchase order in the amount of \$73,953.92 to Houston Works USA to train and employ youth to be energy and environmental conservation advocates from the date of the issuance of the purchase order through August 25, 2010. This initiative will be carried out through the Mayor's Summer Youth Conservation Corps which was established in 2008 and serves to educate the community about the importance of energy conservation.  The goal of the program is to train the youth about useful tips for saving energy. They also learn about other environmental topics such as clean air and water which allow them to share information on these topics. This summer youth will educate their peers about environmental concerns such as energy efficiency by providing educational presentations throughout the city. They will address the link between a healthy environment and personal and community wellness. The purchase order will enable Houston Works USA to hire and train approximately 12 youths, 3 team leaders, one clerk, one division leader, and two data trackers to provide educational presentations about energy conservation to low and middle income neighborhoods.  This project is funded through an existing incentive agreement with CenterPoint Energy. This summer's program will exhaust the remaining funds for the project. Additional funding for this year's program is the Healthy Adolescent Initiative, a grant awarded by Texas Department of State Health Services.				
cc: Finance Department Legal Department Agenda Director				
<b>REQUIRED AUTHORIZATION</b>				
<b>Finance Department</b>		<b>Other Authorization:</b>		<b>NOT</b>
		<b>Other Authorization:</b>		

**REQUEST FOR COUNCIL ACTION**

**TO:** Mayor via City Secretary

**RCA# 8691**

**Subject:** Approve Payments for the Emergency Purchase of Caustic Soda for the Public Works & Engineering Department  
S40-N23505, S40-N23614, S40-N23639

Category #  
4

Page 1 of 1

Agenda Item

17

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

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

**Origination Date**

June 23, 2010

**Agenda Date**

JUN 30 2010

**DIRECTOR'S SIGNATURE**

*Calvin D. Wells*

**Council District(s) affected**

All

**For additional information contact:**

David Guernsey                      Phone: (832) 395-3640  
Ray DuRousseau                      Phone: (832) 393-8726

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

**RECOMMENDATION: (Summary)**

Approve payments to DX Terminals, LTD in the amount of \$332,814.78, Altivia Corporation in the amount of \$148,944.28 and UNIVAR USA in the amount of \$424,802.93 for the emergency purchase of caustic soda for the Public Works & Engineering Department.

Total Payment Amount: \$906,561.99

**Finance Budget**

\$906,561.99 PWE Water & Sewer System Operating Fund (8300)

**SPECIFIC EXPLANATION:**

The City Purchasing Agent recommends that City Council approve payments to Altivia Corporation in the total amount of \$148,944.28; DX Terminals, LTD. in the total amount of \$332,814.78; and UNIVAR USA in the total amount of \$424,802.93 for the emergency purchase of 3,736 tons of caustic soda for the Public Works & Engineering Department. The emergency purchase of caustic soda was necessary to sustain the Department until a new agreement is established for this chemical, which is expected to be presented to City Council within the next 30 days.

Caustic soda is used on a daily basis in order to keep the City's drinking water and wastewater treatment plants in compliance with the Texas Commission of Environmental Quality and the US Environmental Protection Agency's water quality mandates and is necessary to preserve and protect the public's health and safety.

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

**Estimated Spending Authority**

DEPARTMENT	FY 2010	FY 2011	TOTAL
Public Works & Engineering Dept.	\$809,667.99	\$96,894.00	\$906,561.99

Buyer: Jeff D. Meekins

**REQUIRED AUTHORIZATION**

Finance Department:

Other Authorization:

Other Authorization:

(3) MKA

**REQUEST FOR COUNCIL ACTION**

**TO:** Mayor via City Secretary

**RCA# 8713**

**Subject:** Formal Bids Received for Chemical Storage Tanks for the Public Works & Engineering Department  
S23-N23502

Category #  
4

Page 1 of 2

Agenda Item

18

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

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

**Origination Date**

May 04, 2010

**Agenda Date**

JUN 3 0 2010

**DIRECTOR'S SIGNATURE**

*Calvin D. Wells*

**Council District(s) affected**

**For additional information contact:**

David Guernsey Phone: (832) 395-3640  
Ray DuRousseau Phone: (832) 393-8726

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

**RECOMMENDATION: (Summary)**

Approve an award to The Mur-Tex Company on its low bid in the total amount of \$79,494.00 for Chemical Storage Tanks for the Public Works & Engineering Department.

Award Amount: \$79,494.00

**Finance Budget**

\$79,494.00 - Combined Utility System General Purpose Fund (8305)

**SPECIFIC EXPLANATION:**

The City Purchasing Agent recommends that City Council approve an award to The Mur-Tex Company on its low bid in the total amount of \$79,494.00 for the purchase of chemical storage tanks for the Public Works & Engineering Department and that authorization be given to issue purchase orders. The sodium hypochlorite and sodium bisulfite tanks will be used as backup/reserve or replacement tanks which can be immediately available for installation when existing tanks fail and the fluoride tank will replace the defective, worn and leaky fluoride tank at the Southeast Wastewater Plant Treatment Module #1 by the Department's Public Utilities Section.

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

<u>COMPANY</u>	<u>TOTAL AMOUNT</u>
1. The Mur-Tex Company	\$ 79,494.00
2. United Industries Group	\$135,438.00
3. Great Western Supply	\$190,000.00
4. ManURep	\$203,024.00
5. Proske Plastic Products	\$472,794.00

This purchase consists of four 6500 gallon sodium hypochlorite storage tanks and two 6500 gallon sodium bisulfite storage tanks. The tanks will come with a one-year warranty and the life expectancy is 15-20 years. These backup or replacement sodium hypochlorite and sodium bisulfite tanks will be available for immediate installation when existing tanks fail. The replaced tanks will be sent to the Property Disposal Management Office for disposition.

**REQUIRED AUTHORIZATION**

Finance Department:

Other Authorization:

Other Authorization:

*MA*

*MA*

**REQUEST FOR COUNCIL ACTION**

**TO:** Mayor via City Secretary

**RCA# 8777**

**Subject:** Approve Award for Repairs to Clay Road at the Langham Creek Bridge for the Public Works & Engineering Department S12-E23687

Category #  
4

Page 1 of 2

Agenda Item

*19-19A*

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

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

**Origination Date**

June 18, 2010

**Agenda Date**

JUN 30 2010

**DIRECTOR'S SIGNATURE**

*Calvin D. Wells*

**Council District(s) affected**

A

**For additional information contact:**

David Guernsey Phone: (832) 395-3640  
Ray DuRousseau Phone: (832) 393-8726

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

**RECOMMENDATION: (Summary)**

Approve an ordinance authorizing the appropriation of \$1,400,000.00 out of the Street & Bridge Consolidated Construction Fund (Fund 4506) and approve an award to Tom-Mac, Inc. on its low exempt bid in the amount of \$1,151,328.29 and contingencies (14.57% for unforeseen changes within the scope of work) in the amount of \$126,565.44 for a total amount not to exceed \$1,277,893.73 for repairs to Clay Road at the Langham Creek Bridge for the Public Works & Engineering Department.

Estimated Spending Authority: \$1,400,000.00

**Finance Budget**

*[Signature]*

\$1,400,000.00 - Street & Bridge Consolidated Construction Fund (4506) WBS N-00445N-0025-4

**SPECIFIC EXPLANATION:**

The City Purchasing Agent recommends that City Council approve an ordinance authorizing the appropriation of \$1,400,000.00 out of the Street & Bridge Consolidated Construction Fund (Fund 4506). It is further recommended that City Council approve an award to Tom-Mac, Inc. on its low exempt bid in an amount not to exceed \$1,151,328.29 and contingencies (14.57% for unforeseen changes within the scope of work) in the amount of \$126,565.44 for a total amount not to exceed \$1,277,893.73 for repairs to Clay Road at the Langham Creek Bridge for the Public Works & Engineering Department. This road and bridge repair project is important to protect the health and safety of the citizens traversing this thoroughfare and to prevent additional loss of the roadway's support.

The total requested appropriation includes \$30,000.00 for engineering and testing services to be provided by Terracon Consultants, Inc. under an existing City contract and \$92,106.27 for project management.

On December 7, 2009, the Public Works & Engineering Department along with a Bridge Engineer Consultant inspected the Clay Road at Langham Creek Bridge and immediately halted the westbound traffic due to the considerable road and bridge damage that posed an immediate roadway safety threat. The City of Houston's bridge consultant was commissioned to develop plans and a bid package to provide permanent repairs to this important roadway.

Informal bids were taken for this project in accordance with requirements of Administrative Procedures 5-2 and 5-4 and five bids were received as outlined below:

<u>Company</u>	<u>Total bid Amount</u>
1. Tom-Mac, Inc.	\$1,151,328.29
2. Spring Equipment Co., Inc.	\$1,427,804.90
3. NBG Constructors, Inc.	\$1,464,259.00
4. Texas Sterling Construction Co.	\$1,581,100.00
5. L.N. McKean, Inc.	\$1,767,432.60

**REQUIRED AUTHORIZATION**

Finance Department:

Other Authorization:

Other Authorization:

*MA*

*1307 A*

Date: 6/18/2010	Subject: Approve Award for Repairs to Clay Road at the Langham Creek Bridge for the Public Works & Engineering Department S12-E23687	Originator's Initials MK	Page 2 of 2
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The scope of work requires the contractor to provide all labor, materials, equipment, permits, supervision, transportation and facilities necessary to remove the concrete bridge approach slab and driving H-pile and sheet piling along the east and west abatement caps at the Langham Creek Bridge to replace the undermined concrete riprap. Services also include driving sheet piling along the road shoulders in both directions and installing new metal beam guard.

**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 Subcontracting:**

The contractor, **Tom-Mac, Inc.**, has agreed to 29.87% M/WBE and 5% SBE participation levels and has designated the below named companies as its certified M/WBE and SBE subcontractors:

<u>M/WBE Name</u>	<u>Type of Work</u>	<u>Amount</u>	<u>Percentage</u>
Steel Effects	Steel Sheet Piling	\$343,896.00	29.87%
<u>SBE Name</u>	<u>Type of Work</u>	<u>Amount</u>	
Deanie Hayes, Inc.	Sand and Riprap	\$40,170.00	3.49%
GMJ Paving Company, LLC	Asphalt Paving	\$20,900.00	1.82%

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

<b>Estimated Spending Authority</b>		
<b>DEPARTMENT</b>	<b>FY 2010</b>	<b>TOTAL</b>
Public Works & Engineering	\$1,400,000.00	\$1,400,000.00

Buyer: Martin L. King/JR/GD

**REQUEST FOR COUNCIL ACTION**

**TO:** Mayor via City Secretary

**RCA# 8769**

**Subject:** Formal Bids Received for Pumps for the Public Works & Engineering Department  
S12-N23539

Category #  
4

Page 1 of 2

Agenda Item

*20*

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

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

**Origination Date**

June 01, 2010

**Agenda Date**

JUN 30 2010

**DIRECTOR'S SIGNATURE**

*Calvin D. Wells*

**Council District(s) affected**

All

**For additional information contact:**

David Guernsey                      Phone: (832) 395-3640  
Ray DuRousseau                      Phone: (832) 393-8726

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

**RECOMMENDATION: (Summary)**

Approve various awards, as shown below, in the total amount of \$1,561,023.00 for pumps for the Public Works & Engineering Department.

Award Amount: \$1,561,023.00

**Finance Budget**

\$1,561,023.00 - Combined Utility System General Purpose Fund (8305)

**SPECIFIC EXPLANATION:**

The City Purchasing Agent recommends that City Council approve various awards, as shown below, in an amount not to exceed \$1,561,023.00 for pumps for the Public Works & Engineering Department and that authorization be given to issue purchase orders. These pumps will be used by the Department's Maintenance Management Section to transfer water, chemicals, sewage and sludge from various potable and wastewater plants, storage tanks, wet wells, clarifiers and lift stations throughout the City.

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

**Godwin Pumps of America, Inc.:** Award on its low bid meeting specifications for Group I - Item Nos. 1 thru 3 and 5 (Godwin Portable Pumps) in an amount not to exceed \$273,723.00.

<b><u>COMPANY</u></b>	<b><u>TOTAL AMOUNT</u></b>
1. Godwin Pumps of America, Inc.	\$273,723.00
2. Griffin Dewatering Corporation	\$292,691.00
3. Holland Pump	\$367,834.40
4. Griffin Dewatering Corporation	\$384,561.00

**Hahn Equipment Co., Inc.:** Award on its sole bid for Group II - Item Nos. 1 thru 12 (Flyght Corporation Submersible Pumps) in an amount not to exceed \$1,054,508.00.

**JDC Fluid Equipment:** Award on its sole bid for Group III - Item Nos. 1 and 2 (Chicago Wasting Pumps) in an amount not to exceed \$169,452.00.

Hahn Equipment Co., Inc. and JDC Fluid Equipment are the only authorized distributors of Flyght Corporation and Chicago Wasting pumps, respectively, in the greater Houston area and the surrounding counties, thus the reason for only receiving one bid each of the aforementioned brand of pumps.

**REQUIRED AUTHORIZATION**

Finance Department:

Other Authorization:

Other Authorization:

(4) *MA*

Date: 6/1/2010	Subject: Formal Bids Received for Pumps for the Public Works & Engineering Department S12-N23539	Originator's Initials MK	Page 2 of 2
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**Griffin Dewatering Corporation:** Award on its low bid for Group VI - Item No. 1 (6" trash pump) in an amount not to exceed \$63,340.00.

<u>COMPANY</u>	<u>TOTAL AMOUNT</u>
1. Griffin Dewatering Corporation	\$ 63,340.00
2. Godwin Pumps of America, Inc.	\$ 71,800.00
3. BakerCorp.	\$103,798.00
4. Holland Pump	\$141,481.10

This purchase consists of various sizes and types of pumps. The sizes range from 1/2" to 20" and the horsepower from 7.5 to 225. The pumps will come with a full one-year warranty and the life expectancy is 10-15 years. These new pumps will replace existing 20-year-old units which are inoperable and have exceeded their life expectancy. The old pumps will be stripped of salvageable parts and these parts will be placed in inventory and used to repair similar pumps in the Department's inventory. The unusable components will be sent to the Property Disposal Management Office for disposition.

A purchase order will be issued to Newman Regency Group for Group IV - Item No. 1 (Chopper Dry Well Pump) and Hartwell Environmental Corp. Group V - Item Nos. 1 and 2 (Pulsafeeder Chemical Pumps) as the individual award amounts are less than \$50,000.00.

Item Nos. 4 and 10 will not be awarded.

Buyer: Martin L. King

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

**REQUEST FOR COUNCIL ACTION**

**TO:** Mayor via City Secretary

**RCA# 8666**

**Subject:** Ordinance to revise language in Section 4-12 of the City of Houston Code of Ordinances regarding patient transport guidelines.

Category #  
6

Page 1 of 1

Agenda Item

**21**

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

Rick Flanagan  
Executive Assistant  
Fire

**Origination Date**

June 15, 2010

**Agenda Date**

JUN 20 2010

**DIRECTOR'S SIGNATURE**



**Council District(s) affected**  
All

**For additional information contact:**

Karen Dupont Phone: (713) 859-4934  
Neil Depascal Phone: (713) 247-8721

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

Ord. No. 70-1518; 9-16-70

**RECOMMENDATION: (Summary)**

Approval of an Ordinance to revise the language regarding patient transport in Section 4-12 of "Chapter 4 - Ambulances" of the City of Houston Code of Ordinances.

**Amount of Funding:**  
No funding required

**F & A Budget**

**SOURCE OF FUNDING:**     General Fund                       Grant Fund                       Enterprise Fund

Other (Specify)

**SPECIFIC EXPLANATION:**

The Houston Fire Department requests City Council approve an Ordinance modifying Section 4-12 of "Chapter 4 - Ambulances" of the City of Houston Code of Ordinances. Changes will be effective upon approval and will correct long standing City Ordinance language that does not reflect the range of options in the patient transport guidelines of the Houston Fire Department.

The Houston Fire Department is the sole provider of Emergency Medical Services in the City of Houston. This language was drafted in the mid 1970s at a time when funeral home services routinely provided EMS transport as well as transport of the deceased. Approval of this Ordinance will change the language to reflect the dynamic nature of the patient transport decision making process as approved by the HFD Physician Medical Director.

Changes will include deletion of Section 4-12(a). Section 4-12 (b) shall become 4-12(a). Changes in language will assure that all patient transport and non-transport decisions follow our most current medical guidance regardless of a patient's ability to pay for services. Section 4-12 (c) will become 4-12(b)

This item was considered and received a favorable recommendation from the Public Safety Committee (meeting date of 4/8/2010). The "Houston Fire Department Patient Care Guidelines" including the transport decision algorithms may be accessed in its entirety at [www.hfdmd.org](http://www.hfdmd.org).

**REQUIRED AUTHORIZATION**

F&A Director:

Other Authorization:

Other Authorization:

**Sec. 4-12. ~~Rendering of first aid; refusal to Patient transport status sick or injured persons; solicitation of business prohibited.~~**

~~\_\_\_\_\_ (a) It shall be unlawful for the driver or the attendant of any emergency ambulance to fail to render first aid and assistance to the sick or injured at the place of emergency.~~

~~(a) It shall be unlawful for any emergency ambulance operator, the holder of a city emergency ambulance driver's permit, or the holder of a certificate of proficiency as a qualified emergency ambulance technician to refuse to carry or transport any sick, injured or deceased person from the place of an emergency or the place of a direct call to which he has responded, and the circumstances that such person is or appears to be, indigent and unable to pay the cost of such service, shall not serve as an excuse from this requirement. A patient's transport status shall be determined solely on the basis of the medical needs of the patient in accordance with the most current fire department guidelines as approved by the physician medical director. Under no circumstances shall the fact that a person is or appears to be indigent and unable to pay the cost of such service be considered in such determination.~~

(b) It shall be unlawful for any person, while operating or accompanying an emergency ambulance on the public streets or easements of the city, to solicit the business of transporting the sick or injured.

R

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA#

Subject:

Category #  
3

Page 1 of 1

Agenda Item

Revision to Chapter 14 of the Code of Ordinances regarding compensation for holidays for civilian employees

221

FROM (Department or other point of origin):

Origination Date

Agenda Date

Human Resources

June 24, 2010

JUN 30 2010

DIRECTOR'S SIGNATURE

*Omar Reid*

Council District(s) affected  
All

For additional information contact:

Phone:  
Omar Reid (713) 837-9330

CCA

Date and Identification of prior authorizing Council Action:  
Ordinance 2009-930, October 7, 2009

RECOMMENDATION: (Summary)

Adopt ordinance approving proposed revision to Chapter 14-168 regarding compensation for holidays for civilian employees.

Amount of Funding: None

Budget

SOURCE OF FUNDING:

General Fund

Grant Fund

Enterprise Fund

SPECIFIC EXPLANATION:

The following proposed revision to Chapter 14-168 regarding compensation for holidays for civilian employees reinstates the option to allow employees to accrue a holiday to be taken at a later date.

Currently, when an employee's day off falls on a holiday and the employee does not work, the employee receives mandatory, straight pay for the holiday based on his/her most frequently occurring daily schedule. There is no option for the employee to accrue holiday hours as there was under the previous ordinance.

The proposed revision allows the department director to either pay the employee for the holiday or to give the employee a day off later in lieu of the holiday based on his/her most frequently occurring daily schedule.

The employee must be granted and take the day off in lieu of the holiday within 180 calendar days of the holiday or the holiday will be paid (this part of the ordinance is unchanged).

The proposed revision has been discussed with the Houston Organization of Public Employees (HOPE).

If the proposed revision is approved, it will be effective for the Independence Day holiday, which will be observed on July 5, 2010.

REQUIRED AUTHORIZATION

Finance Director:

Other Authorization:

Other Authorization:

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

<b>SUBJECT:</b> Approve an ordinance for the issuance and sale of Coastal Water Authority Contract Revenue Bonds for \$5,115,000. The Contract Revenue Bonds will be financed through Texas Water Development Board's Water Infrastructure Fund Loan Program (WIF) for pre-construction funds for the Luce Bayou Project.		<b>Page</b> 1 of 1	<b>Agenda Item #</b>  23
<b>FROM (Department or other point of origin):</b> Department of Public Works and Engineering	<b>Origination Date</b> 6/24/10	<b>Agenda Date</b> JUN 30 2010	
<b>DIRECTOR'S SIGNATURE:</b> Michael Marcotte P.E., D.E.E. - Director of Public Works and Engineering <i>Michael Marcotte 6/23/10</i>	<b>Council District affected:</b> All		
<b>For additional information contact:</b> Susan Bandy Deputy Director - PWE <i>SB</i>	<b>Phone:</b> 832-395-2468	<b>Date and identification of prior authorizing Council action:</b> Ordinance 2009-53	
<b>RECOMMENDATION: (Summary)</b> Approve an ordinance for the issuance and sale of Coastal Water Authority Contract Revenue Bonds for \$5,115,000. The Contract Revenue Bonds will be financed through Texas Water Development Board's Water Infrastructure Fund Loan Program (WIF) for pre-construction funds for the Luce Bayou Project.			
<b>AMOUNT AND SOURCE OF FUNDING:</b> No funds are required			
<p>The City entered into a contract with the Coastal Water Authority for planning, design, property acquisition and construction of the Luce Bayou Interbasin Transfer Project. The Luce Bayou Project will ultimately transport approximately 450,000 acre feet per year of the City's permitted surface water from the Trinity River to Lake Houston.</p> <p>This request is to approve a CWA WIF Bond from the Texas Water Development Board for \$5,115,000. This bond is the second WIF loan from the Water Development Board for the Luce Bayou Project. These funds are designated to fund the Project's design, permitting, environmental mitigation and other pre-construction expenses.</p> <p>This TWDB Loan Program terms for WIF loans: 1) No loan payments until the project is completely constructed and is operational 2) Once the project is completed the loan is granted at discounted interest rates and the repayment period is 10 years.</p>			
MSM:SB:KB c: Marty Stein			
<b>REQUIRED AUTHORIZATION</b>		<b>CUIC#SB28</b>	
<b>Finance Budget:</b>  ✓	<b>Other Authorization:</b>	<b>Other Authorization:</b>	

<b>SUBJECT:</b> Ordinance authorizing the abandonment and sale of East Avenue O, from 96 <sup>th</sup> Street to its eastern terminus and East Avenue N, from 96 <sup>th</sup> Street to its eastern terminus; all located in the Manchester Subdivision, out of the Callahan and Vince Survey, A-9. <b>Parcels SY8-009A and SY8-009B</b>	<b>Page</b> <u>1</u> of <u>1</u>	<b>Agenda Item #</b>  <div style="text-align: right; font-size: 2em; font-weight: bold;">24</div>
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<b>FROM (Department or other point of origin):</b>  Department of Public Works and Engineering	<b>Origination Date</b> 6/24/10	<b>Agenda Date</b> JUN 30 2010
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<b>DIRECTOR'S SIGNATURE:</b> Michael S. Marcotte, P.E., D.WRE, BCEE, Director	<b>Council District affected: I</b>  <b>Key Map: 535D</b>
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<b>For additional information contact:</b> Nancy P. Collins  Phone: (713) 837-0881 Senior Assistant Director-Real Estate	<b>Date and identification of prior authorizing Council Action:</b> C.M. 2009-0257 (5/6/09)
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**RECOMMENDATION: (Summary)** It is recommended City Council approve an Ordinance authorizing the abandonment and sale of East Avenue O, from 96<sup>th</sup> Street to its eastern terminus and East Avenue N, from 96<sup>th</sup> Street to its eastern terminus; all located in the Manchester Subdivision, out of the Callahan and Vince Survey, A-9. **Parcels SY8-009A and SY8-009B**

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

**SPECIFIC EXPLANATION:**  
 By Council Motion 2009-0257, City Council authorized the abandonment and sale of East Avenue O, from 96<sup>th</sup> Street to its eastern terminus and East Avenue N, from 96<sup>th</sup> Street to its eastern terminus; all located in the Manchester Subdivision, out of the Callahan and Vince Survey, A-9. Valero Refining-Texas, L.P., [Valero Corporate Services Company (T. Wyatt Stripling, Vice President) General Partner], the abutting property owner, plans to use the streets to be abandoned and sold as a vacant buffer between the fenced-in production portion of the refinery and area residents.

Valero Refining-Texas, L.P. 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 Valero Refining-Texas, L.P.:

<b>Parcel SY8-009A</b> 19,250 square feet of street easement Valued at \$3.15 per square foot Improvements valued at \$7,280.00	\$67,918.00
<b>Parcel SY8-009B</b> 22,000 square feet of street easement Valued at \$3.15 per square foot Improvements valued at \$8,320.00	\$77,620.00
<b>TOTAL ABANDONMENT AND SALE</b>	<b><u>\$145,538.00</u></b>

Therefore, it is recommended City Council approve an Ordinance authorizing the abandonment and sale of East Avenue O, from 96<sup>th</sup> Street to its eastern terminus and East Avenue N, from 96<sup>th</sup> Street to its eastern terminus; all located in the Manchester Subdivision, out of the Callahan and Vince Survey, A-9.

MSM: NPC: dob

- |                                       |                                      |                                |
|---------------------------------------|--------------------------------------|--------------------------------|
| c: Jun Chang, P.E.<br>Marlene Gafrick | Daniel Menendez, P.E.<br>Marty Stein | Jeffrey Weatherford P.E., PTOE |
|---------------------------------------|--------------------------------------|--------------------------------|

s:\dob\sy8-009.rc2.doc CUIC #20DOB049

**REQUIRED AUTHORIZATION**

<b>Finance Department:</b>	<b>Other Authorization:</b>	<b>Other Authorization:</b> Mark L. Loethen, P.E., CFM, PTOE Acting Deputy Director Planning and Development Services Division
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MOTION by Council Member Lovell that the recommendation of the Director of the Department of Public Works and Engineering, on request of Valero Houston Refinery, 9701 Manchester, Houston, Texas 77012, to revise their previous request which authorized the abandonment of various streets in Manchester Subdivision and to rescind Motion No. 2008-0726 and to authorize the abandonment and sale of East Avenue O, from 96th Street to its eastern terminus and East Avenue N, from 96th Street to its eastern terminus; all located in the Manchester Subdivision, out of the Callahan and Vince Survey, A-9, Parcel Nos. SY8-009A and SY8-009B, be adopted, and Motion No. 2008-0726, passed and adopted, September 24, 2008, is hereby rescinded and the revised recommendation be adopted as follows:

1. The City abandon and sell East Avenue O, from 96th Street to its eastern terminus and East Avenue N, from 96th Street to its eastern terminus; all located in the Manchester Subdivision, out of the Callahan and Vince Survey, A-9;
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 streets being abandoned and sold;
4. The applicant be required to (a) cut, plug, and abandon or convert to private metered service the existing 4-inch water line in East Avenue O from the 12-inch water line in 96th Street to its eastern terminus; (b) cut, plug, and abandon or convert to private metered service the existing 4-inch water line in East Avenue N from the 12-inch water line in 96<sup>th</sup> Street to its eastern terminus; and (c) pay the depreciated value for the water lines and fire hydrants being abandoned or converted to private service. All of the above matters must be performed at no cost to the City and under the proper permits;
5. The applicant be required to (a) cut, plug, and abandon or convert to private service the existing 8-inch sanitary sewer line in East Avenue O from the manhole in the 8-inch sanitary sewer line in 96th Street to its eastern terminus; (b) cut, plug, and abandon or convert to private service the existing 6-inch sanitary sewer line in East Avenue N from the manhole in the 8-inch sanitary sewer line in 96th Street to its eastern terminus; and (c) pay the depreciated value for the sanitary sewer lines and manholes being abandoned or converted to private service. All of the above matters must be performed at no cost to the City and under the proper permits;

6. The applicant be required to eliminate the public street appearance of the streets being abandoned and sold by removing a minimum of ten feet of the pavement or by other acceptable ways, subject to review and approval by the Public Works and Engineering Department, Traffic and Transportation Division, all at no cost to the City and under the proper permits;
7. The applicant be required to coordinate with CenterPoint Energy to have the street lights along the streets to be abandoned and sold converted to metered private service or the City will authorize the removal of the street lights upon passage of the ordinance to conclude this transaction.
8. The applicant be required to insert the following language in the final plat: "Use of the area is prohibited from placement of any refinery heaters, boilers, distillation towers, cracking units, coker units, storage tanks which exceed 1,000 gallons, tank truck or rail car loading/unloading operations, or any other similar petroleum refining and/or processing units."
9. The Legal Department be authorized to prepare the necessary transaction documents; and
10. Inasmuch as value of the City's property interest is not expected to exceed \$1,000,000.00, that the value be established by Tom Edmonds, an independent appraiser appointed by the Director of Public Works and Engineering.

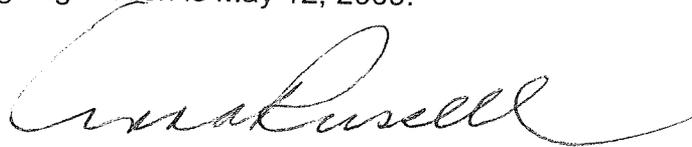
Seconded by Council Member Lawrence and carried.

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

Council Member Khan out of the City on personal business

PASSED AND ADOPTED this 6th day of May, 2009.

Pursuant to Article VI, Section 6 of the City Charter, the  
effective date of the foregoing motion is May 12, 2009.



City Secretary

<b>SUBJECT:</b> Revisions to the Master Classification Ordinance for City Employees		<b>Category</b> # 3	<b>Page</b> 1 of 1	<b>Agenda Item</b> # <b>25</b>
<b>FROM (Department or other point of origin):</b> Human Resources Department		<b>Origination Date</b> June 17, 2009	<b>Agenda Date</b> JUN 30 2010	
<b>DIRECTOR'S SIGNATURE:</b> <i>Omar Reid</i> <span style="float: right;">cc</span>		<b>Council District affected:</b> ALL		
<b>For additional information contact:</b> Omar Reid Phone: (713) 837-9330		<b>Date and identification of prior authorizing Council action:</b> Rev. to Ord. 90-1292 as amended by Ord. 2009-722		

**RECOMMENDATION: (Summary)**

Approve the proposed revisions to the Master Classification Ordinance and Pay Structure to revise the pay structure, to change one job title and to increase the number of positions for the Associate Judge classification.

**Amount & Source of Funding:** Annual base pay cost for adjusting the pay structure:  
Fund 8300: \$157.00 Fund 5002: \$32.00 (seasonal – based on 4 months)

**Budget:**

**SPECIFIC EXPLANATION:**

**I. Amend the Pay Structure effective July 10, 2010**

The Human Resources Department recommends amending the civilian pay grade structure (Exhibit B), which establishes pay ranges for each pay grade, by taking into account market pay and the compensation programs (3% general increase and 1.25% performance pay pool) in the Meet and Confer Agreement between the City and HOPE as follows:

Effective July 10, 2010:

- \* Increase the pay grade minimums and maximums of pay grades 11-40 by 5.0%
- \* Increase the pay grade maximums of pay grades 4-10 by 5.0%

**II. Amend the Master Classification Listing effective upon approval**

The Human Resources Department recommends the following revisions to the civilian Master Classification Listing. These revisions, which can be found on Exhibit A of the ordinance, are primarily in response to input from client departments regarding their workforce needs.

**A. Revise job classification**

Current Job Title

Senior Assistant City Attorney, Division Chief

Proposed Job Title

Senior Assistant City Attorney, Section Chief

It is recommended to change the job title to better reflect the responsibilities and nature of the job duties.

**B. Increase number of positions for Associate Judge from 40 to 60.**

The increased number of positions will allow the City flexibility to appoint as many Associate Judges as needed to provide adequate judicial services.

**REQUIRED AUTHORIZATION**

Finance Director:

*Michelle Mitchell*

Other Authorization:

Other Authorization:

**REQUEST FOR COUNCIL ACTION**

TO: Mayor via City Secretary

RCA# 8792

Subject: Ordinance changing the Classified Personnel Ordinance to add eight Engineer Operator positions as agreed upon per the terms of the Collective Bargaining Agreement.

Category #  
3

Page 1 of 2

Agenda Item

26

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

Rick Flanagan  
Acting Fire Chief  
Fire

**Origination Date**

June 24, 2010

**Agenda Date**

JUN 30 2010

**DIRECTOR'S SIGNATURE**



**Council District(s) affected**

All

**For additional information contact:**

Karen Dupont Phone: (713) 859-4934  
Neil Depascal Phone: (713) 247-8721

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

2009-567 Feb. 25, 2009

**RECOMMENDATION: (Summary)**

It is recommended City Council adopt an Ordinance adding eight Engineer Operator positions to the Classified Personnel Ordinance per the terms of the CBA adopted by City Council on February 25, 2009.

**Amount of Funding:**

Funding for these positions was included in the FY11 BUDget submission

**F & A Budget**

**SOURCE OF FUNDING:**

General Fund

Grant Fund

Enterprise Fund

Other (Specify)

**SPECIFIC EXPLANATION:**

The Director of Human Resources and the Houston Fire Department request City Council approve changes to the Classified Personnel Ordinance to increase the number of Ordinance Engineer Operator positions by eight. This increase in staffing is part of the negotiated Collective Bargaining Agreement, Article 18, Section 2. This increase will staff 2 Incident Command Technician positions to our Emergency Operations division per shift.

Article 18, Section 2(a) specifically states, "...At the beginning of any new fiscal year during the term of this contract, the City shall increase the number of E/O Incident Command Technicians by two." The effective date of these positions will be July 1st, 2010.

The position was created to enhance safety of firefighters in a working fire and provide the Incident Commander with assistance in monitoring fireground activity. The fireground is a dynamic environment requiring an Incident Commander to constantly assess and re-assess information to make the most effective decision.

Original ICT positions were strategically located around the City so that there would be an ICT responding with a District Chief on each box alarm event. There are currently 21 District Chiefs per shift. The addition of these positions will bring the total number of ICT positions in the department to 15.

Title	Present Positions	Amount Change	Proposed Total	FY11 Cost
Engineer/Operator	1066	8	1074	\$631,670.00

This cost as indicated above includes base pay, assignment pay and benefits and has already been calculated as part of our FY11 Budget submission.

**REQUIRED AUTHORIZATION**

F&A Director:

Other Authorization:

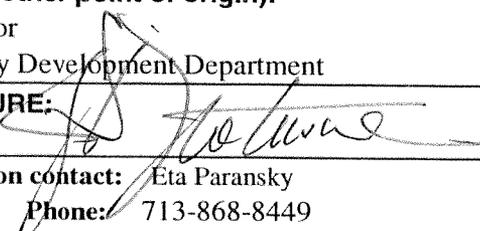


Other Authorization:

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

HC10-125

<b>SUBJECT:</b> An Ordinance to amend an Agreement between the City of Houston and Guiding Light Community Development Corporation.		<b>Category #</b>	<b>Page</b> 1 of 1	<b>Agenda Item #</b> 27
<b>FROM (Department or other point of origin):</b> James Noteware, Director Housing and Community Development Department		<b>Origination Date</b> 6/1/10	<b>Agenda Date</b> JUN 3 0 2010	
<b>DIRECTOR'S SIGNATURE:</b> 		<b>Council District affected:</b> District B		
<b>For additional information contact:</b> Eta Paransky <b>Phone:</b> 713-868-8449		<b>Date and identification of prior authorizing Council action:</b> 4/21/10 - #10-0313		

**RECOMMENDATION: (Summary)**  
The Department recommends approval of an Ordinance to amend an Agreement between the City of Houston and Guiding Light Community Development Corporation to Guiding Light to retain up to \$10,000 per property out of loan proceeds for project delivery costs.

<b>Amount of Funding:</b> No Additional Funds Requested	<b>Finance Budget:</b>
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**SOURCE OF FUNDING**       General Fund       Grant Fund       Enterprise Fund

Other (Specify)      NSP Funds

**SPECIFIC EXPLANATION:**  
On April 21, 2010, City Council approved an Agreement with Guiding Light Community Development Corporation, a 501(c)(3) affordable housing builder, to provide a loan of Federal Neighborhood Stabilization Program (NSP) funds in the amount not to exceed \$595,000 for eligible costs in connection with the acquisition, rehabilitation and resale to income-qualified households of up to seven (7) foreclosed homes. In order to cover all project delivery expenses incurred by the Borrower, the Housing and Community Development Department (HCDD) is requesting that Council amend the Agreement between the City of Houston and Guiding Light CDC to increase the allowed project delivery costs from \$5,000 to \$10,000 per property. This amendment represents a line item change and will not affect the total amount awarded to Guiding Light or the amount allotted per property.

Guiding Light CDC will perform all needed repairs to bring properties into compliance with HCDD's Minimum Property and Rehabilitation Standards, after which, Guiding Light CDC will sell rehabilitated properties to families earning less than 50% area median income, as defined by the U.S. Department of Housing and Urban Development (HUD). Housing units will be sold at or below cost of acquisition, demolition and rehabilitation. Proceeds from sales will be returned to the City of Houston NSP Program.

This project is consistent with the City of Houston Consolidated Plan to create affordable housing units. The City's participation in the project will contribute to the goal of expanding sustainable homeownership opportunities for low-income families in the Houston Area.

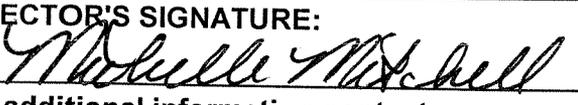
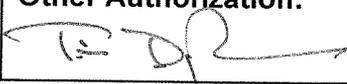
JN:EP:DR

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

REQUIRED AUTHORIZATION		
<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 appropriating \$16,238,866.43 in tax increment revenue payments from Harris County, Humble ISD, Aldine ISD, and Lone Star College and authorizing the transfer of tax increment revenues from the various Tax Increment Funds to the City for administration costs and to the Redevelopment Authorities and Humble ISD pursuant to Tri-Party Agreements and Interlocal Agreements.		<b>Category # 1</b>	<b>Page 1 of 1</b>	<b>Agenda Item #</b>  <div style="text-align: right; font-size: 2em;">28</div>
<b>FROM: (Department or other point of origin):</b> Department of Finance (Economic Development) Michelle Mitchell, Director		<b>Origination Date</b>  6/24/10		<b>Agenda Date</b>  JUN 30 2010
<b>DIRECTOR'S SIGNATURE:</b> 		<b>Council Districts affected:</b> Districts B, D, H, I, E		
<b>For additional information contact:</b> Tim Douglass <b>Phone:</b> (713) 837-9857 Randell Naquin <b>Phone:</b> (713) 837-9646		<b>Date and identification of prior authorizing Council Action:</b>		
<b>RECOMMENDATION: (Summary)</b> An ordinance appropriating: \$16,238,886.43 in tax increment revenue from Harris County, Humble ISD, Aldine ISD, and Lone Star College and authorizing the transfer of tax increment revenues from the various Tax Increment Funds pursuant to Tri-Party Agreements and Interlocal Agreements.				
<b>Amount of Funding:</b> \$16,238,886.43			Finance Budget	
<b>Source of Funding:</b> ) [ ] General Fund [ ] Grant Fund [ ] Enterprise Fund [ X ] Other (Specify) Tax Increment Reinvestment Zone Funds (TIRZ) (see attached analysis)				
<b>Specific Explanation:</b> The appropriation of \$16,238,886.43 results from tax increment revenue (Tax Year 2009) from Harris County, Humble ISD, Aldine ISD, and Lone Star College received in FY10.  As set forth in the attached spreadsheets: <ul style="list-style-type: none"> <li>▪ \$7,208,117.99 will be paid to Humble ISD</li> <li>▪ \$258,785.60 will be transferred to the General Fund for TIRZ Administrative costs</li> <li>▪ \$8,771,982.84 will be paid to various redevelopment authorities pursuant to Tri-Party Agreements and Interlocal agreements.</li> </ul>				
cc:    Marty Stein, Agenda Director Anna Russell, City Secretary David Feldman, City Attorney Deborah McAbee, Senior Assistant City Attorney				
<b>REQUIRED AUTHORIZATION</b>				
<b>Finance Director:</b>		<b>Other Authorization:</b>		<b>Other Authorization:</b> 

CITY OF HOUSTON TAX INCREMENT REINVESTMENT ZONES  
 TAX INCREMENT CALCULATIONS FOR HARRIS COUNTY - TAX YEAR 2009

#	TIRZ	Fund # (SAP)	(A) County Payments Received	(C) Administrative Fee Transfer to General Fund 1000 (col A-B) x 5%	Harris County Net Increment due to Redevelopment Authority (col A-B-C)	Payee
1	Lamar Terrace	7512	N/A		N/A	
2	Midtown	7550	\$ 3,525,516.00	\$ 176,275.80	\$ 3,349,240.20	Midtown RA
3	Market Square (2)	7551	865,342.00	43,267.10	\$ 822,074.90	Main Street/Market Square
			271,059.00	13,552.95		
			594,283.00	29,714.15		
4	Village Enclave	7552	N/A		N/A	
5	Memorial Heights	7553	N/A		N/A	
6	Eastside	7554	N/A		N/A	
7	OST/Alameda	7555	N/A		N/A	
			-	-		
			-	-		
8	Guilgate	7556	252,758.00	12,637.90	240,120.10	Guilgate RA
			137,231.00	6,861.55		
			115,527.00	5,776.35		
9	South Post Oak	7557	210,969.00	(1)	\$ 210,969.00	South Post Oak RA
10	Lake Houston	7558	N/A		N/A	
11	Greenspoint	7559	101,545.00	(1)	\$ 101,545.00	Greater Greenspoint RA
12	CityPark	7560	N/A		N/A	
13	Old Sixth Ward	7561	N/A		N/A	
14	Fourth Ward	7562	N/A		N/A	
15	East Downtown	7563	N/A		N/A	
16	Uptown	7564	N/A		N/A	
17	Memorial City	7565	N/A		N/A	
18	Fifth Ward	7566	N/A		N/A	
19	Upper Kirby	7567	N/A		N/A	
20	Southwest Houston	7568	N/A		N/A	
21	Hardy Yards	7569	N/A		N/A	
22	Leland Woods	7570	N/A		N/A	
<b>Total</b>			<b>\$ 4,956,130.00</b>	<b>\$ 232,180.80</b>	<b>\$ 4,723,949.20</b>	

Notes:

(1) County does not contribute to the Administration Fee per the Interlocal Agreement

(2) #3 Market Square - County funds received separately for Port of Houston and HC Hospital District effective with TY05 revenue.

Harris County	865,342.00
Port Authority	-
Hospital District	-
	<u>\$ 865,342.00</u>



**REQUEST FOR COUNCIL ACTION**

**TO: Mayor via City Secretary**

RCA #

**SUBJECT:** Two ordinances approving and adopting an updated ongoing Service & Assessment Plan for and on behalf of the Lamar Terrace Public Improvement District No. 2 covering the years 2010-2019; and appropriating funds for payment to St. George Place Redevelopment Authority.

Category #

Page 1 of 1

Agenda Item#

*29-29A*

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

Michelle Mitchell, Director  
Finance Department

Origination Date

*6/24/10*

Agenda Date

JUN 30 2010

**DIRECTOR'S SIGNATURE:**

Finance Department

*Michelle Mitchell*

Council Districts affected:

C

**For additional information contact:**

Tim Douglass  
Julia Gee

Phone: (713)837-9857

Phone: (713)837-7828

**Date and identification of prior authorizing Council Action:** Resolution 95-121, 8/9/95

Ordinances 1996-767, 8/7/96; 1997-64, 1/15/97; 2003-416, 4/30/03; 2003-0432, 4/30/03; 2003-508, 5/28/03; 2004-1007 & 2004-1008, 9/29/04; 2005-926 & 2005-927, 7/27/05; 2007-1026 & 2007-1027, 9/12/07; 2008-873 & 2008-874, 10/01/08; 2009-754 & 2009-755, 8/19/09

**RECOMMENDATION: (Summary)**

That City Council adopt two ordinances approving an updated ongoing Service & Assessment Plan for and on behalf of the Lamar Terrace Public Improvement District No. 2 covering the years 2009-2018; and appropriating funds for payment to St. George Place Redevelopment Authority.

**Amount of Funding:** \$223,725.26

**Finance Budget:**

**SOURCE OF FUNDING:**

General Fund     Grant Fund     Enterprise Fund  
 Other (Specify) Lamar Terrace PID No. 2, Fund #7508

**SPECIFIC EXPLANATION:**

In August 1995, City Council passed a resolution for the establishment of the Lamar Terrace Public Improvement District ("PID") No. 2 to perform capital improvement projects and maintenance services. In January 1997, an ordinance was adopted for a Memorandum of Agreement ("MOA") between the City and the St. George Place TIRZ Board to perform the functions of the PID. Under the Financial Services Agreement approved in April 2003, the Redevelopment Authority was allowed to fulfill its obligations under the 1997 MOA. The Agreement allows the City to pay collected PID assessments to the Authority for costs associated with the PID's Service & Assessment Plan.

**In accordance with Chapter 372 of the Local Government Code, Council is required to approve an annually updated Service & Assessment Plan for purposes of determining the annual assessment rate and budget.** As of 2005, the capital improvements for the Western Redevelopment Area have been completed. The last approved Plan was adopted by ordinance in October 2008.

The Plan is hereby submitted for the budget year 2010 (public safety, administration of development regulations, and maintenance services), as approved by the Board. There has been no change in assessment (\$0.07/s.f. of each lot). Assessments were billed in the 2008 property tax bills and have been collected. Council's action will ratify the Plan and assessments which have been previously implemented by the Board.

Appropriate the sum of \$223,725.26 from Fund 7508, Lamar Terrace Public Improvement District No. 2 fund, for payment to St. George Place Redevelopment Authority in accordance with the Plan presented.

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

**REQUIRED AUTHORIZATION**

**Finance Director:**

**Other Authorization:**

**Other Authorization:**

*Tim Douglass*

**UPDATED  
SERVICE AND ASSESSMENT PLAN  
FOR YEARS 2010-2019  
LAMAR TERRACE PUBLIC IMPROVEMENT  
DISTRICT NO. 2**

**1. Introduction**

This Service and Assessment Plan (this “Plan”) is prepared in conformance with Chapter 372, Texas Local Government Code, and pursuant to City of Houston Resolution No. 95-121, which created the Lamar Terrace Public Improvement District No. 2 (the “District”). This Plan covers years 2010 through 2019.

**2. Boundaries**

The boundaries of the District are coterminous with the boundaries of Reinvestment Zone Number One, City of Houston, Texas, as more fully described on the map attached hereto as Exhibit A.

**3. The Project**

The project to be carried out by the District consists of Supplemental Services.

**4. Supplemental Services**

**A. Description of Supplemental Services**

The Supplemental Services consist of special services that will confer benefit on all property in the District as follows:

- (i) Public Safety contract services
- (ii) Administration of Development Regulations within the Zone
- (iii) Board Management
- (iv) Annual maintenance services
- (v) Cost of administration and operation of the District related to the provision of Supplemental Services

**B. Apportionment of Costs; Supplemental Services**

It is hereby found that the Supplemental Services will benefit every lot or parcel within the District; therefore, the Supplemental Services assessment is established as an assessment of \$0.07 per square foot of each lot annually. The assessment assumes a 95 percent collection rate of the payment of assessments.

**5. Annual Plan Budget**

Year one of this Plan begins January 1, 2010. The following constitutes the annual budget for the District Improvements for each of the ten years of the Plan, unless amended in accordance with Chapter 372, Texas Local Government Code.

**SUPPLEMENTAL SERVICES**

**Revenue:**

Supplemental Service Assessment Levy	\$ 219,856
Interest Earned on Temp. Investments	400
Permit Revenue	800
PID Funds on Hand	53,337
Total	<u>\$ 274,393</u>

**Expenses:**

Public Safety Services; Enhanced Enforcement of Building, Health and Sanitation laws by the Zone; Landscape Maintenance; Utilities; Insurance; Administration of the Development Regulations of the Zone; and cost of Administration and Operation of the District related to the Provision of Supplemental Services

Total Supplemental Assessments and Permit Expenses	\$ 255,132
Planned Reserve	\$ 19,261

**6. Notice, payment and collection of assessments**

**A. Notice and payment provisions**

The Supplemental Services Assessments will be made each year, and each annual assessment for Supplemental Services shall be identified with a particular assessment year, concurrent with the City's tax year. The Supplemental Services Assessments will be paid annually and may not be financed or paid in installments.

The unpaid annual assessment on a lot or parcel must be paid at the time of the sale or transfer of any lot or parcel. The assessment plan contemplates the City may adjust the assessment annually to reflect the actual collection of assessments in the District, which may represent an increase if the collection of assessments is less than 95 percent, or a decrease if the collection of assessments is more than 95 percent.

Notice of each levy of assessment is to be given as provided by Chapter 372, Texas Local Government Code. The assessment levy statement setting forth all assessments levied by the District shall be sent to each property owner in the District.

**B. Collection and delinquency**

The payment of any annual assessment becomes due and payable to the City of Houston when mailed and is delinquent on the next-following February 1 or, if the assessment bill is mailed to the landowner after January 10 following the year for which the assessment is levied, the delinquency date is postponed to the first day of the next month that will provide a period of at least 21 days after the date of mailing.

Delinquent installments of the assessment shall incur interest, penalties, and attorney's fees in the same manner as delinquent ad valorem taxes of the City of Houston. The owner of the assessed property may pay at any time the entire assessment then due on each property, with interest that is accrued on the assessment, or any lot or parcel.

A lien will be established against the property assessed effective as of the date of the ordinance levying the assessment, privileged above all other liens, including prior mortgage liens, to the extent allowed by Section 372.018(b) of the Local Government Code. The assessment lien shall be perfected immediately as to the entire assessment, but may be executed only with respect to the amounts then due or past due for current or prior installments or final payment. Assessments are personal obligations of the person owning the property assessed in the year an installment payment becomes due, and only to the extent of such installment(s). Failure of an owner to receive an invoice shall not relieve the owner of the responsibility for the assessment.

**7. Exempt jurisdictions**

The payment of the costs of the project attributable to the lots or parcels within the District owned by the Houston Independent School District ("HISD") on the effective date hereof shall be determined by contract with HISD providing for the conveyance of certain rights of way and other good and valuable consideration, the sufficiency of which is hereby acknowledged. No further payment by HISD with regard to the project is required hereunder. There is no municipal or other exempt property within the District.

**8. Management of the District**

Management and administration of the District shall be provided by the Board of Directors of Reinvestment Zone No. One, City of Houston, Texas (the "Board"), under the terms of a Memorandum and Agreement between the City and the Board. The Board may subcontract such portions of its obligations to the Saint George Place Redevelopment Authority as may be reasonably required.

*Revised*

<b>SUBJECT:</b> Ordinance approving and authorizing an amendment to the Convention and Tourism Services Agreement between the City of Houston and the Greater Houston Convention and Visitors Bureau.		<b>Category #</b>	<b>Page 1 of</b>	<b>Agenda Item #</b> <b>30</b>
<b>FROM (Department or other point of origin):</b> Convention & Entertainment Facilities Department		<b>Origination Date</b> June 25, 2010	<b>Agenda Date</b> <b>JUN 30 2010</b>	
<b>DIRECTOR'S SIGNATURE:</b> 46 Dawn Ullrich <i>Dawn Ullrich</i>		<b>Council District affected:</b>  All		
<b>For additional information contact:</b> Stephen Lewis (713) 853-8888 Genaro Peña (Aviation) (281) 233-1808		<b>Date and identification of prior authorizing Council action:</b>		
<b>RECOMMENDATION: (Summary)</b> Approve an amendment to the FY10 Convention and Tourism Services Agreement between the City of Houston and the Greater Houston Convention and Visitors Bureau to extend contract services for three months.				
<b>Amount of Funding:</b> \$3,263,750 (Additional funds for three months)		<b>Finance Budget:</b>		
<b>[x] Enterprise Fund</b> Civic Center Facility Revenue Fund (8601)      \$3,076,250 (estimate) HAS Revenue Fund (8001)                              \$187,500				
<b>SPECIFIC EXPLANATION:</b>  The Convention and Entertainment Facilities Department and the Houston Airport System ask the City Council to approve an amendment to the Greater Houston Convention and Visitors Bureau ("GHCVB") agreement to allow for additional time to review current services and establish new program services for the FY2011 agreement. The proposed amendment will extend the services in the existing agreement for three months and provide the necessary funding for these services. The GHCVB solicits convention business and promotes tourism. The City makes quarterly payments to the GHCVB in an amount equal to 23 percent of the City's gross hotel occupancy tax receipts. Based on estimated HOT revenues, it is projected that the GHCVB will receive \$12,305,000 in FY11, plus \$750,000 for the Cooperative Marketing Program, as described below. This funding allows the GHCVB to serve meeting planners and Houston's extensive hospitality industry. The contract includes a strong emphasis on convention sales. As a part of the contract, the GHCVB provides funds for promoting the George R. Brown Convention Center, the hotels, and major attractions. The GHCVB also funds the work of the Houston International Protocol Alliance and the Houston Film Commission.  Houston Airport System anticipates providing \$750,000 in FY11 to fund the Cooperative Marketing Program. The Cooperative Marketing Program includes national and international marketing efforts to promote and develop through advertising, media programs, trade shows, and media missions an awareness and understanding of the business and pleasure travel advantages available to customers of the Houston Airport System with the goal of measurably increasing enplanements and cargo operations.  The Convention & Entertainment Facilities Department and the Houston Airport System recommend Council approval of a contract amendment with the GHCVB for the period July 1, 2010 through September 30, 2010.  The current GHCVB contract requires compliance with the City's "Pay or Play" ordinance regarding health benefits for employees of City contractors. In this case, the GHCVB provides health benefits to eligible employees in compliance with City policy. The MWBE goal for this agreement is 17% of Unrestricted Funds.				
<b>REQUIRED AUTHORIZATION</b>				<b>NOT</b>
<b>Finance Department:</b>	<b>Other Authorization:</b> <i>Mario C. Diaz</i> Mario C. Diaz, Director of Aviation		<b>Other Authorization:</b>	

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

<b>SUBJECT:</b> An ordinance authorizing the grant application to and contract with the Department of State Health Services for Bioterrorism Discretionary Projects	<b>Category #</b> 9	<b>Page</b> 1 of 1	<b>Agenda Item #</b> 31
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<b>FROM (Department or other point of origin):</b> Houston Department of Health and Human Services	<b>Origination Date</b> 6/25/10	<b>Agenda Date</b> JUN 30 2010
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<b>DIRECTOR'S SIGNATURE:</b> 	<b>Council District affected:</b> ALL
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<b>For additional information contact: Kathy Barton</b> Telephone: 832-393-5045; 713-826-5801	<b>Date and identification of prior authorizing Council action:</b> 6/23/09; 09-582
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**RECOMMENDATION: (Summary)**  
Approval of an ordinance authorizing the grant application to and contract with the Department of State Health Services for Bioterrorism Discretionary Projects

<b>Amount of Funding:</b> \$1,047,993.00 - Revenue	<b>Finance Department:</b>
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<b>SOURCE OF FUNDING:</b> [ ] General Fund [X] Grant Fund [ ] Enterprise Fund [ ] Other (Specify)
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**SPECIFIC EXPLANATION:**

Approval of an ordinance authorizing the grant application to and contract with the Department of State Health Services (DSHS) for Bioterrorism Discretionary Projects. The total contract period is from July 1, 2010 through July 31, 2011 for a total revenue amount of \$1,047,993.00.

The funding from DSHS will allow HDHHS to implement four projects in support of the Centers for Disease Control and Prevention (CDC) Public Health Emergency Preparedness (PHEP) that will resolve identified gaps in or enhance local preparedness. The projects are designed to upgrade and integrate state and local public health jurisdictions' preparedness for and response to bioterrorism, outbreaks of infectious disease, and other public health threats and emergencies. The projects are as follows:

- To enhance the current online school syndromic surveillance system to provide additional functionality and features to improve information gathering, recognition indicators and warnings for early detection and event interventions;
- To purchase and install 16 generators at HDHHS health and multi-service centers to provide back-up emergency power to each location;
- To identify vulnerable populations and their special needs to enhance emergency preparedness; and
- To purchase, install and configure an automated system for creating and sending electronic specimen-testing orders and providing test results.

cc: Finance Department  
Legal Department  
Agenda Director

**REQUIRED AUTHORIZATION**

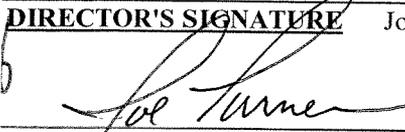
<b>Finance Department</b>	<b>Other Authorization:</b>	<b>Other Authorization:</b>
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**REQUEST FOR COUNCIL ACTION**

**TO:** Mayor via City Secretary

<b>Subject:</b> Ordinance authorizing application and receipt of a grant from Texas Parks and Wildlife Department for the Moody Park Community Center.	Category #	Page 1 of 1	Agenda Item <b>32</b>
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<b>FROM (Department or other point of origin):</b> Houston Parks and Recreation Department	<b>Origination Date:</b> May 18, 2010	<b>Agenda Date</b> JUN 8 0 2010
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<b>DIRECTOR'S SIGNATURE</b>  Joe Turner, Director	<b>Council District(s) affected:</b>  H
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<b>For additional information contact:</b> Karen Cullar: (832) 395-7056 Dan Pederson: (832) 395-7062	<b>Date and Identification of prior authorizing Council Action:</b>
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**RECOMMENDATION: (Summary)**

Adopt Ordinance approving and authorizing Parks and Recreation Department Director to apply for and receive a grant from Texas Parks and Wildlife Department (TPWD) and certifying the matching share is readily available.

<b>Amount and Source of Funding:</b>  <b>TPWD GRANT:</b> \$1,000,000 Texas Parks and Wildlife Department <b>MATCHING FUNDS:</b> \$1,000,000 Parks Consolidated Construction Fund (4502) by future appropriation	<b>Finance Budget:</b>
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**SPECIFIC EXPLANATION:**

Houston Parks and Recreation Department (HPARD) is applying for a \$1,000,000 grant from the Texas Parks and Wildlife Department, Urban Indoor Recreation Grant Program. The application is due July 31, 2010. This grant application proposes the renovation and expansion of the Moody Park Community Center located at 3725 Fulton in North Houston at the intersection of Collingsworth Street and Fulton Street, just east of Interstate 45. The renovated and expanded community center will be the only one of its kind in the Northside Village Super Neighborhood area, zip code 77009 and Northeast Houston. This project makes it possible for HPARD to meet the growing need for indoor recreation opportunities in the community. The anticipated cost for the project is \$2,000,000. If the \$1,000,000 grant is awarded, the required match of \$1,000,000 will be provided in the Fiscal Year 2012 Capital Improvement Plan.

The project will strategically rearrange and renovate existing areas to expand the weight training room, arts and crafts rooms, and create new areas for office and storage spaces. New construction will create additional spaces for a large 40' x 60' multi-purpose room with serving area, a 30' x 30' classroom, public restrooms, lobby and electrical/mechanical rooms. The renovated and expanded community center will provide accessible restrooms and entrances that meet ADA requirements. Areas will be landscaped with native plants and include a new entry courtyard, new interior courtyard, and a new playground area. Improvements will also include access to the future on-site park station of the North Line connection to METRO Rail System. Moody Park's location along Metro's North Line will ensure that the park and community center will be easily accessible by public transportation.

**REQUIRED AUTHORIZATION**

<b>Finance Department:</b>	<b>Other Authorization:</b>	<b>Other Authorization:</b>
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R

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 8608

Subject: Approve an Ordinance Authorizing the Execution of an Interlocal Agreement Between the City of Houston and the Houston Independent School District for Printing, Copying, Scanning and on-site Management Services for the City of Houston - L23521

Category #  
4

Page 1 of 2

Agenda Item

33

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

Origination Date

June 03, 2010

Agenda Date

JUN 3 0 2010

*MS*  
DIRECTOR'S SIGNATURE 

Council District(s) affected  
All

For additional information contact:

Frank Carmody

Phone: (713) 837-9521

Marsha Long Owen

Phone: (713) 837-9661

Date and Identification of prior authorizing Council Action:

RECOMMENDATION: (Summary)

Approve an ordinance authorizing the execution of an Interlocal Agreement between the City of Houston and the Houston Independent School District for printing, copying, scanning and on-site management services for the City of Houston.

No Funding Required - Revenue Neutral Interlocal Agreement

Finance Budget

SPECIFIC EXPLANATION:

The Director of the Administration & Regulatory Affairs Department (ARA) recommends that City Council approve an ordinance authorizing the execution of an Interlocal Agreement between the City of Houston and the Houston Independent School District (HISD) for a five-year term, with five one-year options for renewal, for printing, copying, scanning, imaging, mailing and on-site management services for all City Departments.

The scope of work requires HISD's print shop to provide all labor, materials, equipment, transportation and supervision necessary to provide printing services for all City departments. HISD will operate Image Solutions, the city's on-site print shop, and will provide full-service design, copying, offset printing and bindery at their main facility located within ten minutes of City Hall. The services to be provided include, but are not limited to: printing forms, envelopes, newsletters, parking information cards and passes, door hangers, manuals, brochures, foam boards and labels. The HISD print shop personnel will also provide mailing services, upon request, for brochures, newsletters and notices that will be distributed to the citizenry in English, Spanish and Vietnamese. Additionally, HISD will provide scanning, imaging and indexing services for all City departments to reduce printing cost and help move the City to a paperless environment. HISD print shop personnel will also work collaboratively with each department to review, develop scopes of work and cost estimates for complex and noncomplex scanning projects.

HISD will operate Image Solutions on a revenue-neutral basis. They will provide onsite copy, scan and bindery equipment, staff, general supplies and materials, print management computer software and day-to-day administration. Under the Interlocal Agreement, the City shall reimburse HISD for actual services rendered on a monthly, pay-as-you go basis. Unit prices in the contract have been set to generate sufficient revenue to cover operating costs of Image Solutions, based on ARA's estimate, and the City will not incur a separate expense for management of the Image Solutions facility. The contract provides for an annual audit of pricing by the Director and HISD to ensure the contract remains revenue neutral throughout its term. ARA's analysis of HISD's prices indicates that the City will save approximately 18% of the print services budget, or \$300,000, using HISD.

REQUIRED AUTHORIZATION

Finance Department:

Other Authorization:

Other Authorization:

27

Date: 6/3/2010	Subject: Approve an Ordinance Authorizing the Execution of an Interlocal Agreement Between the City of Houston and the Houston Independent School District for Printing, Copying, Scanning and on-site Management Services for the City of Houston - L23521	Originator's Initials GK	Page 2 of 2
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HISD will establish an electronic web-based print request system to handle all print requests from the City departments. This paperless, web-based ordering system will provide departments with real time status of their requests for services.

HISD currently provides print and copy services to Lone Star College, Crosby ISD, Huffman ISD, Klein ISD, Spring ISD, Spring Branch ISD, Tomball ISD, the Mental Health and Mental Retardation Authority of Harris County (MHMRA), SPARK School Park Program, Harris County Department of Education, and approximately 50 other non-profit organizations.

**M/WBE Subcontracting:**

HISD has agreed to a 15% M/WBE participation level and has designated the below named companies as its certified M/WBE subcontractors:

<u>Name</u>	<u>Type of Work</u>
Allprint & Office Supply, Inc.	Printing and Scanning Services
Absolute Color, Ltd.	Printing and Scanning Services

This recommendation is made pursuant to Chapter 791 of the Texas Local Government Code for exempt procurement.

**REQUEST FOR COUNCIL ACTION**

**TO:** Mayor via City Secretary

**RCA# 8762**

**Subject:** Approve an Ordinance Awarding a Contract to the Sole Respondent to Install and Maintain a Coin and Debit Card Copier Machine System for the Houston Public Library S30-Q23664

Category #  
4

Page 1 of 2

Agenda Item

**34**

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

**Origination Date**  
June 21, 2010

**Agenda Date**  
JUN 30 2010

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

**Council District(s) affected**  
All

**For additional information contact:**  
Richard Barchue Phone: (832) 393-1558  
Douglas Moore Phone: (832) 393-8724

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

**RECOMMENDATION: (Summary)**

Approve an ordinance awarding a contract to The Ohmstede Group Inc. d/b/a Coin Copiers to install and maintain a coin and debit card copier machine system for the Houston Public Library.

None Required

**Finance Budget**

**SPECIFIC EXPLANATION:**

The City Purchasing Agent recommends that City Council approve an ordinance awarding a five-year contract to The Ohmstede Group Inc. d/b/a Coin Copiers to install and maintain a coin and debit card copier machine system for the Houston Public Library (HPL). The City Purchasing Agent may terminate this contract at any time upon 120-days written notice to the contractor.

The scope of work requires the contractor to provide all labor, materials, equipment, transportation and supervision necessary to install copy and print devices along with implementation of a debit card payment system to all city library locations. The HPL currently has approximately 1,579 computers accessible to the public with an estimated usage of 4,000 users per day. Each of the computers will have the capabilities to print to either HP Printers or to multifunction copy/print units provided by the contractor. Additionally, the contractor will operate as a concessionaire. As a result, the City will not incur any fees from the contractor for the installation and maintenance of the copier machine system. This contract will replace the current copier machine system, which costs HPL approximately \$300,000 per year in equipment costs and additional expenditures for prints at a pre-determined threshold per quarter.

The Strategic Purchasing Division (SPD) publicized an Informal Request for Proposal (IRFP) on its e-bidding website and SPD conducted a thorough search for additional vendors who could possibly perform these services. As a result, seven vendors were identified and notified of the IRFP. Fourteen prospective respondents downloaded the solicitation document and as a result, one response was received from The Ohmstede Group Inc. d/b/a Coin Copiers. Subsequent to receipt of the proposal, vendors were contacted to determine the reason for the limited response to the IRFP; potential respondents advised that this service was not in their core business plans or they did not have the necessary resources to meet the scope of work requirements specified in the IRFP or they were not interested in submitting a proposal. The proposal was evaluated based upon the following criteria:

- Expertise/Experience/Qualifications
- Proposed percentage of gross receipts from all devices placed within any City building

**REQUIRED AUTHORIZATION**

Finance Department:

Other Authorization:

Other Authorization:

*AWA*

*32*

Date: 6/21/2010	Subject: Approve an Ordinance Awarding a Contract to the Sole Respondent to Install and Maintain a Coin and Debit Card Copier Machine System for the Houston Public Library S30-Q23664	Originator's Initials RM	Page 2 of 2
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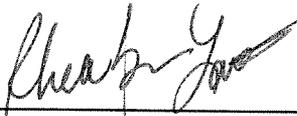
Based upon the sole response proposal, SPD and HPL are confident that the recommended contractor can perform the specified work for the contract.

Buyer: Richard Morris

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

<b>SUBJECT:</b> Ordinance appropriating funds from the Public Library Consolidated Construction Fund for the purchase of equipment at the Ring Neighborhood Library location. WBS No. E-000062-0001-5	<b>Category</b>	<b>Page</b> 1 of 1	<b>Agenda Item</b> 35
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<b>FROM (Department or other point of origin):</b> Library Department	<b>Origination Date</b> May 19, 2010	<b>Agenda Date</b> JUN 8 0 2010
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<b>DIRECTOR'S SIGNATURE:</b> Rhea Brown Lawson, Ph.D. 	<b>Council District affected:</b> A
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<b>For additional information contact:</b> Veronica Davidson Phone: 832-393-1335	<b>Date and identification of prior authorizing council action:</b>
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**RECOMMENDATION:** Adopt an ordinance appropriating \$35,000 from the Public Library Consolidated Construction Fund for the purchase of information technology equipment and miscellaneous equipment and furniture for Ring Neighborhood Library.

<b>Amount and Source of Funding:</b> \$ 35,000.00 Public Library Consolidated Construction Fund (4507)	<b>FIN Budget:</b> 
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**SPECIFIC EXPLANATION:** The Houston Public Library requests City Council approval of an ordinance appropriating \$35,000 from the Public Library Consolidated Construction Fund to purchase equipment for the Ring Neighborhood Library which is currently undergoing a renovation and addition. The renovation project includes the addition of a new 900 SF meeting room. The Ring Library was built in 1964. Substantial completion of the facility is expected in the Summer of 2010.

The equipment includes \$32,000 of technology equipment and these purchases will be made through Department of Information Resources (DIR) vendors. The remaining \$3,000 will be used to purchase miscellaneous equipment and furniture such as book carts, step stools, trash receptacles, and slat wall material. The miscellaneous equipment and furniture items will be bought with purchase orders in small dollar amounts.

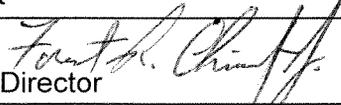
**PROJECT LOCATION:** 8835 Long Point (450V)

<b>REQUIRED AUTHORIZATION</b>	<b>CUIC ID#</b>
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<b>Library Department:</b>  Wendy Teas Heger, AIA Assistant Director		
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<b>SUBJECT:</b> Approve and authorize an ordinance amending Ordinance 2009 -1411 permitting the use of previously appropriated funds for the purchase of real property at a Harris County Tax Sale.		<b>Page</b> 1 of 1	<b>Agenda Item</b>  36
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<b>FROM (Department or other point of origin):</b> General Services Department	<b>Origination Date</b> 6-28-10	<b>Agenda Date</b> JUN 30 2010
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<b>DIRECTOR'S SIGNATURE:</b>  Forest R. Christy, Jr., Interim Director	<b>Council District 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> Ordinance 2009-1411; 12/29/2009
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**RECOMMENDATION:** Approve and authorize an ordinance amending Ordinance 2009-1411 permitting the use of previously appropriated funds for the purchase of real property at a Harris County Tax Sale.

<b>Amount and Source Of Funding:</b> No Additional Funding Required	<b>Finance Budget:</b>
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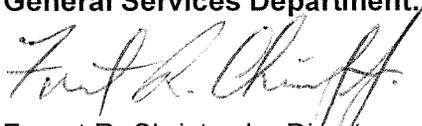
**SPECIFIC EXPLANATION:** The General Services Department (GSD) has determined that additional real property may be necessary to implement the expansion and renovation of the Bureau of Animal Regulation and Care (BARC). Land appropriate for BARC's expansion may soon become available for purchase via tax sale auction.

On December 29, 2009, by Ordinance 2009-1411, City Council appropriated funds out of the Public Health Consolidated Construction Fund for an architectural services contract for the expansion and renovation of the BARC facility. To date, not all of the appropriated funds have been spent on the architectural services contract. Appropriated, but unencumbered, funds could be used if necessary for the auction purchase of land beneficial to the expansion plans of BARC.

GSD recommends that City Council amend Ordinance No. 2009-1411 to authorize the use of all or part of the funds appropriated therein for the purchase of real property necessary to complete the renovation and expansion of the BARC facility.

FRC:BC:JLN:WW:ww  
xc: Marty Stein, Anna Russell, Jacquelyn L. Nisby and Chris Newport

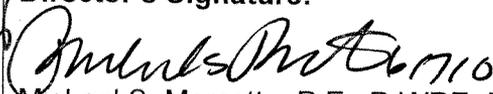
**REQUIRED AUTHORIZATION** CUIC ID# 25 WW15

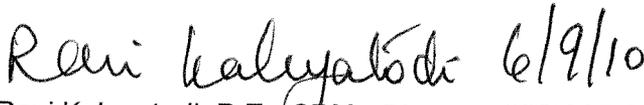
<b>General Services Department:</b>  Forest R. Christy, Jr., Director Real Estate Division		<b>Administration and Regulatory Affairs Department:</b>  Alfred J. Moran, Jr., Director
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<b>SUBJECT:</b> Defer the due date for delivery of the final report of the City of Houston Term Limits Review Commission		<b>Page</b> 1 of 1	<b>Agenda Item</b> #  <b>37</b>
<b>FROM (Department or other point of origin):</b>  Legal Department		<b>Origination Date</b> June 24, 2010	<b>Agenda Date</b>  <b>JUN 30 2010</b>
<b>DIRECTOR'S SIGNATURE:</b>  <i>MS Don Cheatham</i>		<b>Council District affected:</b>  All	
<b>For additional information contact:</b> Don Cheatham Phone: 832-393-6437		<b>Date and identification of prior authorizing Council action:</b> Ord. No. 2009-981, 10/7/2009; 2009-1037, 10/21/2009	
<b>RECOMMENDATION: (Summary)</b> Amend Ordinance that established the City of Houston Term Limits Review Commission to defer the due date for the Commission's final report			
<b>Amount and Source of Funding:</b> N/A			
<b>SPECIFIC EXPLANATION:</b> On October 7, 2009, City Council adopted Ordinance no. 2009-981 (the "Ordinance"), which established the City of Houston Term Limits Review Commission. Section 6 of the Ordinance required the Commission to deliver its recommendations and report to City officials by July 1, 2010, at which time the Commission would be disbanded without further action of the Mayor, City Council or City Controller. The Chair of the Commission has advised the City Attorney that, although all surveys and studies have been done and performed, and all citizen input received and analyzed, the Commission has not had sufficient time, due to vacations and other commitments of its members, to complete its final report to its satisfaction and has requested an extension of time to complete its final report.  The proposed ordinance would amend Section 6 of the Ordinance to extend the life of the Commission and defer the date for delivery of its report and recommendations to July 14, 2010.			
<b>REQUIRED AUTHORIZATION</b>			
<b>Other Authorization:</b>	<b>Other Authorization:</b>	<b>Other Authorization:</b>	

<b>SUBJECT:</b> Approve Advance Funding Agreement and Local Match Funds between the City of Houston and Texas Department of Transportation (TxDOT) for the Construction of Houston's Heritage Corridor, Bayou Trails West from San Jacinto Street to Stude Park. WBS No. N-000420-0016-4, TxDOT CSJ 0912-71-505	<b>Page</b> 1 of 2	<b>Agenda Item #</b>  38
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<b>From: (Department or Other Point of Origin)</b>  Department of Public Works and Engineering	<b>Origination Date</b>  6-24-10	<b>Agenda Date</b>  JUN 30 2010
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<b>Director's Signature:</b>  Michael S. Marcotte, P.E., D.WRE, BCEE	<b>Council District affected:</b> H RF
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<b>For additional information contact:</b>  Ravi Kaleyatodi, P.E., CPM Phone: (832)395-2326 Senior Assistant Director	<b>Date and identification of prior authorizing Council action:</b> Ord. No. 1995-1290 Dated: 12/06/1995 Ord. No. 1997-0935 Dated: 07/30/1997
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**RECOMMENDATION:** Adopt an Ordinance approving and authorizing an Advance Funding Agreement between the City of Houston and TxDOT and appropriate funds.

**Amount and Source of Funding:** \$850,200.00 from the Metro Projects Construction Fund No. 4040. *M.P. 6/10/10*

**PROJECT NOTICE/JUSTIFICATION:** This project is a part of the Houston Bikeway Program and is funded jointly by the City and the Texas Department of Transportation (TxDOT). The Houston Bikeway Program provides design and construction of approximately 339 miles of bikeways and trails in the City of Houston. To date, 319 miles of "On-street" bikeways and "Off-street" trails have been completed. Another 20 miles, mostly "Off-street" trails are currently under design and/or construction.

The Houston Bikeway Program was implemented to develop a citywide network of bicycle facilities projected to be integrated into an overall transportation network for the Houston area. The eligible costs of the projects are 80% funded by the Federal Highway Administration through the Intermodal Surface Transportation Efficiency Act under Congestion Mitigation and Air Quality Program. The 20% local match funding is provided by the City of Houston. In addition to the local match, the City is responsible for paying 100% of the costs in excess of federal participation.

The Original Funding Agreement stated the City will be responsible for advertising the project for construction bids, awarding the construction contract and providing construction management services. The revised Agreement stipulates that TxDOT will let and manage the construction as well. The project was bid on May 12, 2010. This request is to approve the TxDOT Advance Funding Agreement and appropriate funds for the City's share of the local match.

REQUIRED AUTHORIZATION		CUIC ID #20RF02A
<b>Finance Department:</b>	<b>Other Authorization:</b>	<b>Other Authorization:</b>  Daniel R. Menendez, P.E., Deputy Director Engineering and Construction Division

Date	<b>SUBJECT:</b> Approve Advance Funding Agreement and Local Match Funds between the City of Houston and Texas Department of Transportation (TxDOT) for the Construction of Houston's Heritage Corridor, Bayou Trails West from San Jacinto Street to Stude Park. WBS No. N-000420-0016-4, TxDOT CSJ 0912-71-505	<b>Originator's Initials</b>  RF	<b>Page</b> 2 of 2
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**DESCRIPTION/SCOPE:** The project consists of a reinforced concrete Hike and Bike Trail approximately 2.6 miles long and 10 feet wide, along the north bank of West White Oak Bayou. Three bridges are included in the project. Two existing railroad bridges will be retrofitted with new 14 feet wide concrete deck and railing, and the third bridge spanning across Little White Oak Bayou shall be a new pre-stressed concrete structure. The project also includes retaining walls, utility adjustments, accessibility ramps, signage, pavement markings, lighting conduit and landscaping.

**LOCATION:** The trail is generally bounded by White Oak Drive on the north, Washington Avenue on the south, Studemont Street on the west and North Main Street on the east. Key Map grids: 493 B, E, F, G, L and M.

**PREVIOUS HISTORY AND SCOPE:** On December 6, 1995, by Ordinance Number 1995-1290, City Council approved and authorized an agreement between the City of Houston and TxDOT for the design and construction of 12 projects in the Comprehensive Bikeway Plan. On July 30, 1997, by Ordinance Number 1997-935, City Council approved Amendment One to the agreement to allow all bikeway projects to be designed in English units (foot/pounds system). This Agreement will replace the original agreement.

**PROJECT COST/JUSTIFICATION:** The current estimated project cost including construction, force account, TxDOT construction management, contingencies and review costs is \$3,563,549.20. Federal participation amounts to \$2,770,839.36. The City participation is \$792,709.84 of which \$19,858.28 has been paid for review costs. Net Local Match participation by the City will amount to \$772,851.56. TxDOT has registered this project with the Texas Department of Licensing and Regulation (TDLR).

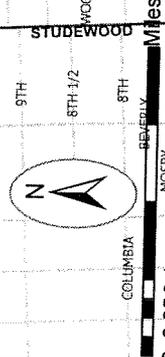
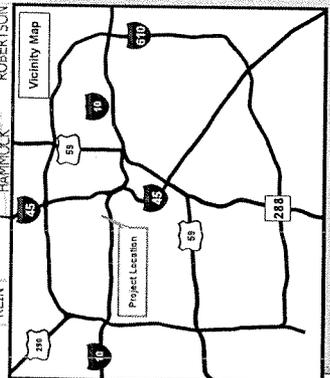
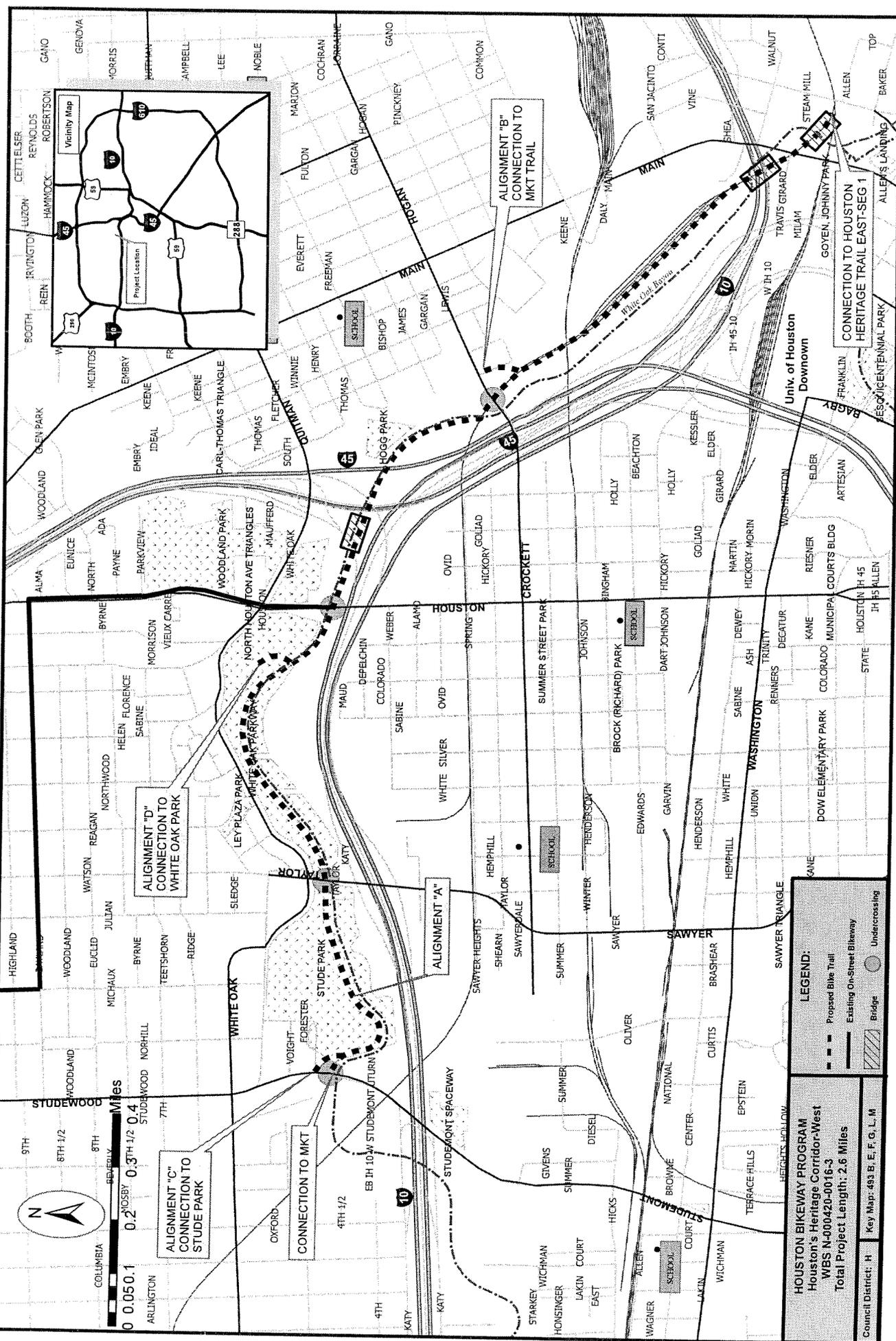
**ACTION RECOMMENDED:** Approve the TxDOT Advance Funding Agreement and appropriate funds for the City of Houston local match in the amount of \$850,200.00 to be appropriated as follows: \$772,851.56 to TxDOT for local match and \$77,348.44 for City project management.

**M/WBE INFORMATION:** The project was bid in accordance to TxDOT M/WBE requirements.

*RF*  
MSM:DRM:RK:MW:BB:RF:mg

Z:\design\A-NP-DIV\Bikeway Files\Raymond\N-0420-16 Herritage Corridor Bayou Trail West\1.0 Design Contract\1.2 RCA\Construction\RCA# 20RF02A 060110.doc

- c: Marty Stein
- Velma Laws
- Susan Bandy
- Craig Foster
- File No. N-000420-016-3 (1.2 RCA)



**LEGEND:**  
 - - - Proposed Bike Trail  
 - - - Existing On-Street Bikeway  
 ▨ Bridge  
 ○ Undercrossing

**HOUSTON BIKEWAY PROGRAM**  
 Houston's Heritage Corridor-West  
 WBS N-000420-0016-3  
 Total Project Length: 2.6 Miles  
 Council District: H Key Map: 493 B, E, F, G, L, M

ALIGNMENT "B"  
 CONNECTION TO  
 MKT TRAIL

ALIGNMENT "D"  
 CONNECTION TO  
 WHITE OAK PARK

ALIGNMENT "C"  
 CONNECTION TO  
 STUDE PARK

CONNECTION TO MKT

ALIGNMENT "A"

CONNECTION TO HOUSTON  
 HERITAGE TRAIL EAST-SEG 1

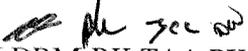
Univ. of Houston  
 Downtown

<b>SUBJECT:</b> Additional Appropriation to the Construction and Maintenance Agreement between the City of Houston and Texas Department of Transportation (TxDOT) for the Replacement of Sherwell Street Bridge at Jordan Gully; WBS Nos. N-001320-0012-4 and S-000521-0053-4.		<b>Page</b> 1 of <u>2</u>	<b>Agenda Item #</b>  39
<b>FROM (Department or other point of origin):</b> Department of Public Works and Engineering	<b>Origination Date</b> 6-24-10	<b>Agenda Date</b> JUN 30 2010	
<b>DIRECTOR'S SIGNATURE:</b>  Michael S. Marcotte, P.E., D. WRE, BCEE, Director	<b>Council District affected:</b> E 300		
<b>For additional information contact:</b>  6/17/10 Ravi Kaleyatodi, P.E., CPM Senior Assistant Director <b>Phone:</b> (832) 395-2326	<b>Date and identification of prior authorizing Council action:</b> Ordinance No. 98-279 April 8, 1998		
<b>RECOMMENDATION: (Summary)</b> Adopt an ordinance approving and authorizing an appropriation of additional funds for the replacement of Sherwell Street Bridge at Jordan Gully.			
<b>Amount and Source of Funding:</b> \$30,190.00 from the Street & Bridge Consolidated Construction Fund No. 4506 and \$30,422.00 from Water and Sewer System Consolidated Construction fund No. 8500. <i>M.P. 6/22/10</i> Previous (original) funding of \$25,289.00 from the Street and Bridge Consolidated Construction Fund No. 437.			
<b>SPECIFIC EXPLANATION:</b>  <b>PROJECT NOTICE/JUSTIFICATION:</b> This project is part of the Off-State System Federal-Aid Bridge Replacement and Rehabilitation Program which is administered by the Texas Department of Transportation (TXDOT). This program replaces or rehabilitates structurally deficient and functionally obsolete bridges located on public roads and streets not located on the designated state highway system.  <b>DESCRIPTION/SCOPE:</b> This project consists of replacing the existing two-lane timber bridge with two-lane reinforced concrete bridge, sidewalks, pavement transition and related underground utility adjustments on Sherwell Street at Jordan Gully.  <b>LOCATION:</b> This project is generally bounded by San Jacinto River on the North, West Lake Houston Parkway on the East, US 59 on the West and F.M. 1960, E. on the South. The project is located in Key Map Grid 336T.  <b>SCOPE OF CONTRACT AND FEE:</b> On April 8, 1998, City Council approved a Construction and Maintenance Agreement under Ordinance 98-279 for the replacement of Sherwell Street Bridge at Jordan Gully. Under the terms of the agreement, TxDOT will manage the design and the construction of the project and the City will be responsible for all utility adjustments and the acquisition of any additional right-of-way, plus 10% of the direct cost of: 1.) preliminary engineering incurred by the state, and 2.) construction, construction engineering and contingency.  During the development of the project it was determined that an existing water line needs to be relocated and the bridge will have to be constructed in half widths to maintain traffic for the lack of suitable detour. As a result, the estimated cost to the City will increase from \$22,990.00 to \$63,873.01. The City paid TxDOT the amount of \$19,125.00 in accordance with the Construction and Maintenance Agreement. TxDOT is currently requesting a payment for the remaining balance in the amount of \$44,748.01.			
<b>REQUIRED AUTHORIZATION</b> <span style="float: right;">CUIC ID #20TAA49</span>			
<b>Finance Department:</b>	<b>Other Authorization:</b> 	<b>Other Authorization:</b>  Daniel R. Menendez, P.E., Deputy Director Engineering and Construction Division	

<b>Date</b>	<b>Subject:</b> Additional Appropriation to the Construction and Maintenance Agreement between the City of Houston and Texas Department of Transportation (TxDOT) for the Replacement of Sherwell Street Bridge at Jordan Gully; WBS Nos. N-001320-0012-4 and S-000521-0053-4.	<b>Originator's Initials TAA</b>	<b>Page <u>2</u> of <u>2</u></b>
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Therefore it is necessary to appropriate additional funds in the amount of \$60,612.00 which includes \$6,711.99 for contingency and \$9,152.00 for City's salary recovery.

**ACTION RECOMMENDED:** It is recommended that City Council adopt an ordinance approving and authorizing additional funds and appropriate \$60,612.00 for the Replacement of Sherwell Street Bridge at Jordan Gully.



MSM:DRM:RK:TAA:PKC:ma

Z:\constr\A-SB-DIV\Interagency\TxDOT Projects\0912-71-562 Sherwell-Moonshine Hill Rd @ Jordan Gully\Agreement-RCA\Working File\Additional Apprpriation RCA.DOC

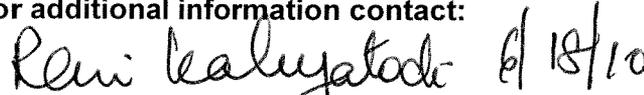
- c: Marty Stein
- Susan Bandy
- Velma Laws
- Craig Foster
- Files: TxDOT – Sherwell-Moonshine Road Bridge Replacement



<b>SUBJECT:</b> Approve Amendment One of the Advance Funding Agreement between the City of Houston and Texas Department of Transportation (TxDOT) for Safe Routes to School Projects, WBS Nos. N-00610A-0102-3; N-00610A-0103-3; N-00610A-0104-3; N-00610A-0105-3 and N-00610A-0106-3	<b>Page</b> 1 of 1	<b>Agenda Item #</b>  40
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<b>From: (Department or other point of origin):</b>  Department of Public Works and Engineering	<b>Origination Date</b>  6/24/10	<b>Agenda Date</b>  JUN 30 2010
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<b>Director's Signature:</b>  Michael S. Marcotte, P.E., D.WRE, BCEE	<b>Council District affected:</b> H & I
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<b>For additional information contact:</b>  6/18/10 Ravi Kaleyatodi, P.E., CPM Phone: (832) 395-2326 Senior Assistant Director	<b>Date and identification of prior authorizing Council action:</b>  Ordinance No. 2009-971 Date: 10/14/2009
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**Recommendation: (Summary)**  
 Adopt an Ordinance amending Ordinance No. 2009-971.

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

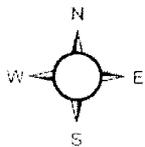
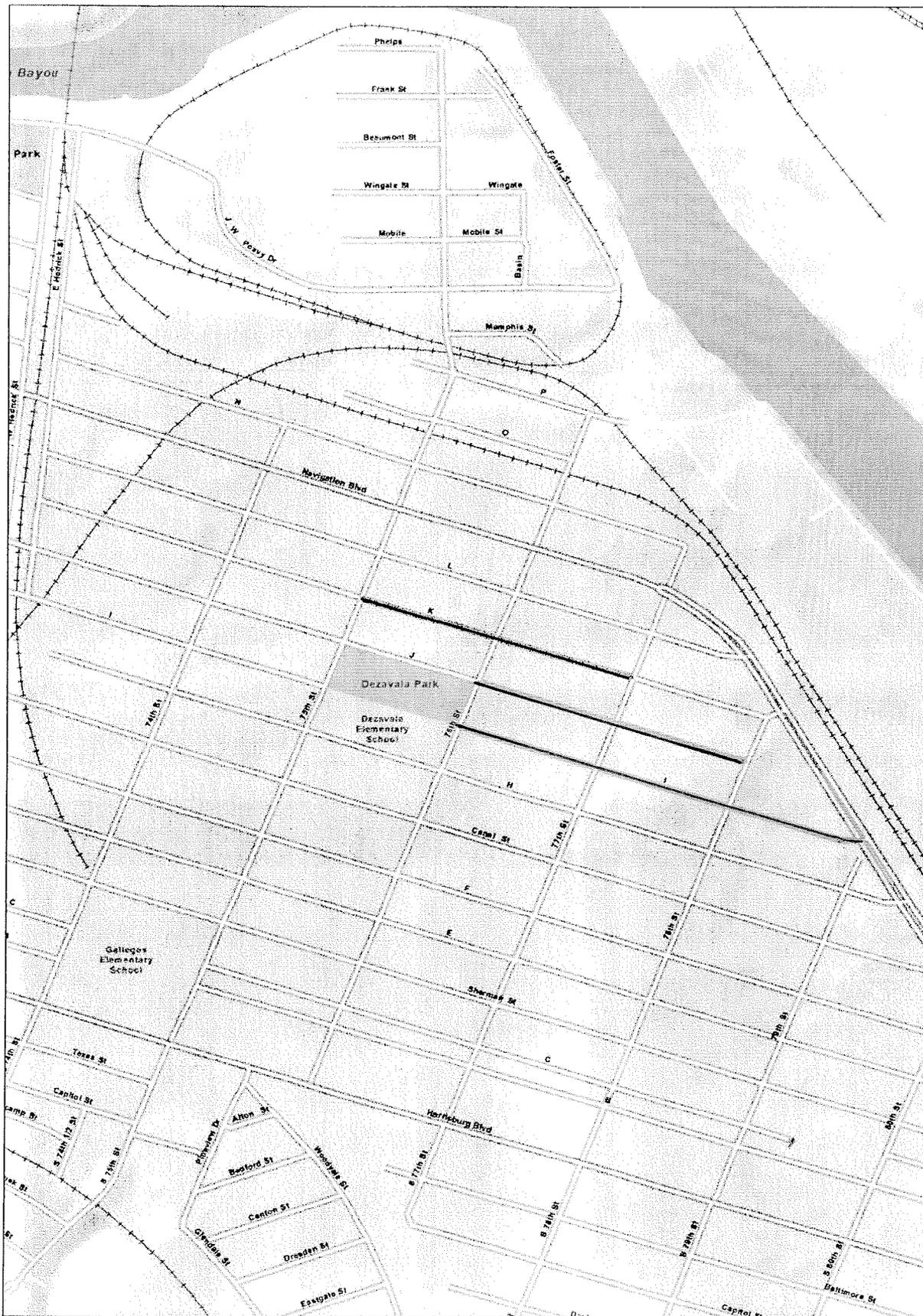
**SPECIFIC EXPLANATION:** Safe Route to Schools is a federally funded program managed by TxDOT to construct sidewalks around schools. The funding agreement is for the construction of several sidewalk projects under the Safe Routes to School Program. The location maps provided in the original advance funding agreement which was approved by Council on October 14, 2009 by Ordinance No. 2009-971 reflected incorrect project limits. The location maps have been revised to reflect the actual project limits. Also, the maximum federal construction funding available for this project reflects an incorrect funding amount of \$2,429,024.18, the project's budget has been revised to \$2,479,024.00.

**ACTION RECOMMENDED:** It is recommended that Council approve Amendment One of the TxDOT Advance Funding Agreement.

  
 MSM:DRM:RK:MW:SK  
 Z:\design\A-NP-DIV\Sidewalks\RCA for Safe Routes to School N-00610A-0102\_0106-3 (Amendment)rev.doc

c: Marty Stein  
 Velma Laws  
 Craig Foster  
 File No. N-00610A-(0102-0106)-3

<b>REQUIRED AUTHORIZATION</b>		<b>CUIC ID #20SIK29</b>
<b>Finance Department:</b>	<b>Other Authorization:</b>	<b>Other Authorization:</b>   Daniel R. Menendez, P.E., Deputy Director Engineering and Construction Division\

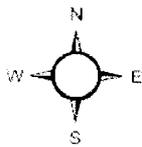
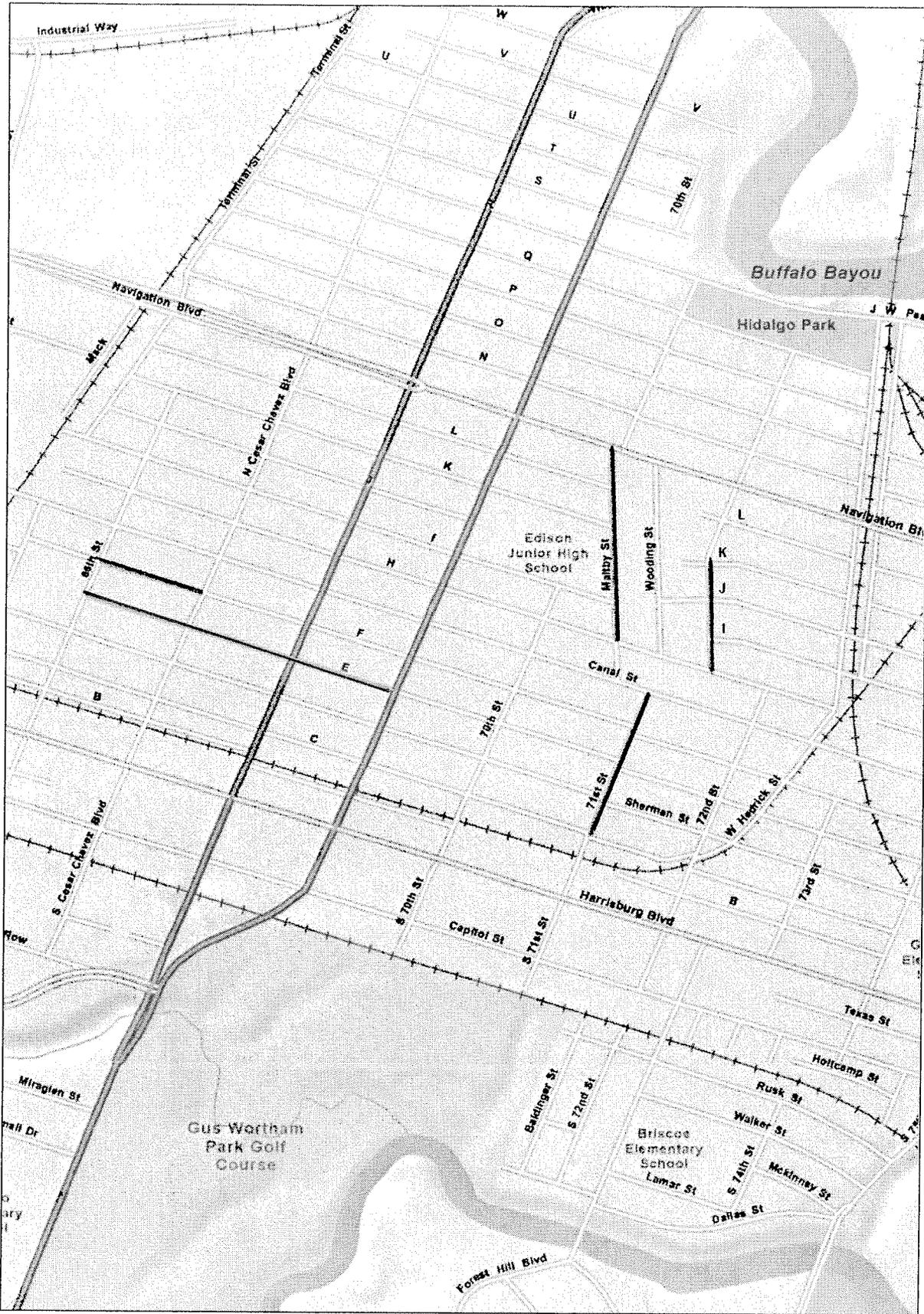


Not to Scale

CITY OF HOUSTON  
 Department of Public Work & Engineering  
 Neighborhood Program - Sidewalk Section  
 DeZavala Elementary School

LEGEND

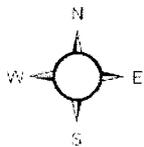
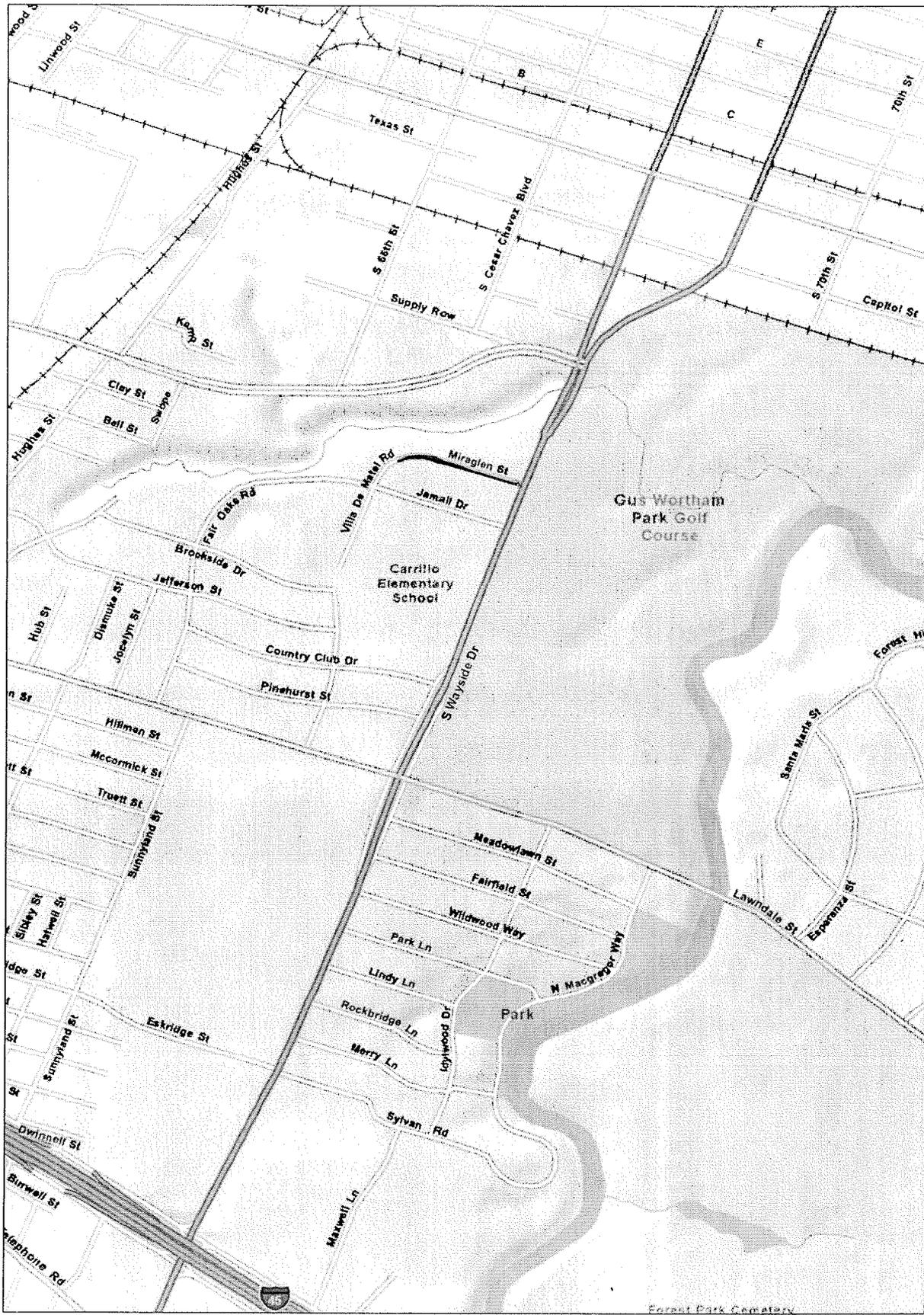
Proposed Sidewalk



Not to Scale

CITY OF HOUSTON  
 Department of Public Work & Engineering  
 Neighborhood Program - Sidewalk Section  
 Franklin Elementary School

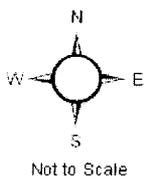
LEGEND  
 Proposed Sidewalk



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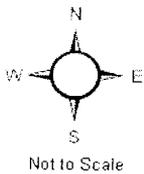
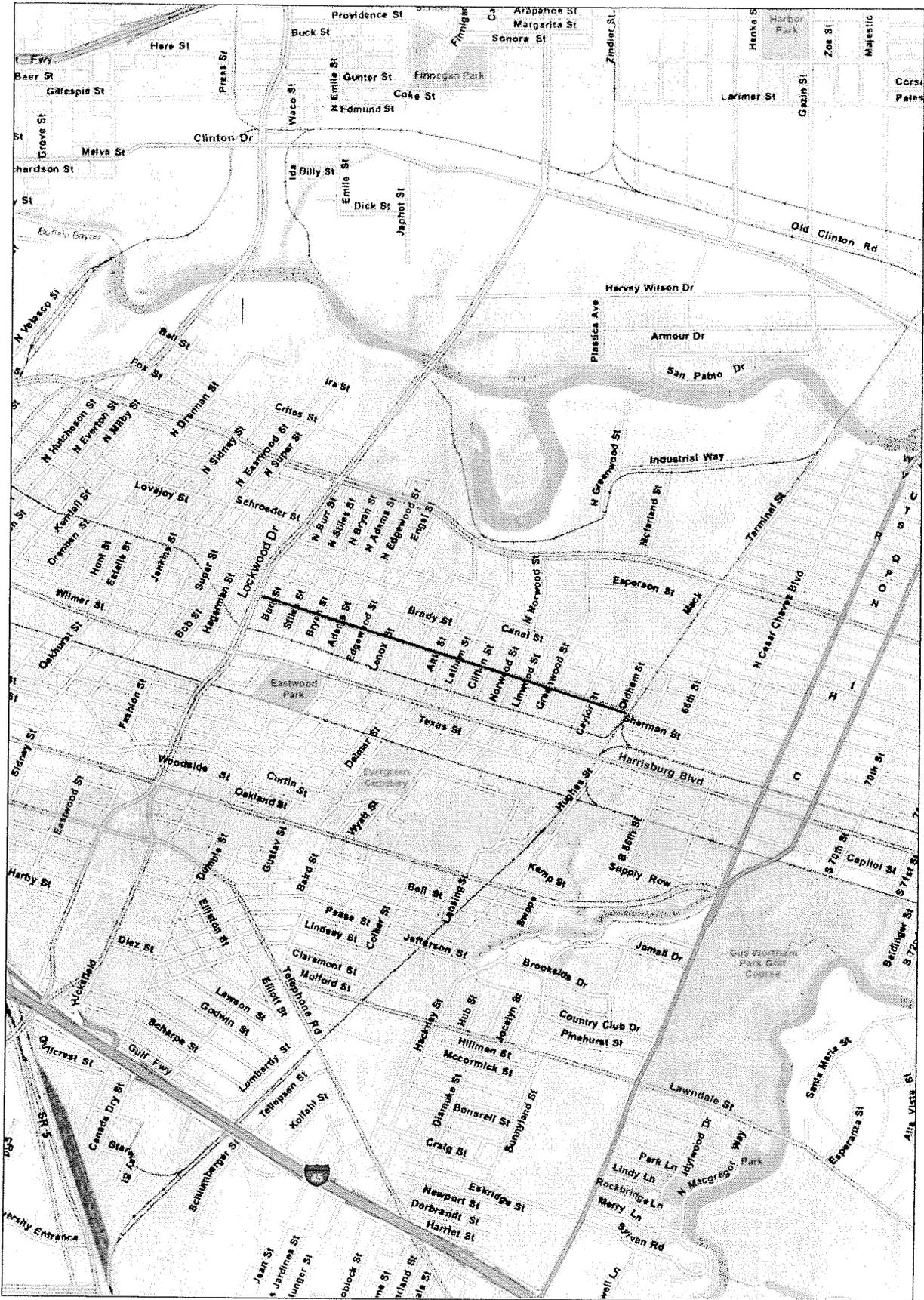
CITY OF HOUSTON  
 Department of Public Work & Engineering  
 Neighborhood Program - Sidewalk Section  
 Carrillo Elementary School

LEGEND  
 Proposed Sidewalk



CITY OF HOUSTON  
 Department of Public Work & Engineering  
 Neighborhood Program - Sidewalk Section  
 Briscoe Elementary School

LEGEND  
 Proposed Sidewalk



CITY OF HOUSTON  
 Department of Public Work & Engineering  
 Neighborhood Program - Sidewalk Section  
 Burnet Elementary School

LEGEND  
 Proposed Sidewalk

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

<b>SUBJECT:</b> Project Development Agreement with the City of Houston and Continental Airlines, Inc. for Construction Management Services for the Terminal A North-Gate A3 Expansion at George Bush Intercontinental Airport/Houston (IAH), Project No. 641 (WBS# A- 000566-0001-4-01)	<b>Category #</b>	<b>Page</b> 1 of 2	<b>Agenda Item #</b> 41
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<b>FROM (Department or other point of origin):</b> Houston Airport System	<b>Origination Date</b> June 21, 2010	<b>Agenda Date</b> JUN 30 2010
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<b>DIRECTOR'S SIGNATURE:</b> <i>M. Kae</i>	<b>Council District affected:</b> B
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<b>For additional information contact:</b> Eric R. Potts Phone: 281-233-1999 Robert Bielek 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 A-0566.01 \$464,238.00 Arpt Improvemt Fd (8011) CIP A-0422.97 \$ 8,124.00 Arpt Improvemt Fd (8011) Total \$472,362.00	<b>Prior appropriations:</b> N/A
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**RECOMMENDATION: (Summary)**  
Enact an ordinance to approve a Project Development Agreement (PDA) between the City of Houston and Continental Airlines, Inc. for Construction Management Services and appropriate the funds necessary to finance the cost of these services.

**SPECIFIC EXPLANATION:**

The City has determined that, in order to minimize disruption to ongoing Terminal A operations and the travelling public, streamline coordination efforts, and be more time efficient, the City should make a partial assignment of the construction contract for Terminal A North – Gate A3 Expansion, and its related Engineering and Testing Laboratory Agreements, to Continental Airlines, Inc. (Continental), pursuant to a Project Development Agreement (PDA).

Pursuant to the PDA, the City will award construction contracts and testing laboratory contracts in accordance with usual City procedures and then coordinate assignments with Continental. Services to be provided by Continental in the PDA include the supervision, management and coordination of the construction of HAS Project 641. Continental has agreed to abide by all standard City contract requirements including, but not limited to, indemnification of the City, insurance requirements, drug policy, environmental laws, and non-discrimination and any other applicable federal, state, city or airport rules and regulations. All qualified subcontractors shall be approved by the Director of Aviation. The City shall retain title to the project and work, at all times, and the City retains the management and control of all the airport premises.

In addition, the City has agreed to reimburse Continental Airlines, Inc for the designer’s general services during construction and for Continental’s cost for serving as a Construction Manager. These services were performed at fair market value and were in the best interests of the City and Continental to expedite construction and support budgetary constraints.

Under a separate construction contract for Project 641, The Gonzalez Group, LP, will construct a commuter gate facility for passengers loading and unloading from Terminal A North-Gate A3. The facility will consist of the construction of a metal building, concrete demolition, new foundations, lighting, HVAC systems, mechanical, plumbing, glass, glazing, fuel system, fire protection, one elevator, two escalators, and attachments to the existing Terminal A. In addition, a telecommunication room will be installed with cabling to support the airport’s and tenant’s present and future needs.

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

<b>Date</b> June 21, 2010	<b>Subject:</b> Project Development Agreement with the City of Houston and Continental Airlines, Inc. for Construction Management Services for the Terminal A North-Gate A3 Expansion at George Bush Intercontinental Airport/Houston (IAH), Project No. 641 (WBS# A- 000566-0001-4-01)	<b>Originator's Initials</b> FI	<b>Page</b> 2 of 2
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**PROJECT COST:** The total cost to be appropriated under this agreement is as follows:

\$ 464,238.00	Construction Management Services
\$ 8,124.00	Civic Art 1.75%
\$ 472,362.00	TOTAL APPROPRIATION

**MWBE PARTICIPATION:** The Minority and Women Business Enterprise participation goal for this contract is eighteen point fifty-four percent (18.54%) and will be met by the following MBE certified firm:

Firm	Type of Work	Amount	%
Othon, Inc. (MBE)	Construction Management Services	\$88,683.00	19.1%

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

<b>Subject:</b> Construction Contract with The Gonzalez Group, LP for Terminal A North-Gate A3 Expansion at George Bush Intercontinental Airport/Houston (IAH), Project No. 641; (WBS# A-000566-0002-4-01)	<b>Category</b> # 7	<b>Page</b> 1 of 2	<b>Agenda Item</b> # 420
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<b>FROM (Department or other point of origin):</b> Houston Airport System	<b>Origination Date</b> June 21, 2010	<b>Agenda Date</b> JUN 30 2010
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<b>DIRECTOR'S SIGNATURE:</b> <i>M. Kae</i> <i>M. Kae</i>	<b>Council District affected:</b> B
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<b>For additional information contact:</b> Eric R. Potts Phone: 281-233-1999 Robert Bielek 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-0566 \$3,826,713.00 Arpt Improvemt Fd (8011) CIP No. A-0422 \$ 60,879.00 Arpt Improvemt Fd (8011) Total \$3,887,592.00	<b>Prior appropriations:</b> N/A
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**RECOMMENDATION: (Summary)**  
Enact an ordinance to award a construction contract to The Gonzalez Group, LP for Terminal A North-Gate A3 Expansion and appropriate the necessary funds to finance the cost of this project.

**SPECIFIC EXPLANATION:**

**PROJECT LOCATION:** Terminal A at George Bush Intercontinental Airport/Houston (IAH)

**PROJECT SUMMARY:** Construct a commuter gate facility for passengers loading and unloading from Terminal A Gate A3. The project will consist of a metal building, concrete demolition, new foundations, lighting, HVAC systems, mechanical, plumbing, glass, glazing, fuel system, fire protection, one elevator, two escalators, and attachments to the existing Terminal A. In addition, a telecommunication room will be installed with cabling to support the airport's and tenant's present and future needs.

The contract term is 180 days. Design and preparation of the contract documents were prepared by Parsons 3D/International.

**BID DATE:** Bids received on May 20, 2010 were as follows:

1. The Gonzalez Group, LP	\$3,478,830.00
2. Axiom Construction Co.	\$3,721,611.00
3. Manhattan Construction Co.	\$3,805,180.00
4. Spaw Glass Construction Co.	\$4,192,600.00
5. Martin Harris Construction	\$4,218,759.00
6. Beyer Construction	\$4,600,510.00
7. MATL Construction Corporation	\$4,920,984.00

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

<b>Date</b> June 21, 2010	<b>Subject:</b> Construction Contract with The Gonzalez Group, LP for Terminal A North-Gate A3 Expansion at George Bush Intercontinental Airport/Houston (IAH), Project No. 641; (WBS# A-000566-0002-4-01)	<b>Originator's Initials</b> FAI	<b>Page</b> 2 of 2
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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.

**ENGINEERING AND TESTING SERVICES:** Engineering and Testing Services will be provided by Tolunay-Wong Engineers, Inc. under Contract No. 73355.

**PROJECT COST:** The total cost to be appropriated under this contract is as follows:

\$3,478,830.00	Construction Contract Services
\$ 173,941.00	5% Construction Contingency
\$ 173,942.00	Engineering and Testing Services
\$ 60,879.00	Civic Art 1.75%
<u>\$3,887,592.00</u>	<b>TOTAL APPROPRIATION</b>

**MBE/SBE PARTICIPATION:** The contract has an 11% MBE and a 13% SBE participation goals, which comprise a total of 24% of the construction contract price and will be met by the following certified firms.

Firms	Type of Work	Amount	% of Bid
TAG Electric Company, Inc. (MBE)	Electrical	\$388,383.00	11.25%
Tricon Precast, Ltd. (SBE)	Concrete Barriers	\$ 60,320.00	1.75%
Stripes and Stops Company, Inc. (SBE)	Striping	\$ 56,459.00	1.64%
Preferred Technologies, Inc. (SBE)	Security	\$221,218.00	6.41%
MEK Interiors & Floors, Inc. (SBE)	Flooring	\$ 51,047.00	1.47%
Ideal Finishes, Inc. (SBE)	Paint	\$ 12,800.00	.3709%
Ameritek Design, Inc. (SBE)	Millwork	\$ 4,500.00	.1304%
Holes, Inc. (SBE)	Demolition	<u>\$ 57,000.00</u>	<u>1.65%</u>
		\$851,727.00	24.67%

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

<b>Subject:</b> Amendment No. 1 to the Contract for Professional Engineering Services with Whitlock, Dalrymple, Poston and Associates, Inc. for Structural Investigations, Repairs and Renovations to the Parking Garage Building at William P. Hobby Airport (HOU), Project No. 592 (WBS# A-000310-0001-3-01; Contract No. 4600004536 )	<b>Category #</b>	<b>Page 1 of 2</b>	<b>Agenda Item #</b> 43
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<b>FROM (Department or other point of origin):</b> Houston Airport System	<b>Origination Date</b> May 25, 2010	<b>Agenda Date</b> JUN 09 2010
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<b>DIRECTOR'S SIGNATURE:</b> <i>M. Kae</i> <i>Maudie</i>	<b>Council District affected:</b> I
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<b>For additional information contact:</b> Eric R. Potts <i>ERP</i> Phone: 281/233-1999 Robert Bielek <i>RBE</i> Phone: 281/233-1941	<b>Date and identification of prior authorizing Council action:</b> 06/22/2005 (0) 2005-804
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<b>AMOUNT &amp; SOURCE OF FUNDING:</b> CIP No. A-0310.08 \$500,000.00 Airports Improvement Fund (8011) CIP No. A-0422.10 \$ 8,750.00 Airports Improvement Fund (8011) Total \$508,750.00 <i>MS</i>	<b>Prior appropriations:</b> 6/22/2005.....\$733,000.00 Airports Improvement Fund (8011)
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**RECOMMENDATION: (Summary)**  
Enact an Ordinance to approve Amendment No. 1 to Contract for Professional Engineering Services with Whitlock, Dalrymple, Poston and Associates, Inc. and appropriate the necessary funds to finance the cost of these services.

**PROJECT LOCATIONS:** William P. Hobby Airport (HOU)

**PROJECT SUMMARY:** On June 22, 2005, Council approved a Contract for Professional Engineering Services with Whitlock, Dalrymple, Poston and Associates, Inc. (WDP) to provide professional engineering services for the repair and renovation of the parking garage at HOU. Services provided to date include: geotechnical engineering, forensic engineering, and completion of plans and specification documents for bidding this project. Design documents were completed in the second half of 2008, but construction was postponed until second half of 2010 due to changes in the CIP funding schedule necessitated by unfavorable financial market conditions at the time.

In order to minimize the impact of construction on the capacity and operation of the garage, the construction will be phased and sequenced in such way as to require closure of 1/8 of the garage area at a time, instead of the originally contemplated 1/4 of the garage area. The revised phasing of the project will extend the construction term from one year to two years.

It is now requested that Council approve Amendment No. 1 to provide for additional construction phase services to accommodate the extended construction term. In addition, due to the complex phasing and nature of the construction work, it was decided that the contractor will perform the on site observation services and specialized inspection for pre-stressed concrete repair work.

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.

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

<b>Date</b> May 25, 2010	<b>Subject:</b> Amendment No. 1 to the Contract for Professional Engineering Services with Whitlock, Dalrymple, Poston and Associates, Inc. for Structural Investigations, Repairs and Renovations to the Parking Garage Building at William P. Hobby Airport (HOU), Project No. 592 (WBS# A-000310-0001-3-01; Contract No. 4600004536 )	<b>Originator's Initials</b> AG	<b>Page</b> 2 of 2
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**PROJECT COSTS:** The total amount to be appropriated for this Amendment is as follows:

\$500,000.00	Professional Engineering Services
<u>\$ 8,750.00</u>	Civic Art (1.75%)
\$508,750.00	Total Appropriation

**M/WBE PARTICIPATION:** The Minority/Women Business Enterprise (M/WBE) goal for this contract is twenty-four percent (24%) and will be met by the following certified firm:

Firm	Type of Work	Amount	%
AIA Engineers, LTD	Field Evaluation and Construction Observation	\$120,000.00	24%

WDP is currently achieving 6.04% on a 24% M/WBE goal. The main part of the work to be performed by M/WBE firms is for field observations and site inspections during the construction phase, which is only now about to commence. Therefore, it is anticipated that the M/WBE goal will be met by the end of the contract. HAS Small Business Development and Contract Compliance Office will continue to monitor and work with WDP to ensure achievement of the goal.

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

<b>SUBJECT:</b> Supplemental Allocation to the Professional Consulting Services Contract with HNTB Corporation for On-Call Planning Services with the Houston Airport System; Project No. 616, (WBS# A-000368-0002-3-01 ; Contract No. 4600004495)	<b>Category #</b>	<b>Page 1 of 2</b>	<b>Agenda Item #</b> 44
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<b>FROM (Department or other point of origin):</b> Houston Airport System	<b>Origination Date</b> June 21, 2010	<b>Agenda Date</b> JUL
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<b>DIRECTOR'S SIGNATURE:</b> <i>Maudsion</i>	<b>Council District affected:</b> B, E & I
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<b>For additional information contact:</b> Eric R. Potts <i>ERP</i> Phone: 281-233-1999 Monica R. Newhouse <i>MRN</i> Phone: 281-233-1973	<b>Date and identification of prior authorizing Council action:</b> 10/06/2004 (O) 2004-1045 05/09/2007 (O) 2007-572 10/22/2008 (O) 2008-945 02/03/2010 (O) 2010-92
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<b>AMOUNT &amp; SOURCE OF FUNDING:</b> CIP A-0368.26 \$1,000,000.00 Arpt Improvemt Fd (8011) <i>INW</i> <i>JS</i>	<b>Prior appropriations:</b> 10/06/2004.....\$4,250,000.00 Arpt Improvemt Fd (8011) 05/09/2007.....\$2,000,000.00 Arpt Improvemt Fd (8011) 10/22/2008.....\$2,000,000.00 Arpt Improvemt Fd (8011) 02/03/2010.....\$1,000,000.00 Arpt Improvemt Fd (8011)  Total.....\$9,250,000.00
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**RECOMMENDATION: (Summary)**  
Enact an ordinance to approve a supplemental allocation to the professional consulting services contract with HNTB Corporation and appropriate the necessary funds to finance the cost of these services.

**SPECIFIC EXPLANATION:**

On October 6, 2004, the City entered into a contract with HNTB Corporation for on-call professional consulting services for a period of three years. Services performed under this contract included a wide range of aviation planning services and other supporting analyses to assess HAS' current and future development needs, the options available for meeting those needs and the actions required to implement development recommendations. It was anticipated at that time that based on the performance of the consultant and the amount of work to be utilized, future amendment(s) may be required to increase either the term or the funds for this project.

On May 9, 2007, Council approved Amendment No. 1 which provided a continuation of work by extending the term an additional three years and broadened HAS' ability to address complex airport planning services. Services performed to date include upcoming capital programming tasks, land use management issues (encroachment of incompatible land uses), master plan implementation support, regulatory changes, height hazard zoning ordinance changes and environmental work to support programmed construction projects. On October 22, 2008 and on February 3, 2010, Council approved additional funding to provide uninterrupted on-call planning services.

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

<b>Date</b> June 21, 2010	<b>Subject:</b> Supplemental Allocation to the Professional Consulting Services Contract with HNTB Corporation for On-Call Planning Services with the Houston Airport System; Project No. 616, (WBS# A-000368-0002-3-01 ; Contract No. 4600004495)	<b>Originator's Initials</b> CO	<b>Page</b> 2 of 2
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It is now requested that Council approve a supplemental allocation which will provide continued development services through the end of the contract to provide quantitative data collection and analysis to determine future facility needs. This contract is designed so that most assignments are eligible for reimbursement from the Federal Aviation Administration under the Airport Improvement Program (AIP) funding participation.

“This agreement is due to expire on its terms on October 5, 2010. An RFP has been prepared and will be issued shortly for continuing on-call planning services.”

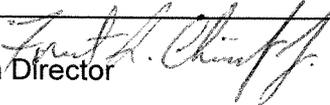
It is HAS's intent to seek reimbursement through AIP grants for any assigned Project that may be identified over the term of this contract that meets AIP eligibility requirements.

**DBE PARTICIPATION:** The Disadvantaged Business Enterprise goal for this contract is twenty-four (24%) percent and will be met by the following certified firms.

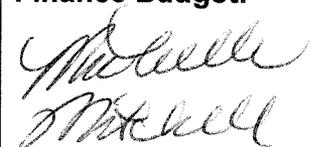
<b>Firms</b>	<b>Type of Work</b>
ESC Polytech Consultants, Inc.	Airport Planning Services
Vesta Rea & Associates, LLC	Airport Surveys
Planning & Development Services, Inc., DBA Knudson	GIS Consulting and Urban Planning
C.J. Hensch & Associates, Inc.	Traffic Engineering Consulting Services

The amount of work for each proposed sub-consultant will be determined as the project progresses and the services required by each sub-consultant are better defined.

HNTB Corporation is currently achieving 21.54% participation of their 24% goal.

<b>SUBJECT:</b> Appropriate Funds for the Job Order Contracts Program WBS Nos. D-000108-0002-4; H-000069-0002-4; R-000268-0062-4		<b>Page</b> 1 of 2	<b>Agenda Item</b> 45
<b>FROM (Department or other point of origin):</b> General Services Department	<b>Origination Date</b> 6/24/10		<b>Agenda Date</b> JUN 30 2010
<b>DIRECTOR'S SIGNATURE:</b>  Forest R. Christy, Jr., Interim Director	<b>Council District(s) affected:</b> All		
<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. 2009-1316; Dated December 16, 2009		

**RECOMMENDATION:** Appropriate funds for the Job Order Contracts Program

<b>Amount and Source of Funding:</b> Maximum contract amount for Williams & Thomas, LP dba Jamail Construction and RHJ-JOC, Inc. \$12,500,000 – 5 years Maximum contract amount for Hallmark CBIC Joint Venture and P^2MG, LLC \$10,000,000 – 5 years  \$ 224,000.00 –General Improvement Consolidated Construction Fund (4509) \$ 222,000.00 –PWE-W&S System Consolidated Construction Fund (8500) \$ 172,000.00 –Public Health Consolidated Construction Fund (4508) \$ 618,000.00 Total Appropriation	<b>Finance Budget:</b> 
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**SPECIFIC EXPLANATION:** The General Services Department recommends that City Council appropriate \$618,000 for the Job Order Contracts Program (JOC Program) for construction services for various City facilities. 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. Periodically, as departments identify projects and specific funding for each project, Council may be asked to appropriate additional funds for the JOC Program. To date, \$15,784,400.00 has been appropriated for the JOC Program.

**PROJECT LOCATION:** Citywide

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

**PREVIOUS HISTORY AND PROJECT SCOPE:** On February 7, 2007, City Council awarded a five-year Job Order Contract to Williams & Thomas, LP dba Jamail Construction and RHJ-JOC, Inc. for construction services for various facilities. On December 16, 2009, City Council: (1) awarded two new Job Order Contracts to Hallmark CBIC Joint Venture and P^2MG, LLC, and delegated authority to the director to approve supplemental allocations up to the maximum contract amount for each contract of \$10,000,000; (2) approved Ordinance 2009-1316 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. and (3) appropriated an additional \$3,075,000 for the JOC Program for construction services for various facilities.

**REQUIRED AUTHORIZATION**

CUIC #25CONS156 *NOT*

<b>General Services Department:</b>  Humberto Bautista, P.E. City Engineer	<b>Department of Health and Human Services:</b>  Stephen L. Williams, M.ED, MPA Director	<b>Public Works &amp; Engineering Department:</b>  Michael S. Marcotte, P.E., D.WRE, BCEE Director
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<b>DATE</b>	<b>SUBJECT:</b> Appropriate Funds for the Job Order Contracts Program WBS Nos. D-000108-0002-4; H-000069-0002-4; R-000268-0059-4	<b>Originator's Initials</b> EA	<b>Page</b> 2 of 2
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**M/WBE PARTICIPATION:** The original contracts and this appropriation have a 15% M/WBE goal and 5% SBE goal. To date, Jamail Construction has achieved 14.8% M/WBE participation and 3.3% SBE participation, and RHJ-JOC, Inc. has achieved 30.6% M/WBE participation and 24.9% SBE participation. Due to the recent inception of the contracts for Hallmark CBIC Joint Venture and P^2MG, LLC, there is no subcontracting utilization to report.

FRC:HB:JLN:EA:ps

c: Marty Stein, Jacquelyn L. Nisby, Christopher Gonzales, Velma Laws, Josie Sun, Celina Ridge, Humberto Bautista, Calvin Curtis, Morris Scott, Martha Leyva, Project File 813

<b>SUBJECT:</b> Award Construction Contract AIA General Contractors, Inc. Underground Storage Tank Remediation, Removal and Installation at Fire Station 28 WBS No. C-000170-0016-4	<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> 6/24/10	<b>Agenda Date</b> JUN 30 2010
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<b>DIRECTOR'S SIGNATURE:</b> <i>Forest R. Christy, Jr.</i> Forest R. Christy, Jr., Interim Director	<b>Council District affected:</b> C
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<b>For additional information contact:</b> Jacquelyn L. Nisby <i>CLN for JV</i> 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> \$196,099.00 Fire Consolidated Construction Fund (4500)	<b>Finance Budget:</b> <i>M. Sullivan</i>
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**SPECIFIC EXPLANATION:** The General Services Department recommends that City Council award a construction contract to AIA General Contractors, Inc. on the low bid amount of \$152,362.00 to provide construction services at Fire Station 28 for the Houston Fire Department.

**PROJECT LOCATION:** 3000 Chimney Rock Street  
 Houston, Texas (Key Map 491-X)

**PROJECT DESCRIPTION:** The scope of work consists of removing two 1,000 gallon diesel underground storage tanks (USTs) from Fire Station 28 with associated lines, observation wells, manholes and ancillary equipment. Installation of one 5,000 gallon diesel double wall Fiberglass Reinforced Plastic (FRP) single compartment UST along with associated appurtenances and installing a new Fuel Force fuel management system. The work also includes disposal of aqueous liquid, saw-cutting, demolition and removal of concrete paving over the USTs, off-site disposal of concrete, product lines and debris generated as a result of all activities, backfilling and compaction and concrete replacement, waste classification, loading, hauling and proper disposal.

The contract duration for this project is 120 calendar days:

**BIDS:** The following two bids were received on April 22, 2010:

	<u>Bidder</u>	<u>Bid Amount</u>
1.	AIA General Contractors, Inc.	\$152,362.00
2.	Pemco, Inc.	\$154,952.80

**REQUIRED AUTHORIZATION** CUIC ID # 25GM225

<b>General Services Department:</b>  Humberto Bautista, P.E. City Engineer	<b>Other Authorization:</b>  5.24.10 	<b>Houston Fire Department:</b>  Rick Flanagan Acting Fire Chief
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Date	<b>SUBJECT:</b> Award Construction Contract AIA General Contractors, Inc. Underground Storage Tank Remediation, Removal and Installation at Fire Station 28 WBS No. C-000170-0016-4	<b>Originator's Initials</b>  GM	<b>Page</b>  2 of 2
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**AWARD:** It is recommended that City Council award the construction contract to AIA General Contractors, Inc. and appropriate funds for the project, including additional appropriations of \$1,500.80 for materials testing under the existing contract with Kenall, Inc. and \$27,000.00 for project management under the existing contract with EFI Global, Inc. which includes, but is not limited to soil and groundwater sampling, analytical testing, sample evaluation in accordance with regulatory requirements and submitting the appropriate Release Determination Report, if required, to the Texas Commission on Environmental Quality (TCEQ).

**FUNDING SUMMARY:**

✓ \$	152,362.00	Construction Contract Services
\$	15,236.20	10% Contingency
<u>\$</u>	<u>167,598.20</u>	<b>Total Contract</b>
\$	1,500.80	Materials Testing
\$	27,000.00	Project Management .
<u>\$</u>	<u>196,099.00</u>	<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.



FRC:HB:JLN:GM:FK:fk

- c: Marty Stein
- Jacquelyn L. Nisby
- Velma Laws
- Calvin Curtis
- Gabriel Mussio
- Jack Williams
- Martha Leyva
- File



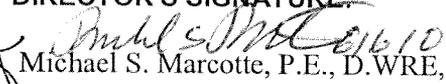
**Underground Storage Tank Remediation, Removal and Installation at:  
Fire Station 28**

**3000 Chimney Rock St.**

**Houston, TX 77056**

<b>SUBJECT:</b> An Ordinance adopting amended land use assumptions, capital improvement plan, and impact fees in accordance with Chapter 395 of the Local Government Code and amending Chapter 47 of the Code of Ordinances to set Water and Wastewater Impact Fees and Annual Adjustments	<b>Page</b> 1 of 2	<b>Agenda Item</b> # <b>47</b> <del>1A</del>
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<b>FROM (Department or other point of origin):</b> Department of Public Works and Engineering	<b>Origination Date</b>	<b>Agenda Date</b> <del>JUN 2 2010</del> JUN 3 0 2010
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<b>DIRECTOR'S SIGNATURE:</b>  Michael S. Marcotte, P.E., D.WRE, BCEE, Director	<b>Council District affected:</b> All 
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<b>For additional information contact:</b>  Mark L. Loethen, P.E., CEM, P.E., Acting Deputy Director (713) 837-0724 Rudy Moreno, Jr., E.I.T., Deputy Assistant Director (832) 395-4357	<b>Date and identification of prior authorizing Council action:</b> 6/6/1990 – 1990-676; 6/14/2000 - 2000-497; 8/30/2005 - 2005-958; 6/2/2009 - 2009-439
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**RECOMMENDATION: (Summary)**  
Approve the findings of the impact fee update report including land use assumptions and the capital improvement plan applicable to impact fees and amendments to Chapter 47 of the Code of Ordinances setting water and wastewater impact fees and authorizing an annual adjustment to the fees based upon the change in the Producer Price Index.

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

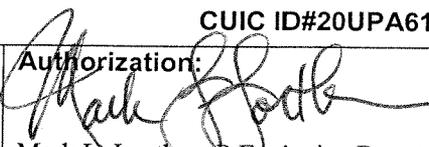
**BACKGROUND:** In June of 1990, in accordance with Chapter 395 of the Texas Local Government Code, City Council approved measures that adopted "impact fees" for water and wastewater capacity for new development. These fees can only be used as specified in the Local Government Code for capital improvements or facility expansions necessary to serve new development. Pursuant to Chapter 395, the City of Houston must update the Water and Wastewater Impact Fee program every ten (10) years. This requires the City to perform an engineering study and approve the findings of the report from the study.

In June 2000, City Council updated the City's capital improvement plan for the maximum impact fees for water and wastewater facilities and land use assumptions. In August 2005, City Council approved increases in the fees equal to the rise in the Consumer Price Index (CPI).

June 2010 is the next required Impact Fee report update. In order to meet the June 2010 mandated deadline, Malcolm Pirnie, Inc., (Red Oak Consulting Division) was selected by City Ordinance No. 2009-439 to perform the study and has prepared the update. The report updates Land Use Assumptions, updates the Capital Improvement Plan applicable to Impact Fees, and provides Impact Fee calculations based on those updates. The maximum Impact Fee calculated in the report is based on the cost of all eligible capital improvements divided by the total increase in the service units (new development) expected to occur over the ten (10) year span of the Capital Improvement Plan. While Chapter 395 requires that a maximum fee be calculated, any amount up to the maximum may be adopted.

The 2010 update establishes a maximum impact fee of \$4,026.62 per service unit for water and \$3,787.03 for wastewater. A service unit is defined as the amount of wastewater or water generated or consumed by a typical single-family residence. The Administration has recommended Impact Fees of \$338.04 per service unit for water and \$1,199.11 for wastewater. The recommended fees represent the Impact Fees adopted in 2005 plus the increase in the Consumer Price Index over the past five (5) years. No increases in fees, other than annual index adjustments, are in the recommended fees.

The Planning Commission, acting as the Capital Improvements Advisory Committee, recommended City Council approve the report at its meeting on May 13, 2010. The Committee has conveyed the report to Council for approval. The report has been available to the public for review in the City Secretary's office since May 21, 2010. All Items in the study have been prepared in accordance with the guidelines in the state law and all public notification and hearing requirements have been scheduled and will be completed prior to consideration by council.

<b>REQUIRED AUTHORIZATION</b> <b>CUIC ID#20UPA61</b>		
<b>Finance Department:</b>	<b>Authorization:</b>  Mark L. Loethen, P.E., Acting Deputy Director Planning and Development Services Division	<b>Other Authorization:</b>

<b>Date</b>	<b>SUBJECT:</b> An Ordinance adopting amended land use assumptions, capital improvement plan, and impact fees in accordance with Chapter 395 of the Local Government Code and amending Chapter 47 of the Code of Ordinances to set Water and Wastewater Impact Fees and Annual Adjustments	<b>Originator's Initials</b>	<b>Page 2 of 2</b>
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**RECOMMENDATIONS:** The Department of Public Works and Engineering recommends that the following actions be approved:

- Approve the findings of the Water and Wastewater Impact Fees Update 2010-2020 report including the Land Use Assumptions and Water and Wastewater Capital Improvement Plan.
- Approve the amendments to the Ordinance to adopt the maximum Impact Fee as \$3,787.03 per service unit for wastewater and \$4,026.62 per service unit for water.
- Approve the amendments to the Ordinance to establish an Impact fee for Wastewater to be collected at \$1,199.11 per service unit and an Impact fee for Water to be collected at \$338.04 per service unit.
- Approve the amendments to the Ordinance to authorize an automatic adjustment of the Impact Fees each July 1, beginning July 1, 2011, by the amount of change in the United States Producers Price Index for All Commodities (1982=100) ("designated index")

C: Marty Stein  
Alvin Wright  
Augustus L. Campbell

**REQUEST FOR COUNCIL ACTION**

**TO:** Mayor via City Secretary

**RCA #**

**SUBJECT:**

Ordinances granting Commercial Solid Waste Operator Franchises

**Category #**

**Page 1 of 1**

**Agenda Item#**

*2nd Reading 48-51 32 to 36*

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

Alfred J. Moran, Director  
Administration & Regulatory Affairs

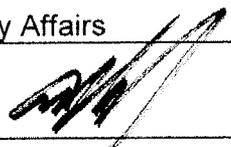
**Origination Date**

June 15, 2010

**Agenda Date**

~~JUN 29 2010~~

**DIRECTOR'S SIGNATURE:**



**Council Districts affected:**

ALL

JUN 30 2010

**For additional information contact:**

Juan Olguin *SO* Phone: (713) 837- 9623  
Nikki Cooper Phone: (713) 837- 9889

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

**RECOMMENDATION: (Summary)**

Approve ordinances granting Commercial Solid Waste Operator Franchises

**Amount of Funding:**  
REVENUE

**FIN Budget:**

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

**SPECIFIC EXPLANATION:**

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

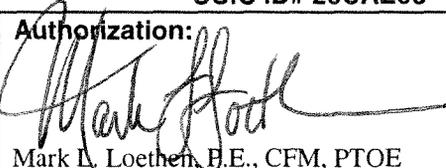
1. Texas Environmental Control, Inc.
- ~~2. CE Environmental Vacuum Service, Inc~~
3. FPF Demolition, LLC DBA Fernandez & Sons
4. AmeriWaste Services, LLC
5. Twister Waste, Inc.

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

The Pay or Play Program does not apply to the solid waste franchises.

**REQUIRED AUTHORIZATION**

Finance Director:

<b>SUBJECT:</b> A motion to amend the public hearing dates for BAE Systems Resolution Corporation, Inc., and FPA/PinPoint Mykawa, LLC, to consider a Municipal Setting Designation.		<b>Page</b> 1 of 1	<b>Agenda Item</b> # 52
<b>FROM (Department or other point of origin):</b>  Department of Public Works and Engineering		<b>Origination Date</b>  6/28/10	<b>Agenda Date</b>  JUN 30 2010
<b>DIRECTOR'S SIGNATURE:</b>  Michael S. Marcotte, P.E., D.WRE, BCEE, Director		<b>Council District affected:</b> D and H 	
<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> 5/19/2010 – 2010-303 6/16/2010 – 2010-392	
<b>RECOMMENDATION: (Summary)</b> Amend Motion #2010-303 and #2010-392, which set public hearing dates to consider adopting Municipal Setting Designation Ordinances for FPA/PINPOINT MYKAWA, LLC and BAE SYSTEMS RESOLUTION CORPORATION, INC. to reflect the published hearing date.			
<b>Amount and Source of Funding:</b> N/A			
<b>BACKGROUND:</b> Council passed a motion on May 19, 2010 to set a public hearing date to consider a Municipal Setting Designation (MSD) for BAE Systems Resolution Corporation, Inc. (MSD #2010-026-FSS) In addition, Council passed another motion on June 16, 2010 to set a public hearing date to consider an MSD for FPA/PinPoint Mykawa, LLC. (MSD #2009-020-GMI).  The Department of Public Works and Engineering recommends to amend the public hearing dates so that on the previously scheduled public hearing date of July 14, 2010, Council holds a public hearing for FPA/PinPoint Mykawa, LLC, and on the previously scheduled public hearing date of August 4, 2010, Council holds a public hearing for BAE Systems Resolution Corporation, Inc.  This change is a result of an incorrect publication in the Houston Chronicle and this adjustment will allow for compliance with the statute. City ordinance requires City Council to hold a public hearing before adopting a Municipal Setting Designation (MSD) ordinance, and to provide a 30 day notice in a newspaper of general circulation. (Ch. 47 Art. XIII)			
MSM:MLL:CEH P:\PLANNING BRANCH\MSD\DATABASE\GENERIC RCA - PUBLIC HEARING.DOC C: Marty Stein, Ceil Price			
<b>REQUIRED AUTHORIZATION</b>		<b>CUIC ID# 20CAE96</b>	
<b>Finance Department:</b>	<b>Authorization:</b>  Mark L. Loethen, P.E., CFM, PTOE Acting Deputy Director Planning & Development Services Division	<b>Other Authorization:</b>	

**REQUEST FOR COUNCIL ACTION**

**TO:** Mayor via City Secretary

**Subject:** Ordinance approving contract with eCivis for grants technology services.

Category #

Page 1 of 1

Agenda Item

53 #2

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

Darrin Hall, Director  
Mayor's Office of Intergovernmental Relations

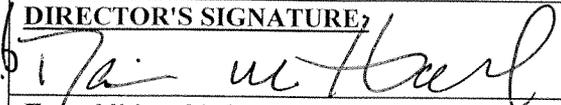
**Origination Date:**

May 28, 2010

**Agenda Date**

~~JUN 29 2010~~  
JUN 30 2010

**DIRECTOR'S SIGNATURE:**



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

**For additional information contact:** Bren Gorman, Grants Coordinator  
Intergovernmental Relations  
Phone: (832) 393-0871

**Date and Identification of prior authorizing Council Action:** Aug 1, 2007  
Ord. No. 2007-877

**RECOMMENDATION: (Summary):**

Adopt ordinance approving contract with eCivis for grant research, tracking and reporting services.

**Amount and Source of Funding:**

Maximum Contract amount (3 years) \$201,450 - General Fund (1000)  
(FY 2011 \$67,150)

**Finance Budget:**

**SPECIFIC EXPLANATION:**

eCivis is a California-based company that provides online grant research and management tools for government and nonprofit organizations. These tools include federal, state and foundation grants research, grant personnel skill development and training, and functionality to enhance compliance and transparency in reporting. eCivis manages over \$1 billion in grant funds for nonprofits and large governmental entities including Los Angeles, Chicago, Houston, Raleigh, and El Paso, and counties such as Loudoun, VA, San Diego, CA, and Orange, FL.

The City has contracted with eCivis since 2005. Through negotiations with the vendor the annual fee has been reduced from the current amount of \$80,000 to \$67,150. The proposed contract has a three year term with two consecutive one-year renewal options and a maximum contract amount of \$201,450 for the initial three year term.

The City of Houston currently uses the "Grants Network: Research 2.0" (GN:R) and "Grants Network: Tracking and Reporting 2.0" (GN: TR) eCivis services. GN:R is a searchable web-based database of 15,000+ federal, state and foundation grant opportunities representing over 40,000 hours of grant research. Fully 95 percent of current City of Houston users surveyed reported a time savings using GN:R versus their previous grant research methods. The research module GN:R also provides expert analysis and summary of grants program information (sometimes hundreds of pages) into original four to six page summaries of need-to-know information. These summaries give city departments the facts they need to decide whether grants are appropriate for their projects. The service also includes search agent email alerts that can be customized to be sent out on a daily or weekly basis, as well as routing and reporting tools that make it easier for users to do their jobs and collaborate. Benefits of GN:TR are that it creates a central library and archive for project documents that can be easily accessed, which is critically important for multi-year grants and can lower audit expenses. This service also helps to track deadlines and project milestones, capture important reporting elements and generate detailed reports across grants and departments. Surveyed users indicate that GN:TR is intuitive and easy to use and also helps to meet reporting deadlines. Increasingly grant funding opportunities, application processes and required reporting are conducted online; up-to-date funding and compliance information is crucial to successfully acquire and manage grants.

The proposed contract will provide the City with an eCivis Client Service Associate assigned to the account who performs onsite training once a year on best practices, instruction on how to use GN:R and GN:TR, and assistance in setting grant goals and evaluating performance. Currently the City has 370 users in the system, representing 24 City departments. The top five departments with the highest usage are Parks and Recreation, Health and Human Services, Police, Fire and the Mayor's Office, however usage by other Department grant managers and writers is growing. A survey of current users revealed an interest in higher level eCivis training that will be available under the new contract.

**REQUIRED AUTHORIZATION**

Finance Director:

Other Authorization:

Other Authorization:

**REQUEST FOR COUNCIL ACTION**

**TO:** Mayor via City Secretary

RCA# 8642

**Subject:** Approve an Ordinance Awarding a Contract to the Best Respondent for Parking Operations and Management Services for the Convention & Entertainment Facilities Department. S10-T23535

Category #  
4

Page 1 of 2

Agenda Item

154 / 13

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

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

**Origination Date**

June 09, 2010

**Agenda Date**

JUN 30 2010  
~~JUN 29 2010~~

**DIRECTOR'S SIGNATURE**

*Calvin D. Wells*

**Council District(s) affected**

D, H, I

**For additional information contact:**

Stephen Lewis Phone: (713) 853-8888  
Douglas Moore Phone: (832) 393-8724

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

**RECOMMENDATION: (Summary)**

Approve an ordinance awarding a contract to Republic Parking System, Inc., in an amount not to exceed \$11,929,380.00 for parking operations and management services for the Convention & Entertainment Facilities Department.

Maximum Contract Amount: \$11,929,380.00

**Finance Budget**

\$11,929,380.00 - Civic Center Facility Revenue Fund (8601)  
(Estimated operating cost & fees will be offset by operating revenue.)

**SPECIFIC EXPLANATION:**

The City Purchasing Agent recommends that City Council approve an ordinance awarding a three-year contract, with two one-year options to Republic Parking System, Inc., in the amount not to exceed \$11,929,380.00 for parking operations and management services for the Convention & Entertainment Facilities Department (CEF). The City Purchasing Agent or Director of CEF may terminate this contract at any time upon 30-days written notice to the contractor.

As a revenue contract, the operating expenses with a fixed management fee and a performance incentive fee will all be offset by revenues generated by the managed parking facilities--with the balance retained by CEF. The performance incentive fee is to be paid semi-annually, based upon CEF evaluation of contractor's performance.

Under this contract, the contractor shall be required to operate and manage City parking systems, 24 hours a day and 365 days a year at various locations for CEF. The scope of work requires the contractor to provide all labor, materials, equipment, personnel, supervision, and incidentals necessary to manage and operate parking systems at the George R. Brown Convention Center, Houston Center for the Arts, Lots C and H, and Houston Police Department parking lot, Convention District Garage, and the Theatre District Garage.

This Request for Proposal (RFP) was advertised in accordance with the requirements of the State of Texas bid laws. Seventy-nine prospective bidders downloaded the solicitation document from SPD's e-bidding website, and as a result, proposals were received from Republic Parking System, Inc., Standard Parking, Ace Parking Management, Inc., Ampco System Parking, Central Parking, and Laz Parking. The evaluation committee was comprised of expert staff from the management of CEF, Downtown District, Houston Airport System, Houston Parking Commission, and Crescent Real Estate Equities, LLC. The proposals were evaluated based upon the following criteria:

**REQUIRED AUTHORIZATION**

Finance Department:

Other Authorization:

Other Authorization:

NOT

Date: 6/9/2010	Subject: Approve an Ordinance Awarding a Contract to the Best Respondent for Parking Operations and Management Services for the Convention & Entertainment Facilities Department. S10-T23535	Originator's Initials GB	Page 2 of 2
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- A. Financial Return to the City / Management Fees
- B. Number of Years in Business with Comparable Facilities Experience of Proposer
- C. Financial Stability
- D. Qualifications of Management
- E. Customer Service Plan / Marketing
- F. Operation Plan
- G. Cleaning Plan
- H. M/WBE Participation

Republic Parking System, Inc., received the highest overall score.

M/WBE Subcontracting:

This RFP was issued with a 15% goal for M/WBE participation. Republic Parking System, Inc., has designated the below-named company as its certified M/WBE subcontractor:

NAME	TYPE OF WORK	DOLLAR AMOUNT	PERCENTAGE
Access Data Supply, Inc.	Maintenance Service	\$ 1,789,407.00	15%

The Affirmative Action Division will monitor this award

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.

Buyer: Greg Hubbard

Estimated Spending Authority:

DEPARTMENT	FY11	OUT YEARS	TOTAL
CEF	\$ 2,316,775.76	\$ 9,612,604.24	\$ 11,929,380.00

<b>SUBJECT:</b> Third Amendment to the Contract for Operation and Maintenance Services for the Kingwood Area Water and Wastewater Utilities and Facilities.		<b>Category</b>	<b>Page</b> 1 of 2	<b>Agenda Item</b> # 5579
<b>FROM (Department or other point of origin):</b> Department of Public Works and Engineering		<b>Origination Date</b>	<b>Agenda Date</b> JUN 30 2010	
<b>DIRECTOR'S SIGNATURE:</b> <i>Michael S. Marcotte</i> Michael S. Marcotte, P.E., D.WRE, BCEE		<b>Council District affected:</b> E		
<b>For additional information contact:</b> Jun Chang, P.E., D.WRE, Deputy Director, 832-395-2464		<b>Date and identification of prior authorizing Council action:</b> Ordinance No. 2002-91, 02/13/02 Ordinance No. 2007-175, 02/07/07 Ordinance No. 2009-1024, 10/21/09		
<b>RECOMMENDATION: (Summary)</b> Adopt an Ordinance approving a third amendment to the contract with Severn Trent Environmental Services, Inc. to extend the contract term and approve the related allocation of funds.				
<b>Amount and Source of Funding:</b> \$1,000,000.00 from the Water and Sewer System Operating Fund No. 8300. (\$500,000.00 allocating in FY10 and \$500,000.00 allocating in FY11). [Original (previous) allocations of \$13,729,364.00 from the Water and Sewer System Operating Fund No. 701. Subsequent additional allocation of \$12,198,282.00 from the Water and Sewer System Operating Fund No. 8300. Subsequent additional allocation of \$5,000,000.00 from the Water and Sewer System Operating Fund No. 8300].				
<b>PROJECT NOTICE/JUSTIFICATION:</b> The Kingwood area includes Kingwood, Forest Cove, MUD No. 48, and MUD No. 58 Service Areas. The service provider of the existing Contract, which will expire on 06/30/10, provides services to operate and maintain Kingwood area water and wastewater utilities and facilities. This amendment will allocate the related funds and extend the term of the contract for an additional thirty-one (31) days until a new contract is awarded.				
<b>DESCRIPTION/SCOPE:</b> The services include, but are not limited to, the following: <ul style="list-style-type: none"> <li>• Operation of all facilities in compliance with applicable permits, laws, regulations, and ordinances;</li> <li>• Administrative and technical support to ensure efficient operation of various facilities;</li> <li>• Inspection of facilities and equipment;</li> <li>• Submittal of annual reports on recommended capital expenditures;</li> <li>• Provisions and installation of computerized maintenance management system;</li> <li>• Preparation of monthly operating reports for these facilities;</li> <li>• Provision and maintenance of an inventory of chemicals, fuels, parts, and supplies to maintain equipment in accordance with manufacturers recommendations;</li> <li>• Consultation with City personnel for the preventive and corrective maintenance schedules</li> <li>• Maintenance of landscape for these facilities; and</li> <li>• Respond to the inquiries and service request of all concerned parties.</li> </ul>				
The Basic Services are the routine operation and maintenance contract deliverables and are compensated in accordance with the bid proposal submitted by the service provider. Additional Services are other non-routine and emergency items provided by the service provider on an as needed basis, and are reimbursed based on time and materials.				
<b>LOCATION:</b> These utilities and facilities are located within the Kingwood, Forest Cove, MUD No. 48, and MUD No. 58 Service Areas.				
<b>REQUIRED AUTHORIZATION</b>				
Finance Department		CUIC ID # 20AJM234 NDT		
<b>Other Authorization:</b> <i>D. Vance Milligan</i> 6/19/10		<b>Other Authorization:</b> <i>Jun Chang</i> Jun Chang, P.E., D.WRE, Deputy Director, Public Utilities Division		

**PREVIOUS HISTORY AND SCOPE:** City Council approved the original contract on 02/13/02, approved by Ordinance Number 2002-91. Under this Contract, the service provider delivered the Basic and Additional Services required to operate and maintain the Kingwood area water and wastewater utilities and facilities for a five-year period. Over the past five years, the City has allocated the maximum contract amount of \$13,729,364.00.

City Council approved an amendment to the original contract on 02/07/07, approved by Ordinance Number 2007-175. The amendment extended the contract term for an additional three years, ending on 02/18/10 and requested an additional \$12,198,282.00 in supplemental allocations. The previously allocated amount of \$13,729,364.00, in addition to the \$12,198,282.00 in supplemental allocations, increased the maximum contract amount to \$25,927,646.00.

City Council approved a second contract amendment on 10/21/09, approved by Ordinance Number 2009-1024. The amendment extended the contract time by an additional one hundred thirty-two (132) days. The amendment also allocated an additional \$5,000,000.00 and increased the maximum contract value to \$30,927,646.00.

The total of the requested allocation is \$1,000,000.00. The additional funds are needed to complete the additional proposed services until a new contract is finalized.

**SCOPE OF THIS AMENDMENT AND FEE:** The requested additional allocation will allow the Service Provider to operate and maintain the Kingwood area utilities and facilities with optimum efficiencies, protecting the public health and the City's assets. A new contract to service the Kingwood area is being finalized. To ensure that service in the Kingwood area is not interrupted before a new contract is approved, this amendment will extend the contract term of the existing contract to July 31, 2010.

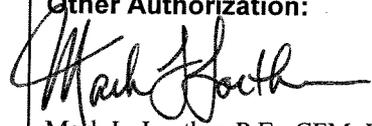
**M/WBE PARTICIPATION:** The M/WBE goal established for this contract is 15%. The original Contract and subsequent additional allocations totals \$30,927,646.00. The service provider has been paid \$28,781,714.00 to date. Of this amount, \$4,080,735.00 (14.18%) has been paid to M/WBE sub-consultants to date. Assuming approval of the requested additional allocation, the total contract amount will increase to \$31,927,646.00. It is expected that additional MWBE services will be provided to meet the goal on the additional contract amount.

Name of Firms	Work Description	Amount	% of Contract
1. Prior M/WBE Work		\$4,080,735.00	12.78%
2. Automation Nation, Inc.	Electrical	\$30,000.00	0.09%
3. TJMT Services	Landscaping	\$185,000.00	0.58%
4. Busby Environmental Services, Inc.	Laboratory Services	\$75,000.00	0.23%
5. Escalante Construction, Inc.	General Construction and maintenance	\$185,000.00	0.58%
6. Magna-Flow Environmental	Sludge Hauling and Disposal	\$185,000.00	0.58%
7. Macaulay Controls Company	Electrical	\$48,411.90	0.15%
	TOTAL	\$ 4,789,146.90	15.00%

MSM:JC:AJM:OS:SM:TC:tc  
cc: Marty Stein  
Carl Smitha, P.E.  
Velma Laws  
Craig Foster  
Ruth Gonzales  
File No. WW4814-1

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

<b>SUBJECT:</b> Interlocal Agreement between the City of Houston and the Geotechnology Research Institute for professional consulting services M-000100-0009-3.		Page 1 of 1	Agenda Item 5624
<b>FROM (Department or other point of origin):</b> Department of Public Works and Engineering		<b>Origination Date</b>	<b>Agenda Date</b> <del>JUN 23 2010</del> JUN 30 2010
<b>DIRECTOR'S SIGNATURE:</b>  Michael S. Marcotte, P.E., D.WRE, BCEE, Director		<b>Council District affected:</b> All <i>CD 21</i>	
<b>For additional information contact:</b> Carol Ellinger Haddock, P.E. <i>CEH</i> (713) 837-7658		<b>Date and identification of prior authorizing Council action:</b>	
<b>RECOMMENDATION: (Summary)</b> It is recommended that City Council adopt an ordinance approving an Interlocal Agreement between the City of Houston and the Geotechnology Research Institute and appropriate funds.			
<b>Amount and Source of Funding:</b> \$50,000 from Drainage Improvement Commercial Paper Series F, Fund No. 4030. <i>M.R. 5/27/10</i>			
<b>BACKGROUND:</b> The Geotechnology Research Institute (GTRI) is a 501(c)(3) not-for-profit organization based in The Woodlands, Texas dedicated to improving human and ecosystem well-being through the application of sustainability science and principles of sustainable development. GTRI's mission is to move knowledge to action to improve human well-being and the environment.			
<b>SCOPE OF AGREEMENT:</b> This Interlocal Agreement will allow the Geotechnology Research Institute to perform professional consulting services for a sustainable infrastructure program within the Department of Public Works and Engineering. In consideration of the payments specified in the Agreement, GTRI will provide all labor, material, and supervision necessary to perform "Sustainable Infrastructure and Public Works Initiatives", which includes but is not limited to the following:  <ol style="list-style-type: none"> <li>1) Assist in the development of policies and programs that encourage the design and construction of infrastructure and public works that mitigate any degradation to the environment,</li> <li>2) Analysis of City infrastructure and public works for combined heating and power opportunities,</li> <li>3) Analysis of City infrastructure and public works for energy efficiency opportunities,</li> <li>4) Analysis of large City infrastructure technology opportunities,</li> <li>5) Analysis for City infrastructure and public works for water use reduction opportunities and suggested building code revisions,</li> <li>6) Assist in the development of stormwater detention policies and projects and,</li> <li>7) Assist in the development of green waste handling policies and projects.</li> </ol> <p>This Interlocal Agreement will provide the Public Works and Engineering Department the ability to access alternative funding sources and implement innovative programs. The total allocation for the contract, agreement or other undertaking approved and authorized hereby shall never exceed \$50,000. Any projects using these funds will be subject to Council approval in subsequent actions.</p>			
MSM:MLL:CEH:RCH			
<b>REQUIRED AUTHORIZATION</b>		<b>CUIC ID# 20CAE85</b>	
<b>Finance Department:</b> 	<b>Other Authorization:</b>	<b>Other Authorization:</b>  Mark L. Loethen P.E., CFM, PTOE Acting Deputy Director Planning and Development Services Division	

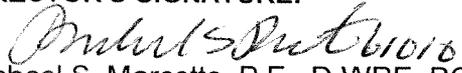
**SUBJECT:** Additional Appropriation to Professional Engineering Services Contract between the City and Nathelyne A. Kennedy & Associates, Incorporated for the design of Broadway Street from IH 45 to Airport Boulevard  
WBS No. N-000573-0001-3

Page 1 of 2  
Agenda Item # 57/29

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

**Origination Date**

**Agenda Date**  
~~JUN 23 2010~~

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

**Council District affected:** JUN 30 2010  
JK [Signature]

**For additional information contact:**  
  
Ravi Kaleyatodi, P.E., C.P.M. Phone: (832) 395-2326  
Senior Assistant Director

**Date and identification of prior authorizing Council action:**  
Ordinance No. 2006-0201; Date: 03/01/06

**RECOMMENDATION: (Summary)**

Approve an Ordinance appropriating additional funds for Professional Engineering Services Contract with Nathelyne A. Kennedy & Associates, Incorporated.

**Amount and Source of Funding:**

\$1,563,164.75 from the Street and Bridge Consolidated Construction Fund No. 4506. *M.F. 6/9/10*  
Original (previous) appropriation of \$314,447.00 from Street and Bridge Consolidated Construction Fund No. 437.

**PROJECT NOTICE/JUSTIFICATION:** This project is part of the Street & Traffic Capital Improvement project (CIP) and is necessary to meet City of Houston standards and improve traffic.

**DESCRIPTION/SCOPE:** This project consists of the reconstruction of dual 24-foot wide concrete roadways with raised medians, curbs, sidewalks, street lights and necessary underground utilities.

**LOCATION:** The project area is generally bounded by IH 45 (Gulf Freeway) on the north and Airport Boulevard on the south. This project is located on Key Map grids 535 P, T & X and 575 B.

**PREVIOUS HISTORY AND SCOPE:** City Council approved the original Contract on March 1, 2006 by Ordinance No. 2006-0201. The scope of services under the contract included the Phase I - Preliminary Design services and an Environmental Assessment. The fees for Phase II - Final Design and Phase III - Construction Phase Services are to be negotiated after the completion of the Phase I services. Under this contract, the Consultant has completed limited Preliminary Engineering (Phase I Basic Services) and the Draft Environmental Assessment for potential federal funding consideration for project construction. The Environmental Assessment will be finalized upon obtaining federal funding approval.

**SCOPE OF CONTRACT AND FEE:** Additional funds are necessary to complete the Basic and Additional Services for Phase II - Final Design and Phase III - Construction Phase Services for Broadway Boulevard, which were not previously appropriated. The Basic Services fee for Phase II and Phase III was negotiated on a lump sum amount after the completion of Phase I. The negotiated maximum fees for Phase II and Phase III Basic Services are \$749,357.29. The total Basic Services additional appropriation is \$749,357.29.

**REQUIRED AUTHORIZATION** CUIC ID #20JFM14 *MDT*

**Finance Department:**

**Other Authorization:**

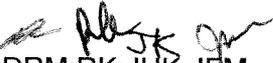
**Other Authorization:**  
  
Daniel R. Menendez, P.E., Deputy Director  
Engineering and Construction Division

The Contract also includes certain Additional Services to be paid either as lump sum or on a reimbursable basis. These Additional Services include Right of Way, Topographic Survey, Traffic Control Plans, Storm Water Pollution Prevention Plans, Environmental Site Assessment II, Geotechnical Investigation, Street Lighting Plans, additional TxDOT design requirement (optional), Tree Protection and Reproduction. The total Additional Services appropriation is \$553,280.00.

The total requested appropriation is \$1,563,164.75 to be appropriated as follows: \$1,302,637.29 for contract services and \$260,527.46 for project management.

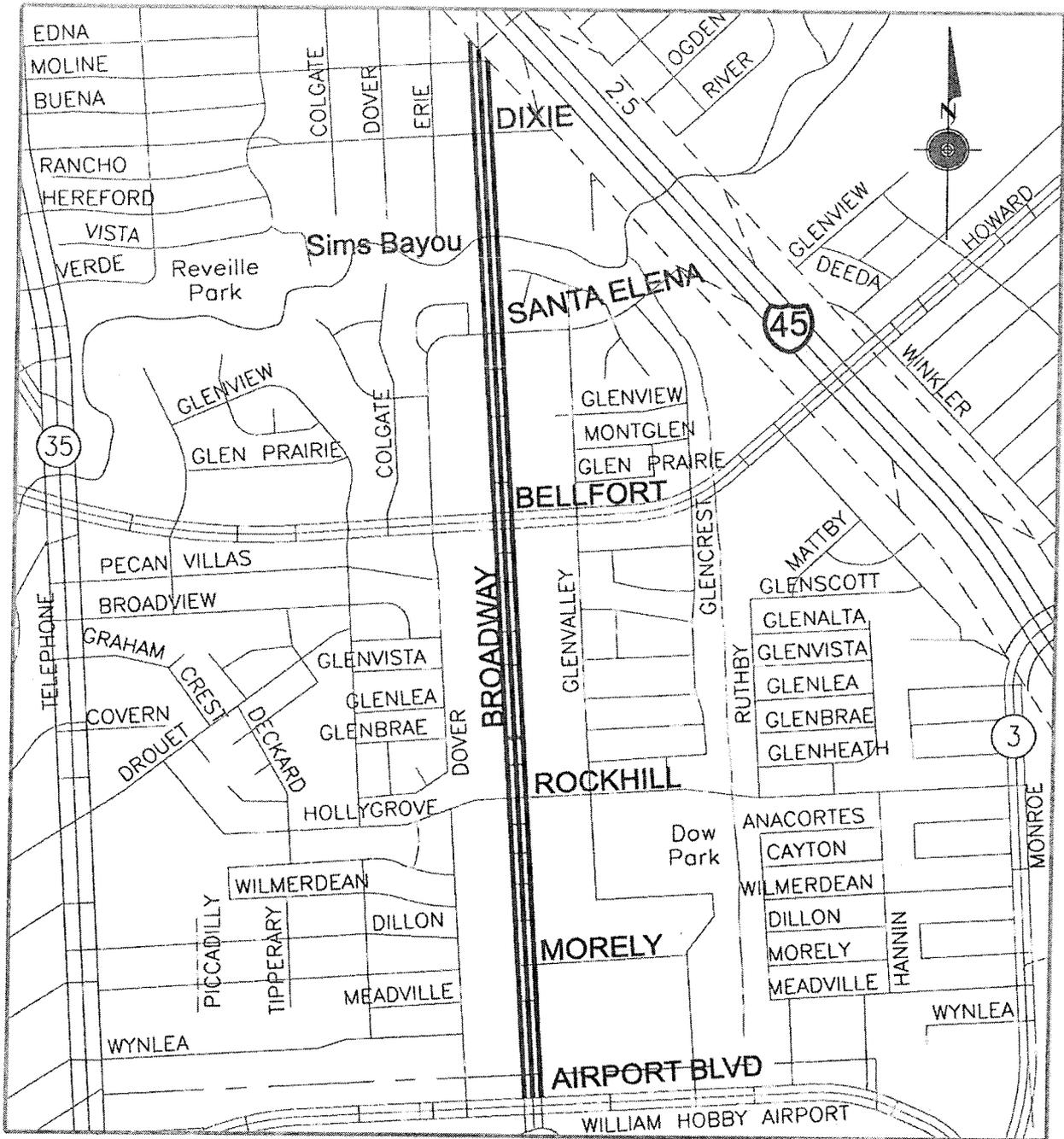
**M/WBE INFORMATION:** The M/WBE goal for the project is set at 24 %. The original Contract amount was approved by Ordinance Number 2006-0201 on March 1, 2006 totals \$285,861.00. The consultant has been paid \$197,205.26 (68.99%) to date. Of this amount, \$37,556.74 (19.04%) has been paid to M/WBE sub-consultants to date. Assuming the approval of this requested additional appropriation, the Contract amount will be increased to \$1,588,498.29. 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 Total Contract</u>
1. Previous M/WBE Work		\$ 37,556.74	2.36%
2. HVJ Associates, Inc.	Geotechnical	\$ 33,422.00	2.10%
3. Amani Engineering, Inc.	Traffic Control Plans & SWPPP	\$ 77,714.00	4.89%
4. Landtech Consultants, Inc.	Topographic Surveying & Controls	\$ 89,370.00	5.63%
5. Tedsy Infrastructure Group	Street Lighting, Traffic Signals Warrant Study, Fiber Optics	\$132,242.00	8.32%
6. B&E Reprographics, Inc.	Reproduction	\$ 12,000.00	0.76%
<b>TOTAL</b>		<b>\$382,304.74</b>	<b>24.06%</b>

  
MSM:DRM:RK:JHK:JFM:aj

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- c: Marty Stein  
 Velma Laws  
 Susan Bandy  
 Mike Pezeshki, P.E.  
 Craig Foster  
 WBS No. N-000573-0001-3 (1.2 DSGN RCA Contract Additional Appropriation)



VICINITY MAP

NTS

COUNCIL DISTRICT I  
 KEY MAP 535 P, T, X & 575 B  
 GIMS MAP# 5653 A, C & 5654 A, C

BROADWAY RECONSTRUCTION: IH-45 TO AIRPORT BLVD.  
 WBS NO. N-000573-0001-3

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Ordinance increasing the maximum contract amount to Professional Services Contract with Ron Smith & Associates, Inc. to provide management services to the Houston Police Department (HPD) Latent Print Processing / Comparison Unit.

Page 1 of 2  
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Agenda-Item # 37#

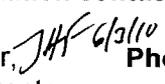
FROM: (Department or other point of origin):  
Houston Police Department

Origination Date:  
June 7, 2010

Agenda Date:  
~~JUN 10 2010~~

DIRECTOR'S SIGNATURE:  
  
Charles A. McClelland, Jr., Chief of Police

Council District affected:  
All  
~~JUN 10 2010~~  
JUN 30 2010

For additional information contact:  
Joseph A. Fenninger,  6/3/10  
CFO and Deputy Director Phone: 713-308-1770

Date and identification of prior authorizing Council action: Ordinance 2008-1233, 12/30/08; Motion 2009-0892, 12/09/09; Ordinance 2009-1359, 12/16/09.

RECOMMENDATION: (Summary) Adopt an ordinance to increase the maximum contract amount to the Agreement for Latent Print Support Services with Ron Smith & Associates, Inc. for HPD.

Additional allocation amount and Source of Funding: \$2,332,000 – General Fund No. 1000  
Maximum contract amount: \$5,234,037:

Specific Explanation:

In December of 2008, City Council approved a two-year contract with Ron Smith & Associates, Inc. to provide a technical audit of the Latent Print Processing / Comparison Unit along with other units of HPD's Identification Division. The contractor's findings confirmed that, in order to improve effectiveness and efficiency along with eliminating a growing backlog of cases, the Latent Print Processing / Comparison Unit had to be substantially overhauled. Because HPD did not have the internal expertise or capacity to perform this exercise, and having already gone through the vetting process of choosing the most experienced and qualified forensics firm to perform the audit, in December of 2009 HPD recommended and City Council approved a first amendment to the contract with Ron Smith & Associates, Inc. The contract amendment increased the maximum contract amount to \$2,902,037, allocated additional funding of \$2.33 million for FY10, and extended the contract term to December 31, 2012 plus two additional option years. The new deliverables included, but were not limited to, an assessment of the operations of all aspects of the Latent Print Processing / Comparison Unit, reanalysis and rework of violent crime cases, processing of backlog cases, continued management of daily operations, and the production of appropriate manuals and reports.

HPD has expended \$1,849,147 as of May 21, 2010 on the contract. While providing day-to-day coverage of the Latent Print Unit, the contractor has completed the initial screening of 4,300 violent crime cases from 2004-2009, of which 2,655 cases require additional work. Further, the contractor has conducted an initial screening of 6,000 backlog cases (from 2008-2009), was able to reduce the number to 4,718 and has begun the work of processing them.

To fund the continuing work of the contract through June 30, 2011 (FY11), HPD recommends that City Council approve an additional increase in the amount of \$2,332,000, raising the maximum contract value to \$5,234,037. The increase will cover the costs of the continued day-to-day operations of the unit through June 30, 2011 and completion of the reanalysis and backlog work, which is expected by December 31, 2010. The additional allocation of funds is included in HPD's FY11 budget submission and will be appropriated along with the FY11 General Fund appropriation. If required, a request for an additional FY12 allocation will be brought forward at the end of FY11 when the amount can be better estimated.

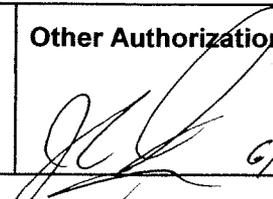
REQUIRED AUTHORIZATION

10TNO003F

Finance:

Other Authorization:

Other Authorization:

 6/3/10

MT

<b>Date</b>	<b>Subject:</b> Ordinance increasing the maximum contract amount to Professional Services Contract with Ron Smith & Associates, Inc. to provide management services to the Houston Police Department (HPD) Latent Print Processing / Comparison Unit.	<b>Originator's Initials</b>	<b>Page 2 of 2</b>
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HPD will continue its work to reorganize the Latent Print Processing / Comparison Unit to operate independently of contractors. Negotiations continue with the Majority Bargaining Agent through the Meet and Confer Process to determine how best to staff and manage the unit, either through the use of Classified employees, Non-Classified employees, or a mix of the two.

# CITY OF HOUSTON

INTER OFFICE CORRESPONDENCE

TO: Marty Stein  
Agenda Director

FROM: Charles A. McClelland, Jr.  
Chief of Police

DATE: June 7, 2010

SUBJECT: **Request for Council Action, Re:  
Additional Allocation/Increase to Ron  
Smith & Associates, Inc. Contract**

The Houston Police Department is seeking City Council's approval for an increase in the maximum contract amount with Ron Smith & Associates, Inc. for management services related to the Latent Print Unit. The contractor has provided these direct management services since December 2009. As of May 21, 2010, the department has expended \$1,849,147 on the contract. While providing day-to-day coverage of the Latent Print Unit, the contractor has completed the initial screening of 4,300 violent crime cases from 2004-2009, of which 2,655 cases require additional work. Further, the contractor has processed 1,282 cases of the 6,000 case backlog (from 2008-2009), and is currently in the process of analyzing the remainder.

To fund continuing work of the contract through June 30, 2011 (FY-11), the Houston Police Department recommends City Council approve an additional increase in the amount of \$2,332,000, raising the maximum contract value to \$5,234,037. The increase will cover costs of the continued day-to-day operations of the unit through June 30, 2011, and completion of the reanalysis and backlog work, which is expected by December 31, 2010. The additional allocation of funds is included in the Houston Police Department's FY-11 budget submission and will be appropriated along with the FY-11 General Fund appropriation. If required, a request for an additional FY-12 allocation will be brought forward at the end of FY-11 when the amount can be better estimated.

Executive Assistant Chief T. N. Oettmeier presented the request to the May 25, 2010, meeting of the Public Safety Committee. Accordingly, a quorum was not present; therefore, no vote was taken by the Committee whether to recommend approval of the action by the full City Council.

I am requesting the Request for Council Action be placed in the City Council Agenda as soon as possible. For your convenience, a copy of the Request for Council Action is attached.

Your assistance in this matter is appreciated.

  
Charles A. McClelland, Jr.  
Chief of Police

cam:gdn:gam  
Attachment

COP # 10-36525

**SUBJECT:** Ordinance establishing a Water and Wastewater Service Multi-Family Rent Restricted Conservation Program Rebate

Category #	Page of	Agenda Item#
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**FROM (Department or other point of origin):**  
Department of Public Works and Engineering

**Origination Date:** 6-11-10  
**Agenda Date:** JUN 16 2010

**DIRECTOR'S SIGNATURE:**  
*[Signature]*

**Council District Affected:** All  
JUN 30 2010

**For additional information contact:**  
Susan Bandy Phone: 832-395-2468

**Date and identification of prior authorizing Council action:**  
Ordinance 2010-305, April 21, 2010

**RECOMMENDATION: (Summary)**

Adopt ordinance establishing a Water and Wastewater Service Multi-Family Rent Restricted Conservation Program Rebate

**Amount of Funding: No funding at this time**  
(\$5,000,000 from CUS Operating Fund (8300) to be appropriated with each budget for FY2011 and FY2012.)

**Finance Budget:**

**Source of Funding:**  General Fund  Grant Fund  Enterprise Fund  Other (Specify)

**SPECIFIC EXPLANATION:**

Council adopted a new water and sewer rate structure on April 21, 2010, designed to produce revenue sufficient to cover the City's cost of providing service. Ordinance 2010-305 provides that the Department of Public Works and Engineering will create a two part Multi-Family water conservation incentive program. The two parts of this program are: 1) a two-year program for rent-restricted multi-family units (\$5 million annually), and; 2) a two or three year program for other multi-family complexes (\$10 million annually). City staff is working with the Houston Apartment Association to finalize the second program, which will be brought to Council at a later date.

The rates for multi-family complexes increased effective June 1, 2010. The objective of the proposed conservation program is to encourage rent-restricted apartment managers to work with their tenants to reduce water consumption through conservation education, and to encourage rent restricted complexes to implement conservation programs, thus saving water and reducing their water bills. City staff met with an official of the U.S. Department of Housing and Urban Development (HUD) and received verbal support for the conservation program. We will continue to work with HUD to help ensure that the program is successful.

The following outlines the Rent Restricted ("RR") Multi-family Conservation Rebate Program, with estimated annual funding of \$5,000,000 for two years.

- YEAR 1:** To receive the rebate in FY2011, a Complex owner:
- 1) must apply to CUS Utility Customer Service Division to qualify;
  - 2) provide documentation of participation in a state or federal inspection program, and;
  - 3) coordinate a water conservation education program for tenants

The proposed rebate factor in FY2011 of 13.53% reduces the effective rate increase from 30.1% to 12.50%.

- YEAR 2:** To continue to receive a rebate in FY2012, a Rent Restricted Complex owner:
- 1) is required to demonstrate water conservation after the first year of a minimum of 5%.
  - 2) If a qualifying customer fails to meet a minimum of 5% incentive goal, the qualifying customer may regain the rebate prospectively only if the customer meets a conservation goal for the first six month period

The proposed rebate factor in FY2012 of 6.97% reduces the effective rate increase from 30.1% to 21.03%.

**REQUIRED AUTHORIZATION CUIC: #20SB25**

<b>Finance Director:</b>	<b>Other Authorization:</b>	<b>Other Authorization:</b>
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City of Houston, Texas, Ordinance No. 2010-\_\_\_\_\_

**ORDINANCE RELATING TO A WATER CONSERVATION INCENTIVE PROGRAM FOR RENT RESTRICTED APARTMENT UNITS; CONTAINING PROVISIONS RELATED TO THE SUBJECT; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.**

\* \* \* \*

**WHEREAS**, the City of Houston (the "City") amended Chapter 47 of the Code of Ordinances of Houston, Texas ("Chapter 47") on April 20, 2010 in Ordinance No. 2010-305 to adjust rates for the City's combined utility system (the "System") in accordance with applicable law;

**WHEREAS**, As part of a Capital Improvement Plan for the System with an annual cost of \$370 million in 2010 dollars, the City Council included Section 16 of Ordinance No. 2010-305, which authorized the City's Director of the Public Works and Engineering Department (the "Director") to create programs and incentives to be approved by City Council that result in water conservation;

**WHEREAS**, the conservation incentive programs will provide benefits to the System by decreasing waste of water, increasing the City's available water supply and ability to meet the demands of its citizens and contractual obligations;

**WHEREAS**, certain multifamily residential customers ("rent restricted customers") manage and provide housing to tenants under state and federal programs that limit the maximum allowable rent that the rent restricted customer can charge tenants,

**WHEREAS**, rent restricted customers cannot pass on water and wastewater utility rate increases to tenants, and are therefore uniquely affected by the rate increase;

**WHEREAS**, the tenants of rent restricted customers are not subject to the same monthly personal, financial pressure to conserve water but do risk losing their residence if rent restricted apartment units go into foreclosure;

**WHEREAS**, rent restricted customers need particular incentives and time to achieve conservation goals that provide demonstrable benefits to the System; **NOW, THEREFORE**,

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

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

**Section 2.** That City Council hereby approves and authorizes a Water Conservation Program for rent restricted apartment units as provided below:

A. Definitions:

Unless provided for elsewhere, definitions are the same as in Chapter 47, Articles I and II of the City of Houston Code of Ordinances.

“Conservation Program” means a program certified by the Director to conserve water provided by the System.

“Conservation period” means the six-month periods from either January through June or July through December during a City fiscal years 2011 and 2012 in which a qualified customer may be entitled to a Rebate.

“Fiscal Year 2010” means July 1, 2009 through June 30, 2010.

“Fiscal Year 2011” means July 1, 2010 through June 30, 2011.

“Fiscal Year 2012” means July 1, 2011 through June 30, 2012.

“Participating customer” means a person

- (a) directly and legally responsible for paying the City for water or wastewater utility service for a multifamily residential customer account covering more than 16 rent restricted apartment units;
- (b) who has no outstanding System utility bills or debts, as debt is defined by Section 15-122 of the Code of Ordinance, Houston, Texas; and
- (c) who participates in a Conservation Program provided for in Section 2.B of this Ordinance.

“Rent restricted apartment unit” means a single apartment unit in a multifamily residential rental property with a maximum monthly rent

- (a) established by law, deed restriction, or required by a state or federal agency, or by contract with the state or federal government,
- (b) that includes charges for water and wastewater utility services.

The Director may determine, in a uniform manner, whether a single apartment unit that has a maximum monthly rent established by a local deed restriction or contract with the City qualifies as a rent restricted apartment unit.

“System” means the City of Houston Combined Utility System and includes water and wastewater service provided by the City of Houston Public Works and Engineering Department.

B. Water Conservation Incentive Program for Rent Restricted Apartment Units. In order to qualify for a Rebate under Section 2.C, a participating customer must enroll to participate in one of the conservation programs described below:

(1) Conservation Education and Management: A Rebate under this type of Program shall only be available for conservation periods during Fiscal Year 2011. To satisfactorily participate in a Conservation Education and Management Program, a participating customer shall coordinate and document a City water conservation education program approved by the Director and provide documentation of satisfactory participation in a City, state, or federal water conservation inspection program; and

(2) Conservation Goal: A Rebate under this type of Program shall only be available for conservation periods during Fiscal Year 2012. To satisfactorily participate in a Conservation Goal Program, a participating customer shall provide all documentation required by the Director to show that the participating customer has reduced water consumption by more than 5% in a rent restricted apartment unit during a single conservation period as measured against water consumption for similar periods in Fiscal Year 2010.

A participating customer who fails to meet the requirements of the program in which the participating customer enrolls shall be barred from participating in either program for the subsequent conservation period. Participating customers cannot enroll in more than one program per conservation period.

C. Rebate. The Director shall provide participating customers a Rebate in the form of a credit to a participating customer's utility bill for the following month according to the terms of Sections 2.B(1) or 2.B(2) above, and subject to the limit of funding set out in Section 3 below. The Rebate shall be available to participating customers for no more than two conservation periods under Section 2.B(1) and two conservation periods under Section 2.B(2). A participating customer may receive a Rebate equal to the following calculation:

$$R = B * F * U$$

Where

R = Rebate

B = Participating Customer's total monthly utility bill (starting July 1, 2010)

F = Rebate Factor (F = .1353 in Fiscal Year 2011; F = .0697 in Fiscal Year 2012)

U = Total number of rent restricted units divided by total number of units in the participating customer's apartment complex (if more than 75% of a qualified customer's units are rent restricted units, the City shall count all units as rent restricted units).

D. Administration. The Director shall provide sufficient staff and establish and review procedures for implementation of the Water Conservation Incentive Program and the Rebate in accordance with the criteria set forth in this ordinance. Subject to the criteria set forth in this ordinance, the Director shall establish and publish all necessary administrative procedures including the promulgation of application forms and the designation of places where applications shall be received. To the extent that funding as described in Section 3 of this Ordinance is available, the Director shall disburse Rebates to participating customers who meet the respective Program requirements in Section 2.B based in the order in which the customers' completed applications are received. The Public Works and Engineering Department will be responsible for the accounting of funds and final disbursement of Rebates in accordance with the criteria set forth in this Ordinance.

**Section 3.** The total allocation for the Water Conservation Incentive Program for Rent Restricted Units shall never exceed a total of **\$5,000,000.00** in Fiscal Year 2011 and **\$5,000,000.00** in Fiscal Year 2012 unless and until this sum is increased by ordinance of City Council. The total allocation shall be contingent upon the appropriation of funds by City Council for such purpose in Fiscal Year 2011 and Fiscal Year 2012, respectively.

**Section 4.** In the event that a court or other authority of competent jurisdiction delays implementation of Ordinance Number 2010-305 or the Sections above, City Council authorizes the Director to take any necessary and incremental action to implement the Sections above, including a proportional reduction in the totals provide in Section 3 of this Ordinance and other measures consistent with the resulting effect on the System's budget.

**Section 5.** The City Council officially finds, determines, recites and declares that a sufficient written notice of the date, hour, place and subject of this meeting of the City Council was posted at a place convenient to the public at the City Hall of the City for the time required bylaw preceding this meeting, as required by Texas Government Code Chapter 551; and that this meeting has been open to the public as required by law at all times during which this ordinance and the subject matter thereof has been discussed, considered and formally acted upon. The City Council further ratifies, approves and confirms such written notice and the contents and posting thereof.

**Section 6.** If any provision, section, subsection, sentence, clause, or phrase of this ordinance, or the application of same to any person or set of circumstances, is for any reason held to be unconstitutional, void or invalid, the validity of the remaining

portions of this ordinance or their application to other persons or sets of circumstances shall not be affected thereby, it being the intent of the City Council in adopting this ordinance that no portion hereof or provision or regulation contained herein shall become inoperative or fail by reason of any unconstitutionality, voidness or invalidity of any other portion hereof, and all provisions of this ordinance are declared to be severable for that purpose.

**Section 7.** That all provisions of this Ordinance shall take effect immediately upon passage and approval of the Ordinance.

**Section 8.** That there exists a public emergency requiring that this Ordinance be passed finally on the date of its introduction as requested in writing by the Mayor; therefore, this Ordinance shall be passed finally on such date and shall take effect as provided in **Section 7** above.

**PASSED AND APPROVED** this \_\_\_\_ day of \_\_\_\_\_, 2010.

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

Prepared by Legal Dept.  
JSW/alc: 06/04/2010

  
\_\_\_\_\_  
Sr. Assistant City Attorney

Requested by Michael S. Marcotte, P.E., Director, Department of Public Works & Engineering  
L.D. File No. 0801000082001

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