

**AGENDA - COUNCIL MEETING - TUESDAY - NOVEMBER 16, 2010 - 1:30 P. M.**  
**COUNCIL CHAMBER - SECOND FLOOR - CITY HALL**  
**901 BAGBY - HOUSTON, TEXAS**

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

**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 - NOVEMBER 17, 2010 - 9:00 A. M.**

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

**MAYOR'S REPORT** - Fire Department Reorganization and Budget Proposals

**CONSENT AGENDA NUMBERS 1 through 41**

**MISCELLANEOUS** - NUMBERS 1 through 3

1. REQUEST from Mayor for confirmation of the appointment or reappointment of the following to serve as **ADJUDICATION HEARING OFFICERS**, for two year terms:
  - MR. MANUEL BARRERA, JR.**, reappointment
  - MR. JOSHUA H. BROCKMAN**, appointment
  - MR. JOSE R. LOPEZ, II**, reappointment
  - MS. DANA V. PERRY-DREXLER**, appointment
  - MS. ERUM JIVANI**, appointment

MISCELLANEOUS - continued

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

|                                |                                  |
|--------------------------------|----------------------------------|
| <b>NANCY J. BAILEY</b>         | <b>KATHY K. HAN</b>              |
| <b>MARIA E. CASANOVA</b>       | <b>GORDON G. MARCUM II</b>       |
| <b>IMELDA REYES-CASTILLO</b>   | <b>LEIGH FAORO SAINT-GERMAIN</b> |
| <b>GRANTHAM HARLAN COLEMAN</b> | <b>ADAM SILVERMAN</b>            |
| <b>ESMERALDA PEÑA GARCIA</b>   | <b>ELAINE MARSHALL</b>           |
| <b>HERBERT W. GEE</b>          | <b>FRANCELIA E. "FRAN" TOTTY</b> |
  
3. REQUEST from Mayor for confirmation of the appointment or reappointment of the following as **Municipal Court Associate Judges** for two year terms:  

|  |  |
|--|--|
| <b>WALTER SCHROEDER</b> , reappointment      | <b>BURHAN NOMANI</b> , reappointment         |
| <b>SCOTT K. BOATES</b> , reappointment       | <b>STEPHAN L. HONORÉ</b> , reappointment     |
| <b>FAD WILSON, JR.</b> , reappointment       | <b>MARIO MADRID</b> , reappointment          |
| <b>CATHERINE N. WYLIE</b> , reappointment    | <b>LYDIA D. JOHNSON</b> , reappointment      |
| <b>DAVID J. QUAN</b> , reappointment         | <b>WILLIAM A. ALLEN</b> , reappointment      |
| <b>ANDREW D. MARTIN</b> , reappointment      | <b>MIN UN LEE</b> , reappointment            |
| <b>ANGELA E. PHEA</b> , reappointment        | <b>MIMI MALICK BERKOWITZ</b> , reappointment |
| <b>SHERRY LEE APPLEWHITE</b> , reappointment | <b>HOWARD L. SPEIGHT</b> , reappointment     |
| <b>KERRI J. DORMAN</b> , reappointment       | <b>WILLIE E. B. BLACKMON</b> , appointment   |
| <b>OSWALD J. SCOTT, JR.</b> , reappointment  | <b>C. J. BROUSSARD-WHITE</b> , appointment   |
| <b>JO NELSON</b> , reappointment             | <b>NILE B. COPELAND</b> , appointment        |
| <b>ROBERT V. ROSENBERG</b> , reappointment   | <b>DEMETRIA D. FRANK</b> , appointment       |
| <b>RAUL RODRIGUEZ</b> , reappointment        | <b>ELAINE JEFFERSON</b> , appointment        |
| <b>JACQUELINE MILLER</b> , reappointment     | <b>PHYLLIS RANDOLP H. FRYE</b> , appointment |
| <b>NIKITA V. HARMON</b> , reappointment      | <b>CHARLES A. SPAIN, JR.</b> , appointment   |
| <b>ARTURO D. DELEON, JR.</b> , reappointment |  |

ACCEPT WORK - NUMBER 4

4. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$2,977,620.55 and acceptance of work on contract with **HUFF & MITCHELL, INC** for Rehabilitation of Air Release Valves Package #2A / Relocation of 20-inch Water Line and 36-inch Sanitary Sewer Force Main along Alameda Road (FM521) at Sims Bayou / Condition Assessment of the South 60-inch Water Transmission Line - 19.31% under the original contract amount - **DISTRICTS D - ADAMS; E - SULLIVAN and I - RODRIGUEZ**

PROPERTY - NUMBERS 5 and 6

5. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the joint Referral Committee, on request from Yoni Sade, on behalf of Andrea Christie Watt, for abandonment and sale of ±420 square feet of Lillian Street right-of-way, out of the M. D. Conklin Subdivision, adjacent to Lot 7, Block 1, Riverwood on Washington, Section 1, out of the John Reinerman Survey, A-642, Parcel SY11-006 - **DISTRICT G - PENNINGTON**
  
6. RECOMMENDATION from Director Department of Public Works & Engineering, on request from Ross Matthews of ProLogis, on behalf of Catellus Operating Limited Partnership, a Delaware limited partnership, [Palmtree Acquisition Corporation, a Delaware corporation, (Anne LaPlace, First Vice President) General Partner], reviewed and approved by the Joint Referral Committee, that the City decline the acceptance of, reject, and refuse the dedication of Villa Drive, from Airport Boulevard to Neuhaus Avenue, and Larson Street from Villa Drive to Tewantin Avenue, located in the Central Industrial Park Second Section Subdivision and the Central Industrial Park Third Section Subdivision, both out of the Blas Herrera Survey, A-320, Parcels SY10-086A and SY10-086B - **DISTRICT I - RODRIGUEZ**

**PURCHASING AND TABULATION OF BIDS** - NUMBERS 7 through 8

7. ORDINANCE appropriating \$140,000.00 out of Water & Sewer System Consolidated Construction Fund for Emergency Chemical Feed Station Containment Wall Engineering and Design Services for the Public Works & Engineering Department
  - a. **CP&Y, INC** for Emergency Chemical Feed Station Containment Wall Engineering and Design Services for the Department of Public Works & Engineering
8. **OFFICEMAX INCORPORATED** for spending authority to Purchase General Office Products from the State of Texas Procurement and Support Services Contract through the State of Texas Purchasing Program for Various Departments - 3 Years with two one-year options \$17,234,041.14 - General, Enterprise, Grant and Other Funds

**RESOLUTIONS AND ORDINANCES** - NUMBERS 9 through 41

9. RESOLUTION of the City Council of the City of Houston authorizing hiring preferences for veterans and assisting veterans in finding City employment; containing findings and other provisions relating to the foregoing subject; and providing an effective date
10. RESOLUTION approving Houston Housing Finance Corporation Single Family Mortgage Revenue Bonds, Series 2009A for purposes of Section 147(f) of Internal Revenue Code
11. ORDINANCE **AMENDING VARIOUS SECTIONS THE CITY OF HOUSTON CODE**, relating to service and permit fees; containing finding and other provision relating to the foregoing subject; containing a savings clause; providing an effective date; providing for severability
12. ORDINANCE **AMENDING SECTION 4-13 OF THE CITY OF HOUSTON CODE**, relating to ambulance fees; containing finding and other provision relating to the foregoing subject; containing a savings clause; providing an effective date; providing for severability
13. ORDINANCE authorizing the issuance of City of Houston, Texas Airport System Subordinate Lien Revenue Refunding Bonds, Series 2010 (NON-AMT) and providing for the payment thereof; authorizing the Mayor, the City Controller and certain other designated City officials to approve the amount, interest rate, interest rate periods, price, and terms thereof and to approve certain other procedures and provisions relating thereto; authorizing the refunding and defeasance of Certain Outstanding Airport System Bonds; approving the sale of the bonds and authorizing the execution and delivery of a Bond Purchase Agreement; authorizing the execution and delivery of a Paying Agent/Registrar Agreement, a Tender Agent Agreement, and a Remarketing Agreement and other related agreements; authorizing a Co-Bond Counsel Agreement and a Special Disclosure Co-Counsel Agreement; authorizing the execution and delivery of a Reimbursement Agreement with a Credit Facility provider; and making certain findings and other declarations necessary and incidental to the issuance of the bonds
14. ORDINANCE amending Exhibit "A" of City of Houston Ordinance No. 90-1292 (as amended by City of Houston Ordinance No. 2010-512), to amend the Master Classification Ordinance to add five new job classifications and to delete two job classifications; providing a repealer; providing for severability
15. ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of two 5-foot-wide utility easements and attendant aerial easements, and vacating and abandoning said easements to Alejandro Camarillo, the property owner, in consideration of owner's dedication of a 7.5-foot-wide utility easement, all located within Lots 98 and 99, Block 8, Baker Place Subdivision, Section 2, J. L. Stanley Survey, Harris County, Texas, payment of \$2,100.00 and other consideration to the City, Parcels SY10-007A, SY10-007B and VY10-031  
**DISTRICT B - JOHNSON**

**RESOLUTIONS AND ORDINANCES** - continued

16. ORDINANCE providing for an ad valorem tax exemption on a significant historic structure located at **313-315 Travis Street** in Houston, Texas; containing findings and other provisions relating to the foregoing subject; providing for the revocation of such tax exemptions and the recapture of taxes upon the occurrence of stated events - **DISTRICT I - RODRIGUEZ**
17. ORDINANCE providing for an ad valorem tax exemption on a historical site located at **717 Colorado Street** in Houston, Texas; containing findings and other provisions relating to the foregoing subject; providing for the revocation of such tax exemptions and the recapture of taxes upon the occurrence of stated events - **DISTRICT H - GONZALEZ**
18. ORDINANCE providing for an ad valorem tax exemption on a historical site located at **1220 Arlington Street** in Houston, Texas; containing findings and other provisions relating to the foregoing subject; providing for the revocation of such tax exemptions and the recapture of taxes upon the occurrence of stated events - **DISTRICT H - GONZALEZ**
19. ORDINANCE providing for an ad valorem tax exemption on a historical site located at **4607 Oak Ridge Street** in Houston, Texas; containing findings and other provisions relating to the foregoing subject; providing for the revocation of such tax exemptions and the recapture of taxes upon the occurrence of stated events - **DISTRICT H - GONZALEZ**
20. ORDINANCE providing for an ad valorem tax exemption on a historical site located at **3362 Del Monte Drive** in Houston, Texas; containing findings and other provisions relating to the foregoing subject; providing for the revocation of such tax exemptions and the recapture of taxes upon the occurrence of stated events - **DISTRICT C - CLUTTERBUCK**
21. ORDINANCE providing for an ad valorem tax exemption on a historical site located at **1508 Kirby Drive** in Houston, Texas; containing findings and other provisions relating to the foregoing subject; providing for the revocation of such tax exemptions and the recapture of taxes upon the occurrence of stated events - **DISTRICT C - CLUTTERBUCK**
22. ORDINANCE providing for an ad valorem tax exemption on a historical site located at **3640 Inwood Drive** in Houston, Texas; containing findings and other provisions relating to the foregoing subject; providing for the revocation of such tax exemptions and the recapture of taxes upon the occurrence of stated events - **DISTRICT C - CLUTTERBUCK**
23. ORDINANCE providing for an ad valorem tax exemption on a historical site located at **2136 Brentwood Drive** in Houston, Texas; containing findings and other provisions relating to the foregoing subject; providing for the revocation of such tax exemptions and the recapture of taxes upon the occurrence of stated events - **DISTRICT C - CLUTTERBUCK**
24. Ordinance providing for an ad valorem tax exemption on a historical site located at **2911 Ella Lee Lane** in Houston, Texas; containing findings and other provisions relating to the foregoing subject; providing for the revocation of such tax exemptions and the recapture of taxes upon the occurrence of stated events - **DISTRICT C - CLUTTERBUCK**
25. Ordinance providing for an ad valorem tax exemption on a historical site located at **2514 Brentwood Drive** in Houston, Texas; containing findings and other provisions relating to the foregoing subject; providing for the revocation of such tax exemptions and the recapture of taxes upon the occurrence of stated events - **DISTRICT C - CLUTTERBUCK**
26. ORDINANCE appropriating \$3,101,439 from the TIRZ Affordable Housing Fund (2409); approving and authorizing the third of five repayment installments in the amount of \$3,101,439 to the United States Department of Housing and Urban Development for the resolution of outstanding issues raised in HUD Monitoring Reports/Audit findings from 2004 and 2005 relating to the City's HOME, CDBG, and HOPWA Grant Programs

**RESOLUTIONS AND ORDINANCES** - continued

27. ORDINANCE approving and authorizing contract between the City of Houston and **SERVICE OF THE EMERGENCY AID RESOURCE CENTER FOR THE HOMELESS, INC**, providing up to \$133,883 in General Funds to assist in the administration and operation of the Emergency Mobile Outreach Program
28. ORDINANCE approving and authorizing contracts between the City of Houston and **A-1 PERSONNEL OF HOUSTON INC, ALSO TEMPS, INC, BERGAILA & ASSOCIATES, INC, EXECUTEAM STAFFING, L.P., LANE STAFFING, INC, SILVER & ASSOCIATES CONSULTING, INC, TOPP KNOTCH PERSONNEL, INC, LOGAN / BRITTON, INC, OBJECTWIN TECHNOLOGY, INC, PRECISION TASK GROUP, INC** and **S&R PROFESSIONALS, L.P.** for Temporary Employee Staffing Services and Information Technology Staffing Resources; providing a maximum contract amount - 1 Year with two one-year options - \$38,000,000.00 - Central Services Revolving Fund
29. ORDINANCE approving and authorizing contract between the City and the **METROPOLITAN TRANSIT AUTHORITY OF HARRIS COUNTY, TEXAS**, for Purchase of Employee Transit Fare Media; providing a maximum contract amount - 1 Year - \$1,120,000.00 - General, Enterprise and Other Funds
30. ORDINANCE accepting into the City Collection the Sculpture created by Artist James Surls entitled "Standing Vase With Five Flowers" for installation at the Parks and Recreation Department Headquarters - Gragg Building; purchased in accordance with Council Motion No. 2010-0617 **DISTRICT I - RODRIGUEZ**
31. ORDINANCE extending the provisions of **SECTION 28-303 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, to all single-family residential properties within **HOUSTON COUNTRY CLUB PLACE SUBDIVISION, SECTIONS 1 AND 2** to prohibit the parking of vehicles in the front or side yards of such residences - **DISTRICT I - RODRIGUEZ**
32. ORDINANCE approving and authorizing Lease Agreement between **MILAM PARTNERS, LTD., as Landlord**, and the City of Houston, Texas, as tenant, for 425 Parking Spaces at the Market Square Garage, located at 300 Milam Street, Houston, Texas, for five years, for use by the Houston Police Department; providing a maximum contract amount - \$1,806,563.00 - General Fund
33. ORDINANCE approving and authorizing contract between the City of Houston and **POLYTECH, INC dba PTI, INC** for Professional Structural Engineering Services to the Neighborhood Protection Corps of the Houston Police Department - \$400,000.00 - Dangerous Building Consolidated Fund
34. MUNICIPAL Setting Designation Ordinance prohibiting the use of designated groundwater beneath a tract of land containing 24.101 acres commonly known as 8901 Manchester Street, Houston, Texas, Harris County, Texas; supporting issuance of a Municipal Setting Designation by the Texas Commission on Environmental Quality - **DISTRICT I - RODRIGUEZ**
35. MUNICIPAL Setting Designation Ordinance prohibiting the use of designated groundwater beneath three tracts of land containing approximately 5.7719 acres commonly known as 1212 Milby Street and 3503-3719 Polk Street, Houston, Texas and portions of Milby Street, Polk Street and York Street rights of way, Houston, Harris County, Texas; supporting issuance of a Municipal Setting Designation by the Texas Commission on Environmental Quality - **DISTRICT I - RODRIGUEZ**

**RESOLUTIONS AND ORDINANCES** - continued

36. ORDINANCE appropriating \$35,000.00 out of Street & Bridge Consolidated Construction Fund; approving and authorizing Advance Funding Agreement between the City of Houston and **TEXAS DEPARTMENT OF TRANSPORTATION** for Construction of Broadway Street from IH-45 to Airport Boulevard - **DISTRICT I - RODRIGUEZ**
37. ORDINANCE authorizing Ground Lease with **HOUSTON AMATEUR SPORTS PARK LGC, INC**, as tenant, for 87.74 acres being reserve A of the Houston Amateur Sports Park Subdivision
38. ORDINANCE amending Ordinance No. 2009-570 (passed by City Council on June 17, 2009) to increase the maximum contract amount for contract between the City of Houston and **ROGERS, MORRIS & GROVER, L.L.P.** (successor in interest to Feldman & Rogers, L.L.P.) for Legal Services including appeal of Civil Action No. H-06-2650; George Rodriguez v. City of Houston, et al.; in the United States District Court for the Southern District of Texas, Houston Division \$75,000.00 - Property and Casualty Fund
39. ORDINANCE appropriating \$400,000.00 out of Street & Bridge Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **DAB ENGINEERING AND TESTING, LLC** for the Safe Sidewalk Program **DISTRICT D - ADAMS**
40. ORDINANCE appropriating \$760,127.50 out of Parks Consolidated Construction Fund; awarding construction contract to **THE GONZALEZ GROUP, LP** for Townwood Park; setting a deadline for the proposer's execution of the contract and delivery of all bonds, insurance and other required contract documents to the City; holding the proposer in default if it fails to meet the deadlines; providing funding for engineering and testing services, construction management, Civic Art Program and contingencies relating to construction of facilities financed by the Parks Consolidated Construction Fund, Texas Parks and Wildlife Department Fund and Federal Government-Grants Fund - \$834,127.50 - Grant Funds - **DISTRICT D - ADAMS**
41. ORDINANCE No. 2010-0875 passed first reading November 9, 2010  
ORDINANCE granting to **TEXAS WATER MANAGEMENT, L.L.C., A Texas Limited Liability Corporation**, the right, privilege and franchise to collect, haul and transport solid waste and industrial waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions  
**SECOND READING**

**END OF CONSENT AGENDA**

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

**NON CONSENT AGENDA** - NUMBER 42

**MISCELLANEOUS**

42. SELECT and confirm the appointment of either **MS. JANIECE M. LONGORIA** or **MR. DEAN CORGEY** to Position 7 on the **PORT OF HOUSTON AUTHORITY OF HARRIS COUNTY**, for a two year term

**MATTERS HELD** - NUMBERS 43 through 47

43. ORDINANCE **AMENDING CHAPTER 43 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to regulation of swimming pools and spas; containing findings and other provisions relating to the foregoing subject; declaring certain conduct to be unlawful and providing a penalty therefor; containing a savings clause; providing for severability  
**POSTPONED BY MOTION #2010-789, 11/3/10**  
This was Item 18 on Agenda of November 3, 2010
44. MOTION by Council Member Lovell/Seconded by Council Member Noriega to adopt recommendation for approval of City of Houston Legislative Principles for the 82nd Session of the Texas Legislature - **TAGGED BY COUNCIL MEMBER JONES**  
This was Item 1 on Agenda of November 9, 2010
45. MOTION by Council Member Lovell/Seconded by Council Member Costello to award to **CARDINAL HEALTH 200** - \$1,120,918.44, **MEDICAL PRODUCTS SUPPLY, INC** - \$1,147,300.00, **BOUND TREE MEDICAL, LLC.**, Bid No. 2 - \$1,113,696.64, **KENTRON HEALTH CARE, INC**, Bid No. 1 - \$960,871.63, **SZY HOLDINGS LLC dba EVER READY FIRST AID AND MEDICAL SUPPLY** - \$624,486.00, **MIDWEST MEDICAL SUPPLY CO., LLC** - \$1,515,513.90, **MOORE MEDICAL LLC** - \$166,875.60, **SWA INTERNATIONAL COMPANY, LLC** - \$111,671.04, **QUADMED, INC** - \$361,320.00, **EMERGENCY MEDICAL PRODUCTS** - \$291,526.14, **HENRY SCHEIN MATRIX MEDICAL** - \$1,019,529.95 and **AMBU, INC (Bid No. 1)** - \$61,320.00 for Medical Equipment Supplies for Fire Department - 5 Years - \$8,495,029.34 - General Fund  
**TAGGED BY COUNCIL MEMBER JONES**  
This was Item 8 on Agenda of November 9, 2010
46. ORDINANCE appropriating \$700,000.00 out of Airports Improvement Fund and approving and authorizing contract between the City of Houston and **A&S ENGINEERS, INC** for Professional Engineering Services at Ellington Airport (Project 671) - **DISTRICT E - SULLIVAN**  
**TAGGED BY COUNCIL MEMBER JONES**  
This was Item 20 on Agenda of November 9, 2010
47. ORDINANCE appropriating \$10,299,432.69 out of Airports Improvement Fund and awarding construction contract to **UNITED RESTORATION AND PRESERVATION, INC** for the Repair of Parking Structures at William P. Hobby Airport (Project 592); 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 Civic Art Program, engineering testing services and for contingencies relating to construction of facilities financed by such funds - **DISTRICT I - RODRIGUEZ**  
**TAGGED BY COUNCIL MEMBER JONES**  
This was Item 22 on Agenda of November 9, 2010

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

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

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

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

# 48

NOV 17 2010

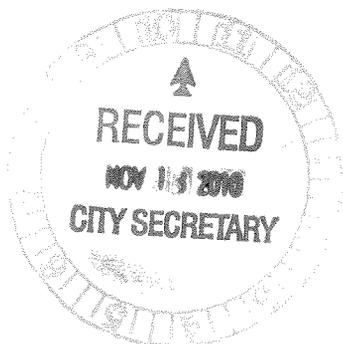
### SUPPLEMENTAL NOTICE

Notice is hereby given that the following item has been added to the previously posted agenda of the City Council of the City of Houston for the regular meeting to be conducted on November 16 and 17, 2010:

REQUEST from Mayor for confirmation of the appointment of **MiHoa Vo** as **Municipal Court Judge** for a two year term.

Posted at 10:20 a.m. on November 13, 2010

Martha L. Stein



**CITY COUNCIL CHAMBER - CITY HALL 2<sup>nd</sup> FLOOR - TUESDAY  
NOVEMBER 16, 2010 – 2:00 PM**

**AGENDA**

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|      |      |      |
|------|------|------|
| 1MIN | 1MIN | 1MIN |
|------|------|------|

MR. SONY FLORES – 1710 Telephone Rd. – 77023 – 713-921-4583 – Port Commissioner Appointment  
Janice Longoria – Item 42

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|      |      |      |
|------|------|------|
| 2MIN | 2MIN | 2MIN |
|------|------|------|

MR. GREGORY COMPEAN – 2102 Broadway – 77012 – 713-924-6900 – Janice Longoria – Item 42

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|      |      |      |
|------|------|------|
| 3MIN | 3MIN | 3MIN |
|------|------|------|

MR. JOHN CAIN – Post Office 1474 – LaPorte – TX – 77572 – 281-470-4598 – Dean Corgey – Item 42

MR. ROBERT ZEPEDA – 1429 3<sup>rd</sup> Avenue – Texas City – TX – 77590 – 409-457-5673 – Dean Corgey  
– Item 42

MR. JOEL SALAZAR – 800 Commerce – 77002 – 713-652-5800 – Janiece Longoria – Item 42

MR. DALE WORTHAM – 2506 Sutherland – 77023 – Port Commission Appointment – Item 42

**NON-AGENDA**

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|      |      |      |
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| 3MIN | 3MIN | 3MIN |
|------|------|------|

MR. TOM GRANT – 14383 Still Meadow – 77097 – 281-851-7233 – Water meter and billing problem

MR. VERTIS WILLIAMS – 17339 Candela – 77083 – 281-242-0717 – Noise Ordinance

MR. MICHAEL RAY – 7246 Rio Blanco – 77083 – 281-513-7195 – Noise Ordinance

MS. NORMA COOPER – 20223 Emerald Cliff – Richmond – TX – 77407 – 713-806-6569 – Noise Ordinance

MR. TERRY FRANKLIN – 17326 Candela Dr. – 77083 – Noise Ordinance

MR. JAMES PARTSCH-GALVAN – 1611 Holman – 77004 – 713-528-2607 – Filing lawsuit against  
Proposition 1 – Red Light Camera

MR. MICHAEL KUBOSH – 1701 Lubbock – 77007 – 713-632-6006 – Red Light Camera

MS. SANDRA MASSIE-HINES – 4421 Alvin – 77051 – 832-374-5585 – Red Light Camera - Lone  
Houstonian Bicycle to DC

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

MR. JOHN CIESLEWISZ – 1250 Dubarry Ln. – 77018 – 713-683-0703 – Water drainage

MR. AMOBI OKOYE – 1832 Snake River Rd. – Katy - TX – 77449 – 281-398-4203 – Amobi Okoye  
Foundation Books Abroad Program

MR. BRYCE CARTER – 1445 N L West, Ste. 470 D – 77008 – 703-434-9852 – Keystone XL Pipeline

MS. ANGELA BOAG – 1445 N L West, Ste. 470 D – 77008 – 703-434-9852 – Keystone XL Pipeline

MR. J. W. MASSEY – Post Office Box 742713 – 77274 – 713-545-4777 – Taxi cab issue

MS. LASHUNDA PHILLIPS – 4925 Brinkley – 77033 – Sec 8 Houston

**PREVIOUS**

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|      |      |      |
|------|------|------|
| 1MIN | 1MIN | 1MIN |
|------|------|------|

MS. MARY ROSS – Post Office Box 92 – Missouri City – TX – 77459-0092 – 713-443-2453 – T-Mobile  
Tower

MS. MARY TAYLOR - 1403 Fashion Hill Dr. - 77088 - 281-445-0682 – We have been discriminated by Joe  
Turner - Director

MS. PATRICIA MARTIN – 5900 Selinsky – 77051 – 832-244-7856 – Police misconduct violation of civil rights by HPD Title 6



ANNISE D. PARKER  
MAYOR

OFFICE OF THE MAYOR  
CITY OF HOUSTON  
TEXAS

NOV 17 2010

November 12, 2010

**REVISED**

The Honorable City Council  
Houston, Texas

**Re: Adjudication Hearing Officers**

Dear Council Members:

Pursuant to Chapter 16, Article IV, and Chapter 45, Article XIX, of the City of Houston Code of Ordinances, I appoint or reappoint the following individuals to serve as Adjudication Hearing Officers for two-year terms, beginning immediately upon Council confirmation:

| <b>Names</b>          | <b>Full or Part-Time</b> | <b>Appointment or Reappointment</b> |
|-----------------------|--------------------------|-------------------------------------|
| Manuel Barrera, Jr.   | Full-Time                | Reappointment                       |
| Joshua H. Brockman    | Part-Time                | Appointment                         |
| Jose R. Lopez, II     | Part-Time                | Reappointment                       |
| Dana V. Perry-Drexler | Part-Time                | Appointment                         |
| Erum Jivani           | Part-Time                | Appointment                         |

The résumés are attached for your review.

Sincerely,

Annise D. Parker  
Mayor

AP:JC:jsk

Attachments

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

POST OFFICE BOX 1562 • HOUSTON, TEXAS 77251



ANNISE D. PARKER  
MAYOR

OFFICE OF THE MAYOR  
CITY OF HOUSTON  
TEXAS

2

NOV 17 2010

COPY TO EACH MEMBER OF COUNCIL:

CITY SECRETARY: 10-27-10  
date

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

October 22, 2010

The Honorable City Council  
Houston, Texas

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

Dear Council Members:

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

| Names                     | Position |
|---------------------------|----------|
| Nancy J. Bailey           | 01       |
| Maria E. Casanova         | 03       |
| Imelda Reyes-Castillo     | 04       |
| Grantham Harlan Coleman   | 06       |
| Esmeralda Peña Garcia     | 08       |
| Herbert W. Gee            | 09       |
| Kathy K. Han              | 10       |
| Gordon G. Marcum, II      | 14       |
| Leigh Faoro Saint-Germain | 16       |
| Adam Silverman            | 17       |
| Elaine Marshall           | 19       |
| Francelia E. "Fran" Totty | 20       |

Résumés are attached for your review.

Sincerely,

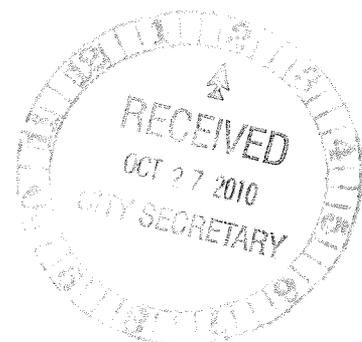


Annise D. Parker  
Mayor

AP:JC:jsk

Attachments

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





ANNISE D. PARKER  
MAYOR

OFFICE OF THE MAYOR  
CITY OF HOUSTON  
TEXAS

3

NOV 17 2010

COPY TO EACH MEMBER OF COUNCIL:

CITY SECRETARY: 10-27-10  
date

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

October 22, 2010

The Honorable City Council  
Houston, Texas

**Re: Appointment of Associate Judge of Municipal Courts**

Dear Council Members:

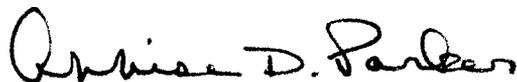
I appoint or reappoint the following individuals to serve as Associate Judge of Municipal Courts subject to Council confirmation. The Judges shall serve two-year terms beginning immediately upon Council confirmation.

| Names                 | Position | Reappointed/ Newly Appointed |
|-----------------------|----------|------------------------------|
| Walter A. Schroeder   | 02       | Reappointed                  |
| Scott K. Boates       | 03       | Reappointed                  |
| Fad Wilson, Jr.       | 07       | Reappointed                  |
| Catherine N. Wylie    | 08       | Reappointed                  |
| David J. Quan         | 09       | Reappointed                  |
| Andrew D. Martin      | 10       | Reappointed                  |
| Angela E. Phea        | 11       | Reappointed                  |
| Sherry Lee Applewhite | 16       | Reappointed                  |
| Kerri J. Dorman       | 17       | Reappointed                  |
| Oswald J. Scott, Jr.  | 18       | Reappointed                  |
| Jo Nelson             | 19       | Reappointed                  |
| Robert V. Rosenberg   | 20       | Reappointed                  |
| Raul Rodriguez        | 21       | Reappointed                  |
| Jacqueline Miller     | 22       | Reappointed                  |
| Nikita V. Harmon      | 24       | Reappointed                  |
| Arturo D. DeLeon, Jr. | 26       | Reappointed                  |
| Burhan Nomani         | 27       | Reappointed                  |

| Names                          | Position      |                        |
|--------------------------------|---------------|------------------------|
| Stephan L. Honoré              | 28            | Reappointed            |
| Mario Madrid                   | 31            | Reappointed            |
| Lydia D. Johnson               | 33            | Reappointed            |
| William A. Allen               | 35            | Reappointed            |
| Min Un Lee                     | 36            | Reappointed            |
| <del>Amparo Yanez-Guerra</del> | <del>39</del> | <del>Reappointed</del> |
| Mimi Malick Berkowitz          | 40            | Reappointed            |
| Howard L. Speight              | 41            | Reappointed            |
| Willie E. B. Blackmon          | 47            | Newly Appointed        |
| C.J. Broussard-White           | 48            | Newly Appointed        |
| Nile B. Copeland               | 49            | Newly Appointed        |
| Demetria D. Frank              | 50            | Newly Appointed        |
| Elaine Jefferson               | 51            | Newly Appointed        |
| Phyllis Randolph Frye          | 52            | Newly Appointed        |
| Charles A. Spain, Jr.          | 53            | Newly Appointed        |

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

Sincerely,



Annise D. Parker  
Mayor

AP:JC:jsk

Attachments

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> Accept Work for Rehabilitation of Air Release Valves Package #2A / Relocation of 20-inch Water Line and 36-inch Sanitary Sewer Force Main along Almeda Road (FM 521) at Sims Bayou / Condition Assessment of the South 60-inch Water Transmission Line. WBS Nos. S-000900-0102-4 / S-000521-0038-4 / R-000521-0038-4 / S-000901-0004-4. | Page <u>1</u> of 2 | Agenda Item #<br><br><div style="text-align: right; font-size: 2em;">4</div> |
|---|--------------------|--|

|  |                                     |                                   |
|--|-------------------------------------|-----------------------------------|
| <b>FROM (Department or other point of origin):</b><br><br>Department of Public Works and Engineering | <b>Origination Date</b><br>11-10-10 | <b>Agenda Date</b><br>NOV 17 2010 |
|--|-------------------------------------|-----------------------------------|

|   |   |
|---|---|
| <b>DIRECTOR'S SIGNATURE:</b><br>Daniel W. Krueger, P.E., Director | <b>Council Districts affected:</b><br>D, E, I |
|---|---|

|   |   |
|---|---|
| <b>For additional information contact:</b><br><br>J. Timothy Lincoln, P.E.<br>Senior Assistant Director<br><div style="text-align: right; margin-top: 10px;"> <br/> <b>Phone:</b> (832) 395-2355                 </div> | <b>Date and Identification of prior authorizing Council Action:</b><br>Ord. #2007-1182 dated 10/24/2007<br>Ord. #2007-0722 dated 06/20/2007 |
|---|---|

**RECOMMENDATION: (Summary)** Pass a motion to approve the final Contract Amount of \$2,977,620.55, which is 19.31% 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 \$4,307,400,000.00 with \$3,318,047.00 from Water and Sewer System Consolidated Construction Fund No. 8500 and \$989,353.00 from Water and Sewer Contributed Capital Fund No. 8319.)

**PROJECT NOTICE/JUSTIFICATION:** This project provided large diameter water line appurtenance rehabilitation and condition assessment support on a 60-inch water transmission line constructed in the 1960's. The project will continue the City's effort to make improvements to existing air release valves and vent piping on this transmission line to comply with changes to the Texas Commission on Environmental Quality (TCEQ) rules for Public Water Systems regarding air valve vent piping configurations. The condition assessment work will assist City of Houston efforts to identify and plan future rehabilitation projects for the water line. Additionally, the project will allow for the relocation of the City of Houston's 20-inch water line and 36-inch force main crossing Sims Bayou along Almeda Road as required by an interlocal agreement with Harris County Flood Control District, which contributed \$989,353.00 for the relocations.

**DESCRIPTION/SCOPE:** The Work is comprised of three separate projects: (1) the rehabilitation of various air release valves and service manholes in order to comply with TCEQ and City of Houston requirements; (2) relocation of existing buried 20-inch water line and 36-inch sanitary sewer force main into an aerial crossing; (3) support for condition assessment of existing 60-inch water line. Lockwood, Andrews & Newnam, Inc. designed the project with 160 calendar days allowed for construction. The project was awarded to Huff & Mitchell, Inc. with an original Contract Amount of \$3,690,327.00.

**LOCATION:** The project extends from the intersection of Baker Drive and Alaska Street to the intersection of Mykawa Road and Dixie Drive along Baker, Ogden, Dixie, Donoho, Doolittle, Calais and Pershing. This project also includes Almeda Road at Sims Bayou. The project is located in the Key Map Grids: 533-V, 534-S, T, U & V, 535-M, P, Q, R, S & T, 536-J and 572-Q.

**CONTRACT COMPLETION AND COST:** The Contractor, Huff & Mitchell, Inc. has completed the Work under subject Contract. The project was completed with an additional 463 days approved by Change Order Nos. 1, 2, 3, and 5. The final cost of the project, including overrun and underrun of estimated bid quantities and previously approved Change Order Nos. 1 through 5 is \$2,977,620.55, a decrease of \$712,706.45 or 19.31% under the original Contract Amount.

The cost underrun is primarily due to the deletion of work in Change Order Nos. 2, 3, 4, and 5.

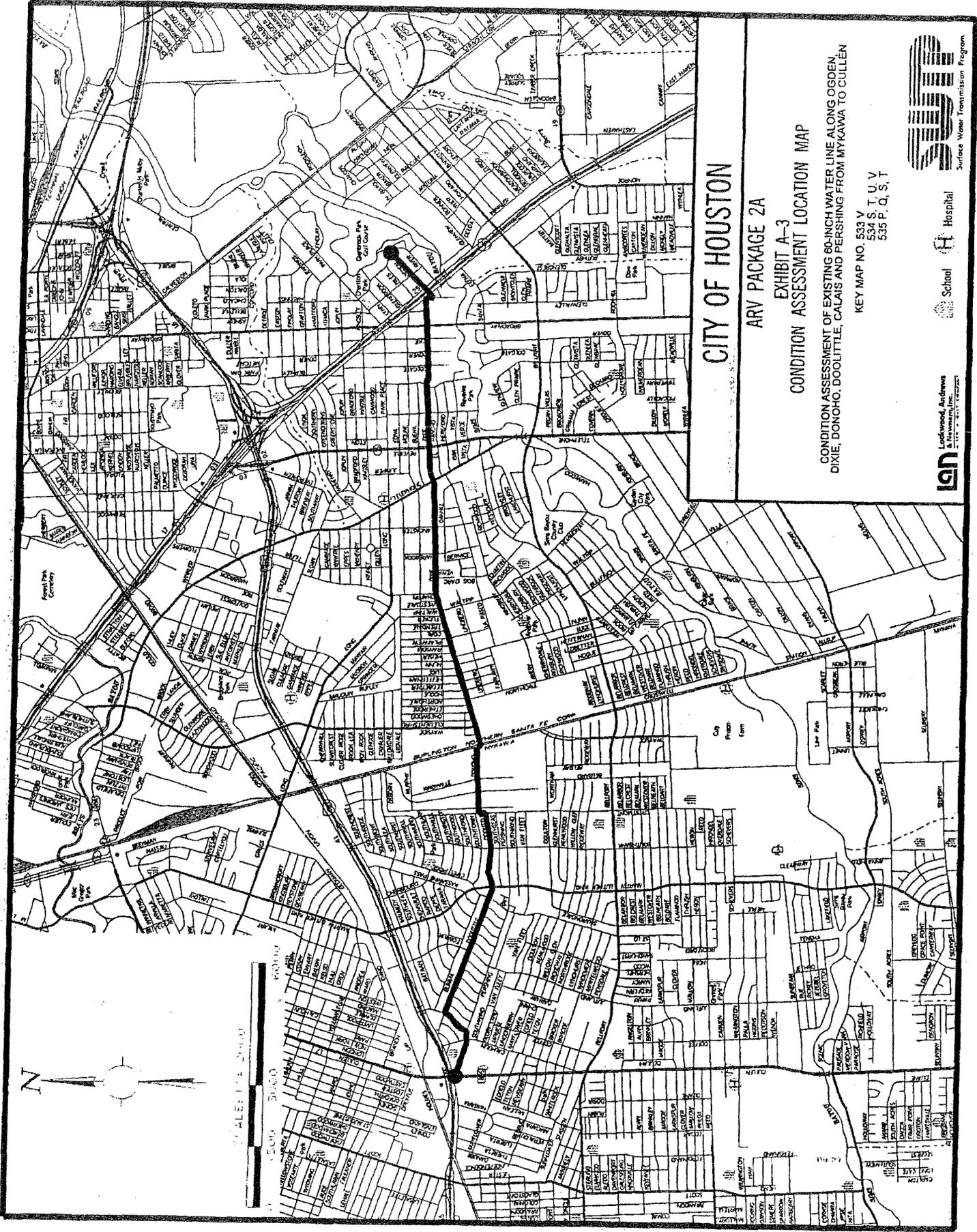
**M/WBE PARTICIPATION:** The M/W/SBE goal for this project was 22.00%. According to Affirmative Action and Contract Compliance Division, the actual participation was 23.59%. The Contractor achieved an "Outstanding" rating for M/W/SBE compliance.

DWK:DRM:JTL:SKF:PK:mj

Z:\E&C Construction\North Sector\PROJECT FOLDER\ARV Package 2A\21.0 Close Out\Ccloseout\RCA\RCA.DOC

**REQUIRED AUTHORIZATION** CUIC ID# 20MZQ175 *not*

|                            |                             |   |
|----------------------------|-----------------------------|---|
| <b>Finance Department:</b> | <b>Other Authorization:</b> | <b>Other Authorization:</b><br><br>Daniel R. Menendez, P.E., Deputy Director<br>Engineering and Construction Division |
|----------------------------|-----------------------------|---|

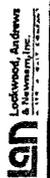


# CITY OF HOUSTON

ARV PACKAGE 2A  
 EXHIBIT A-3  
 CONDITION ASSESSMENT LOCATION MAP

CONDITION ASSESSMENT OF EXISTING 60-INCH WATER LINE ALONG OGDEN, DIXIE, DONOHU, DOOLITTLE, CALAIS AND PERSHING FROM MYKAWA TO CULLEN

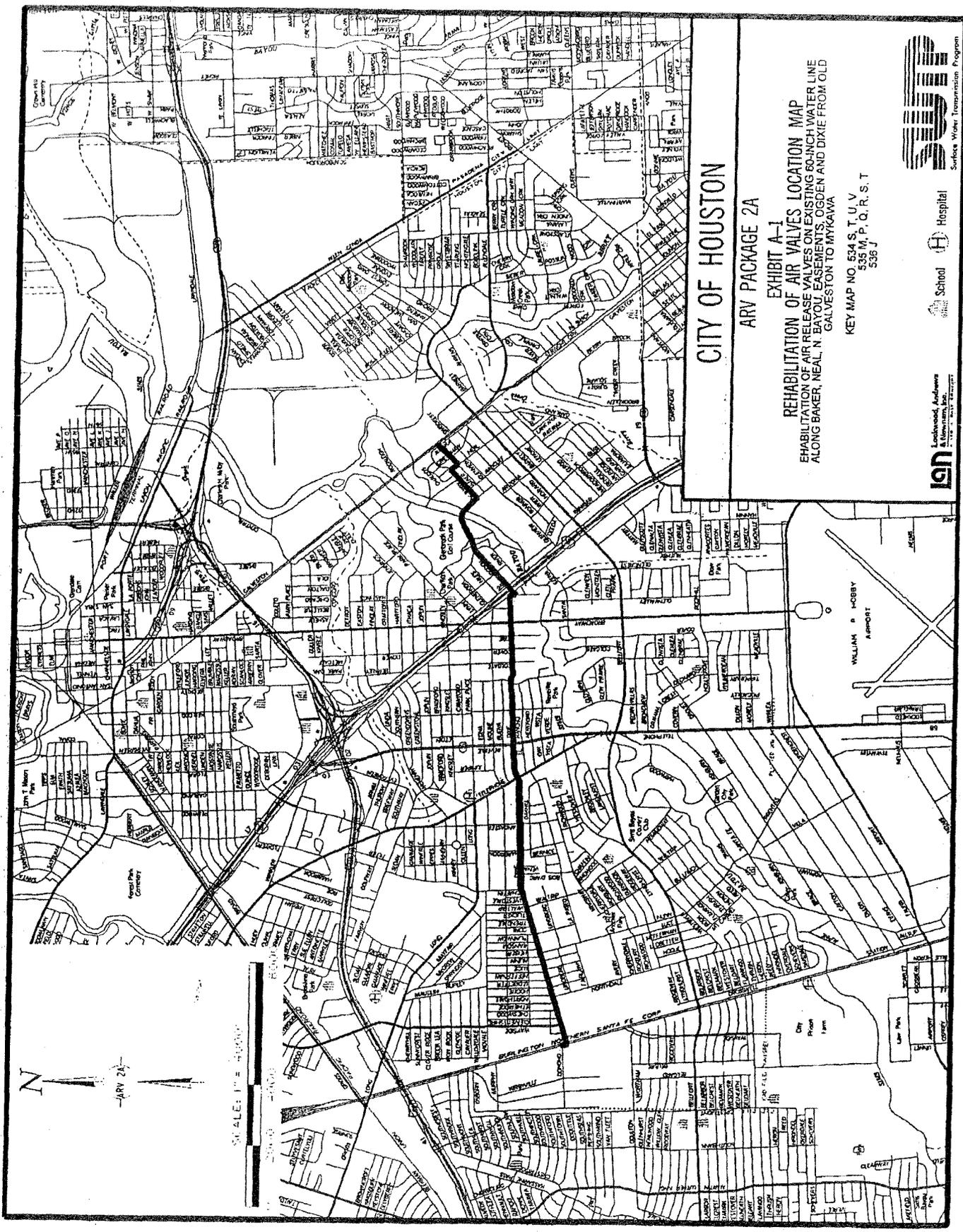
KEY MAP NO. 533 V  
 534 S.T.U.V  
 535 P.Q.S.T



Surface Water Transmission Program

School Hospital

L&N Engineering, Architecture & Construction, Inc.



**CITY OF HOUSTON**

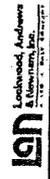
ARV PACKAGE 2A

EXHIBIT A-1

REHABILITATION OF AIR VALVES LOCATION MAP

REHABILITATION OF AIR RELEASE VALVES ON EXISTING 60-INCH WATER LINE  
ALONG BAKER, NEAL, N. BAYOU, EASEMENTS, OGDEN AND DIXIE FROM OLD  
GALVESTON TO MYKAWA

KEY MAP NO. 534 S. T. U. V.  
535 M. P. Q. R. S. T.  
536 J.

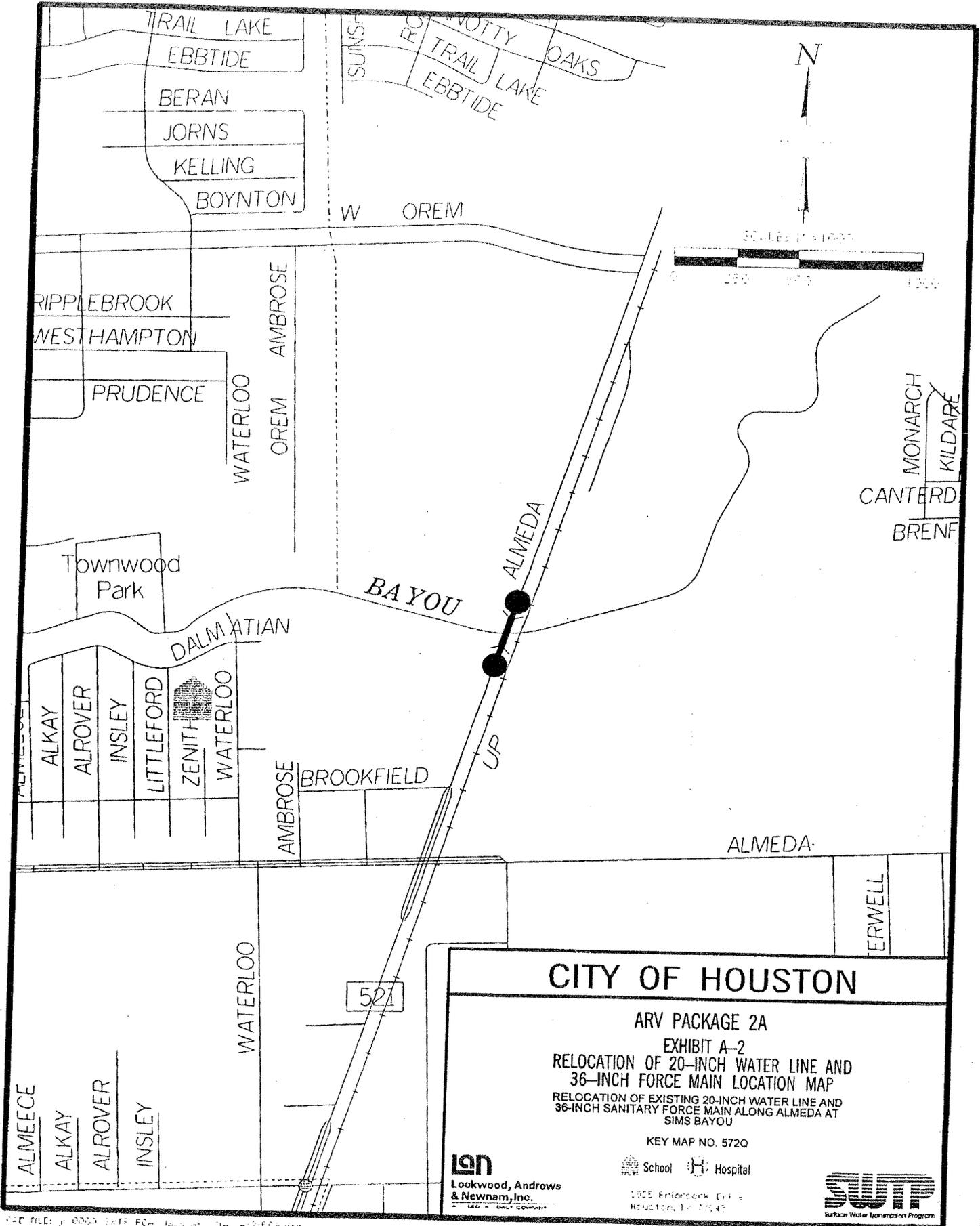


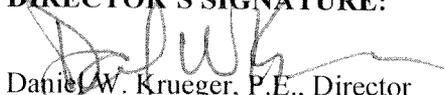
Surface Water Transmission Program

School Hospital

Leadwood, Andrews & Associates, Inc.  
Civil Engineering





|   |   |   |
|---|---|---|
| <b>SUBJECT:</b> Request for the abandonment and sale of ±420 square feet of Lillian Street right-of-way, out of the M. D. Conklin Subdivision, adjacent to Lot 7, Block 1, Riverwood on Washington, Section 1, out of the John Reinerman Survey, A-642. <b>Parcel SY11-006</b>  | <b>Page</b><br><u>1</u> of <u>2</u>   | <b>Agenda Item #</b><br><br><div style="text-align: right; font-size: 2em;">5</div> |
| <b>FROM (Department or other point of origin):</b><br><br>Department of Public Works and Engineering  | <b>Origination Date</b><br><br>11/10/10   | <b>Agenda Date</b><br><br>NOV 17 2010   |
| <b>DIRECTOR'S SIGNATURE:</b><br><br>Daniel W. Krueger, P.E., Director   | <b>Council District affected:</b> G <br><br><b>Key Map:</b> 492G |   |
| <b>For additional information contact:</b><br><br>Nancy P. Collins  <b>Phone:</b> (713) 837-0881<br>Senior Assistant Director-Real Estate  | <b>Date and identification of prior authorizing Council Action:</b>   |   |
| <b>RECOMMENDATION: (Summary)</b> It is recommended City Council approve a motion authorizing the abandonment and sale of ±420 square feet of Lillian Street right-of-way, out of the M. D. Conklin Subdivision, adjacent to Lot 7, Block 1, Riverwood on Washington, Section 1, out of the John Reinerman Survey, A-642. <b>Parcel SY11-006</b> |   |   |

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

**SPECIFIC EXPLANATION:**

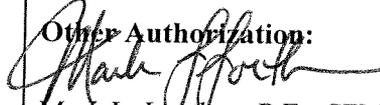
Yoni Sade, 5817 Washington Avenue, Unit A, Houston, Texas, 77007, on behalf of Andrea Christie Watt, requested the abandonment and sale of ±420 square feet of Lillian Street right-of-way, out of the M. D. Conklin Subdivision, adjacent to Lot 7, Block 1, Riverwood on Washington, Section 1, out of the John Reinerman Survey, A-642. Signs notifying the public of the pending street abandonment application were posted for at least thirty days. Andrea Christie Watt, the abutting property owner, plans to use the subject property as a backyard.

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

1. The City abandon and sell ±420 square feet of Lillian Street right-of-way, out of the M. D. Conklin Subdivision, adjacent to Lot 7, Block 1, Riverwood on Washington, Section 1, out of the John Reinerman Survey, A-642;
2. The applicant be required to cut, plug, and abandon the existing 12-inch water line and relocate it outside of the proposed fence in the portion of Knox Street not being abandoned. The centerline of the new 12-inch water line shall not be closer than five feet to the fence. All of the above work is to be done at no cost to the City and under the proper permits;
3. The applicant be required to prepare drawings that show all public utilities (water line) that are to be abandoned, relocated, and/or constructed as part of this project and submit drawings to the Office of the City Engineer for plan review and approval. A copy of the motion shall be attached to the plan set when it is submitted for plan review;
4. 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;
5. 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;
6. The applicant be required to obtain a quitclaim deed from the abutting owners. The abutting property owners have decided not to participate in this transaction, but consent to conveying their interest in Lillian Street to the applicant;

tj\sy11-006.rcl.doc CUIC #20TJ9152

**REQUIRED AUTHORIZATION**

|                            |                             |   |
|----------------------------|-----------------------------|---|
| <b>Finance Department:</b> | <b>Other Authorization:</b> | <b>Other Authorization:</b><br><br>Mark L. Loethen, P.E., CFM, PTOE<br>Acting Deputy Director<br>Planning and Development Services Division |
|----------------------------|-----------------------------|---|

|              |  |   |                                     |
|--------------|--|---|-------------------------------------|
| <b>Date:</b> | <b>Subject:</b> Request for the abandonment and sale of ±420 square feet of Lillian Street right-of-way, out of the M. D. Conklin Subdivision, adjacent to Lot 7, Block 1, Riverwood on Washington, Section 1, out of the John Reinerman Survey, A-642. <b>Parcel SY11-006</b> | <b>Originator's Initials</b><br><br> | <b>Page</b><br><u>2</u> of <u>2</u> |
|--------------|--|---|-------------------------------------|

7. The Legal Department be authorized to prepare the necessary transaction documents; and
8. Inasmuch as the value of the City's property interest is not expected to exceed \$50,000.00, that the value be established by staff appraisal, according to the City policy.

DWK: NPC:tj

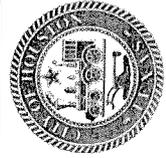
- c: Jun Chang, P.E.  
David Feldman  
Marlene Gafrick  
Terry A. Garrison  
Daniel Menendez, P.E.  
Marty Stein

Abandonment and sale of ±420 square feet of Lillian Street right-of-way, out of the M. D. Conklin Subdivision, adjacent to Lot 7, Block 1, Riverwood on Washington, Section 1, out of the John Reinerman Survey, A-642. Parcel SY11-006



1 inch = 57 feet

**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.



Washington Ave

Knox St

Lillian St

Abandonment Area

© 2010 Google  
US Census Bureau

© 2010 Europa Technologies

© 2010 Google

Imagery Date: Jan 5, 2010

29°46'14.13" N 95°25'15.70" W elev 58 ft

Eye alt 477 ft

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

|   |                                     |  |
|---|-------------------------------------|--|
| <b>SUBJECT:</b> Request for a motion declining the acceptance of, rejecting, and refusing the dedication of Villa Drive, from Airport Boulevard to Neuhaus Avenue, and Larson Street, from Villa Drive to Tewanin Avenue, located in the Central Industrial Park Second Section Subdivision and the Central Industrial Park Third Section Subdivision, both out of the Blas Herrera Survey, A-320. <b>Parcels SY10-086A and SY10-086B</b> | <b>Page</b><br><u>1</u> of <u>1</u> | <b>Agenda Item #</b><br><br><div style="text-align: center; font-size: 2em;">6</div> |
|---|-------------------------------------|--|

|  |                                     |                                   |
|--|-------------------------------------|-----------------------------------|
| <b>FROM (Department or other point of origin):</b><br>Department of Public Works and Engineering | <b>Origination Date</b><br>11-10-11 | <b>Agenda Date</b><br>NOV 17 2010 |
|--|-------------------------------------|-----------------------------------|

|   |   |
|---|---|
| <b>DIRECTOR'S SIGNATURE:</b><br><div style="font-size: 1.5em; margin-left: 20px;">MS </div> Daniel W. Krueger, P.E., Director | <b>Council District affected: I</b><br><br>Key Map 574H |
|---|---|

|  |   |
|--|---|
| <b>For additional information contact:</b><br>Nancy P. Collins  Phone: (713) 837-0881<br>Senior Assistant Director-Real Estate | <b>Date and identification of prior authorizing Council Action:</b> |
|--|---|

**RECOMMENDATION: (Summary)** It is recommended City Council approve a motion declining the acceptance of, rejecting, and refusing the dedication of Villa Drive, from Airport Boulevard to Neuhaus Avenue, and Larson Street, from Villa Drive to Tewanin Avenue, located in the Central Industrial Park Second Section Subdivision and the Central Industrial Park Third Section Subdivision, both out of the Blas Herrera Survey, A-320. **Parcels SY10-086A and SY10-086B**

|   |  |
|---|--|
| <b>Amount and Source of Funding:</b> Not Applicable |  |
|---|--|

**SPECIFIC EXPLANATION:**  
 Ross Matthews of ProLogis, 1201 West Loop North, Suite 100, Houston, Texas, 77055, on behalf of Catellus Operating Limited Partnership, a Delaware limited partnership, [Palmtree Acquisition Corporation, a Delaware corporation, (Anne LaPlace, First Vice President) General Partner], requested the non-acceptance of Villa Drive, from Airport Boulevard to Neuhaus Avenue, and Larson Street, from Villa Drive to Tewanin Avenue, located in the Central Industrial Park Second Section Subdivision and the Central Industrial Park Third Section Subdivision, both out of the Blas Herrera Survey, A-320. The streets were never paved or used for utility purposes. Further, the City has identified no future need for these streets. Catellus Operating Limited Partnership, one of the abutting property owners, plans to clear its property of the Villa Drive and Larson Street rights-of-way interests to enhance the marketability. Manheim Remarketing, Handy Hardware Wholesale, and Third Coast Produce, the other abutting property owners, have agreed to the request for the non-acceptance of the subject rights-of-way. The Joint Referral Committee reviewed the request and determined the request could be processed as a non-acceptance.

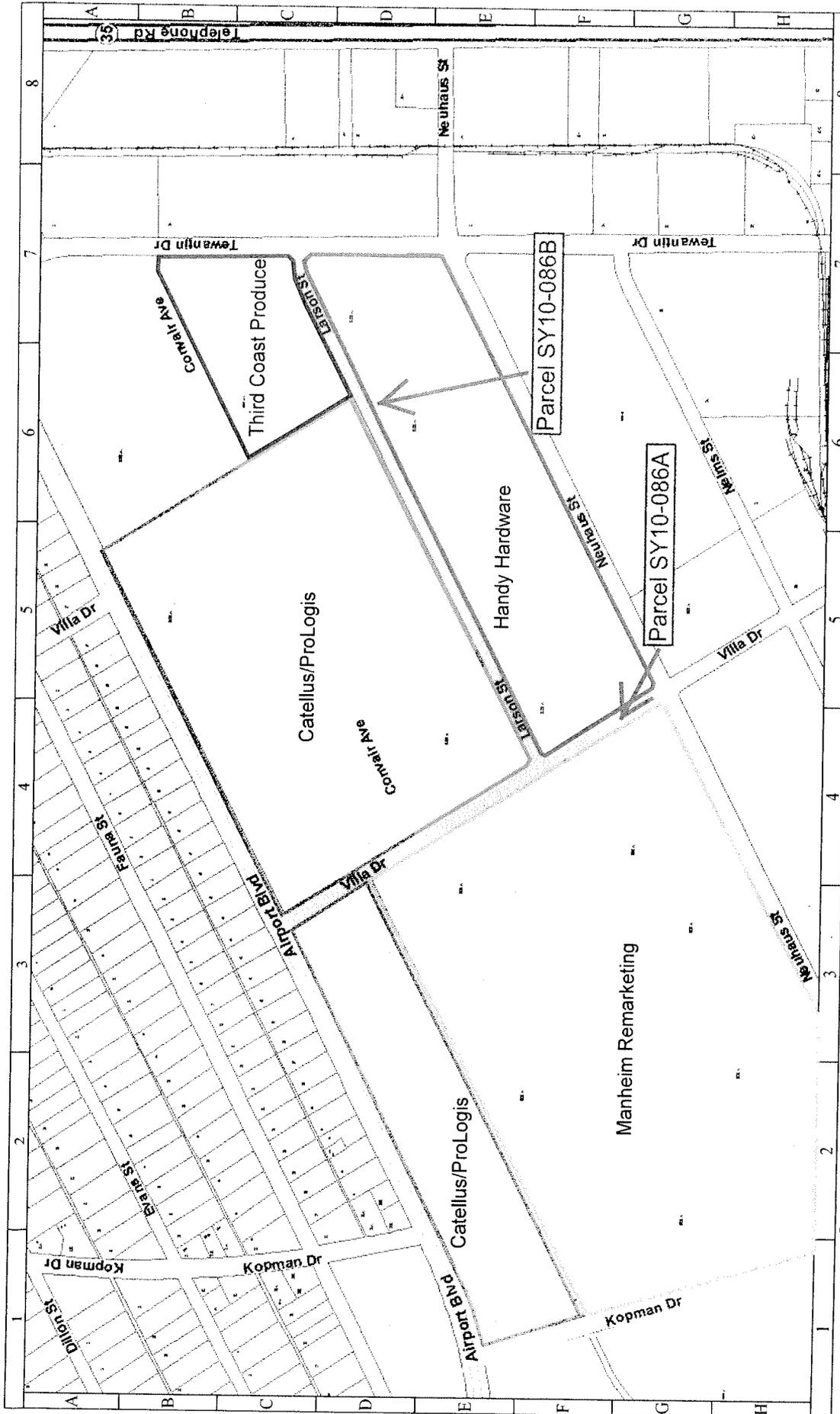
Therefore, it is recommended City Council approve a motion declining the acceptance of, rejecting, and refusing the dedication of Villa Drive, from Airport Boulevard to Neuhaus Avenue, and Larson Street, from Villa Drive to Tewanin Avenue, located in the Central Industrial Park Second Section Subdivision and the Central Industrial Park Third Section Subdivision, both out of the Blas Herrera Survey, A-320.

NPC:WSB:tj

c: Jun Chang, P.E.  
 David M. Feldman  
 Marlene Gafrick  
 Terry A. Garrison  
 Daniel Menendez, P.E.  
 Marty Stein  
 Jeffrey Weatherford, P.E., PTOE

|                     |                               |                |
|---------------------|-------------------------------|----------------|
| tj\sy10-086.rc1.doc | <b>REQUIRED AUTHORIZATION</b> | CUIC #20TJ9143 |
|---------------------|-------------------------------|----------------|

|                            |                             |  |
|----------------------------|-----------------------------|--|
| <b>Finance Department:</b> | <b>Other Authorization:</b> | <b>Other Authorization:</b><br><div style="font-size: 1.5em; margin-left: 20px;"></div> Mark L. Loethen, P.E., CFM, PTOE<br>Acting Deputy Director<br>Planning and Development Services Division |
|----------------------------|-----------------------------|--|



**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.

1 inch = 461 feet



Non-acceptance of Villa Drive, from Airport Boulevard to Neuhaus Avenue, and Larson Street, from Villa Drive to Tewantin Avenue, located in the Central Industrial Park Second Section Subdivision and the Central Industrial Park Third Section Subdivision, both out of the Blas Herrera Survey, A-320. Parcels SY10-086A and SY10-086B

**REQUEST FOR COUNCIL ACTION**

**TO:** Mayor via City Secretary

**RCA# 8868**

**Subject:** Emergency Chemical Feed Station Containment Wall Engineering and Design Services for the Public Works and Engineering Department.  
S12-E23671

Category #  
4

Page 1 of 1

Agenda Item

*7-7A*

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

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

**Origination Date**

September 14, 2010

**Agenda Date**

NOV 17 2010

**DIRECTOR'S SIGNATURE**

*Calvin D. Wells*

**Council District(s) affected**

C

**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 \$140,000.00 from the Water and Sewer System Consolidated Construction Fund (Fund 8500) and approve payment to CP&Y, Inc. in the total amount of \$140,000.00 for emergency chemical feed station containment wall engineering and design services for the Public Works and Engineering Department.

Payment Amount: \$140,000.00

**Finance Budget**

\$140,000.00 - Water and Sewer System Consolidated Construction Fund (8500) WBS R-000019-0059-3

**SPECIFIC EXPLANATION:**

The City Purchasing Agent recommends that City Council approve an ordinance authorizing the appropriation of \$140,000.00 out of the Water & Sewer System Consolidated Construction Fund (Fund 8500). It is further recommended that City Council approve payment to CP&Y, Inc. in the total amount of \$140,000.00 for emergency chemical feed station containment wall engineering and design services for the Public Works and Engineering Department.

On April 29, 2010, the chemical feed station at the Cherry Oak Lift Station Facility was damaged during a severe weather event. The chemical feed station damage and the lack of a spill containment system at this facility lead to a non-toxic chemical leak which spread into the surrounding area. As a result of this chemical spill, and in order to prevent and contain future and "potentially" hazardous chemical leaks, City engineers determined that facility upgrades and spill containment systems be designed and constructed immediately at the Cherry Oak, Dollywright, Garden Villas and Eddington Lift Stations to protect the health and safety of City employees and citizens at or near these facilities. Due to the extent of the effort required to survey each site, collect data, design and prepare construction documents, coordinate with outside agencies and obtain all applicable permits, the Department's Wastewater Operations Branch obtained engineering and containment design phase services from CP&Y, Inc. The Strategic Purchasing Division issued an emergency purchase order (EPO) to address the emergency.

The scope of work required the contractor to obtain all applicable project permits, provide engineering specifications, design drawings and project manuals for the construction of containment walls at each of the affected lift stations. Work also included the submittal of contingency plans for relocating the chemical feed stations with containment walls if necessary to comply with State of Texas environmental regulations.

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

Buyer: Martin L. King

**REQUIRED AUTHORIZATION**

Finance Department:

Other Authorization:

Other Authorization:

*MOT*  
*P*

**REQUEST FOR COUNCIL ACTION**

**TO:** Mayor via City Secretary

**RCA# 8875**

**Subject:** Spending Authority to Purchase General Office Products from the State of Texas Procurement and Support Services Contract for Various Departments.  
S06-S23771-S

Category #  
4

Page 1 of 2

Agenda Item

8

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

**Origination Date**  
October 22, 2010

**Agenda Date**  
NOV 17 2010

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

**Council District(s) affected**  
All

**For additional information contact:**  
Joseph Fenninger *JFF 10/25/10* Phone: (713) 308-1708  
Desiree Heath Phone: (832) 393-8742

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

**RECOMMENDATION: (Summary)**

Approve spending authority to purchase general office products from the State of Texas Procurement and Support Services Contract in an amount not to exceed \$17,234,041.14 for various departments.

Estimated Spending Authority: \$17,234,041.14

**Finance Budget**

- \$10,752,580.58 General Fund (1000)
- \$ 1,920,000.00 HAS-Revenue Fund (8001)
- \$ 1,158,765.06 PWE Wtr & Swr System Operating Fund (8300)
- \$ 849,070.00 Federal Government - Grant Funded (5000)
- \$ 769,465.00 Federal State Local - Pass Through Fund (5030)
- \$ 588,857.00 Houston Emergency Center (2205)
- \$ 357,589.87 Building Inspection Fund (2301)
- \$ 140,000.00 Fleet Management Fund (1005)
- \$ 100,719.70 CIP Salary Recovery (1001)
- \$ 100,000.03 C & E - Civic Center Facility Revenue Fund (8601)
- \$ 92,153.07 Central Service Revolving Fund (1002)
- \$ 83,322.57 BSD - In-House Renovation Revolving Fund (1003)
- \$ 69,000.00 Workers Compensation Admin Fund (1011)
- \$ 58,200.00 Health Benefits Fund (9000)
- \$ 58,000.00 Stormwater Fund (2302)
- \$ 47,500.00 Park Special Revenue Fund (2100)
- \$ 40,000.00 Parking Management Operating Fund (8700)
- \$ 28,818.26 American Recovery Reinvestment Act (5300)
- \$ 15,000.00 Cable Television Fund (2401)
- \$ 5,000.00 Property & Casualty Fund (1004)
- \$17,234,041.14 Grand Total

**SPECIFIC EXPLANATION:**

The City Purchasing Agent recommends that City Council approve spending authority to purchase general office products from the State of Texas Procurement and Support Services Contract through the State of Texas Purchasing Program in an amount not to exceed \$17,234,041.14 for various departments, and that authorization be given to purchase these items using purchase orders or the City Purchasing Card, as needed from the State contract vendor, OfficeMax Incorporated, for a thirty-six month period with two one-year options to renew. This contract will be used by City departments to purchase general office supplies. A price analysis was conducted and it revealed that the State's contract price for general office products is approximately 3.18% lower than current contract pricing/market pricing.

**REQUIRED AUTHORIZATION**

Finance Department:

Other Authorization:

Other Authorization:

*[Signature]*  
10/25/10

*Not*

|                     |  |                                |             |
|---------------------|--|--------------------------------|-------------|
| Date:<br>10/22/2010 | Subject: Spending Authority to Purchase General Office Products from the State of Texas Procurement and Support Services Contract for Various Departments.<br>S06-S23771-S | Originator's<br>Initials<br>TR | Page 2 of 2 |
|---------------------|--|--------------------------------|-------------|

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

M/WBE Subcontracting:

This award has an 11% goal for M/WBE participation. OfficeMax Incorporated has designated the below-named company as its certified M/WBE subcontractor.

| <u>Company</u>                  | <u>Type of Work</u>     | <u>AMOUNT</u>  |
|---------------------------------|-------------------------|----------------|
| Today's Business Solutions, LLC | Provide Office Supplies | \$1,895,744.53 |

The Affirmative Action Division will monitor this award.

Buyer Tywana L. Rhone

**ESTIMATED SPENDING AUTHORITY:**

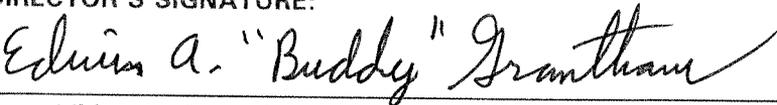
| <b>DEPARTMENT</b>                   | <b>FY11</b>           | <b>OUT YEARS</b>       | <b>TOTAL</b>           |
|-------------------------------------|-----------------------|------------------------|------------------------|
| Police                              | \$ 275,000.00         | \$ 3,025,000.00        | \$ 3,300,000.00        |
| Health & Human Services             | \$ 107,810.00         | \$ 2,587,430.00        | \$ 2,695,240.00        |
| Public Works & Engineering          | \$ 417,524.11         | \$ 1,806,996.18        | \$ 2,224,520.29        |
| Houston Airport System              | \$ 192,000.00         | \$ 1,728,000.00        | \$ 1,920,000.00        |
| Fire                                | \$ 107,941.89         | \$ 956,056.74          | \$ 1,063,998.63        |
| General Services                    | \$ 126,096.77         | \$ 1,134,870.82        | \$ 1,260,967.59        |
| Municipal Courts                    | \$ 67,354.06          | \$ 606,186.54          | \$ 673,540.60          |
| Houston Emergency                   | \$ 107,066.00         | \$ 481,791.00          | \$ 588,857.00          |
| Administration & Regulatory Affairs | \$ 55,000.00          | \$ 495,000.00          | \$ 550,000.00          |
| Library                             | \$ 50,000.00          | \$ 360,000.00          | \$ 410,000.00          |
| Finance                             | \$ 50,000.00          | \$ 300,000.00          | \$ 350,000.00          |
| Information Technology              | \$ 27,500.00          | \$ 247,500.00          | \$ 275,000.00          |
| Legal                               | \$ 30,000.00          | \$ 240,000.00          | \$ 270,000.00          |
| Parks & Recreation                  | \$ 15,750.00          | \$ 241,750.00          | \$ 257,500.00          |
| Solid Waste Management              | \$ 22,754.00          | \$ 204,793.00          | \$ 227,547.00          |
| Human Resources                     | \$ 33,500.00          | \$ 178,000.00          | \$ 211,500.00          |
| Controller's                        | \$ 37,415.00          | \$ 149,660.00          | \$ 187,075.00          |
| City Council                        | \$ 18,000.00          | \$ 142,000.00          | \$ 160,000.00          |
| Mayor's Administration              | \$ 18,049.50          | \$ 150,245.50          | \$ 168,295.00          |
| Planning & Development              | \$ 27,600.00          | \$ 112,400.00          | \$ 140,000.00          |
| Convention & Entertainment          | \$ 15,000.03          | \$ 85,000.00           | \$ 100,000.03          |
| Housing & Community Development     | \$ 20,000.00          | \$ 80,000.00           | \$ 100,000.00          |
| Affirmative Action                  | \$ 10,000.00          | \$ 40,000.00           | \$ 50,000.00           |
| City Secretary                      | \$ 10,000.00          | \$ 40,000.00           | \$ 50,000.00           |
| <b>GRAND TOTAL</b>                  | <b>\$1,841,361.36</b> | <b>\$15,392,679.78</b> | <b>\$17,234,041.14</b> |

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

|   |                       |  |
|---|-----------------------|--|
| <b>SUBJECT:</b> Approve Resolution of the City of Houston authorizing hiring preferences for veterans and assisting veterans in finding city employment: containing findings and other provisions relating to the foregoing subject; and providing an effective date. | <b>Page</b><br>1 of 1 | <b>Agenda Item</b><br>#<br><br><span style="font-size: 2em; font-weight: bold;">9</span> |
|---|-----------------------|--|

|  |  |                                   |
|--|--|-----------------------------------|
| <b>FROM (Department or other point of origin):</b><br><br>City of Houston Office of Veterans Affairs | <b>Origination Date</b><br>10-Nov-2010 | <b>Agenda Date</b><br>NOV 17 2010 |
|--|--|-----------------------------------|

MS

|   |                                   |
|---|-----------------------------------|
| <b>DIRECTOR'S SIGNATURE:</b><br> | <b>Council District affected:</b> |
|---|-----------------------------------|

|   |   |
|---|---|
| <b>For additional information contact:</b> E. A. "Buddy" Grantham<br><b>Phone:</b> (832) 393-0992 | <b>Date and identification of prior authorizing Council action:</b> |
|---|---|

**RECOMMENDATION: (Summary)**  
 That City Council approve a resolution authorizing a program to assist honorably discharged veterans in finding employment with the City and that City Council by adoption of this resolution support the efforts of the Mayor to create by executive order a program of preferences for hiring veterans for employment by the City of Houston.

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

**SPECIFIC EXPLANATION:**

The City of Houston Office of Veterans Affairs is requesting support for a Resolution authorizing a hiring preference for veterans within the City of Houston. The program will assist our returning veterans who have an unemployment rate of over 20%. These citizen soldiers have a strong desire to continue to provide service to the citizens of this community. As employees of the City of Houston they will have an opportunity to do that and we will gain employees dedicated to service.

The resolution will send a strong signal throughout the veteran community, their families and supporters that the City of Houston City Council understands the sacrifices made by our service member and welcomes them back as they reintegrate back into civilian life.

We will be working in corporation with the Texas Veterans Commission, the Texas Workforce Commission, the Texas Veterans Leadership Program, and numerous local veteran employment service organizations in order to identify qualified veterans to fill positions within the City of Houston.

| REQUIRED AUTHORIZATION      |                             |                             |
|-----------------------------|-----------------------------|-----------------------------|
| <b>Other Authorization:</b> | <b>Other Authorization:</b> | <b>Other Authorization:</b> |

City of Houston, Texas, Resolution No. 2010-\_\_\_\_\_

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOUSTON AUTHORIZING HIRING PREFERENCES FOR VETERANS AND ASSISTING VETERANS IN FINDING CITY EMPLOYMENT; CONTAINING FINDINGS AND OTHER PROVISIONS RELATING TO THE FOREGOING SUBJECT; AND PROVIDING AN EFFECTIVE DATE.**

\* \* \* \* \*

**WHEREAS**, the City of Houston is a populous city, diverse in population, business and industry; and

**WHEREAS**, many members of the military call the Houston area home and many veterans will establish their residence in Houston after serving our country; and

**WHEREAS**, veterans are dedicated, disciplined, well trained, and have many skills that make them desirable employees; and

**WHEREAS**, the skills acquired by veterans during their service to the nation, such as police and security skills, fire fighting, emergency medical, mechanical, engineering, and management, to name just a few, are especially adaptable to a municipal workforce; and

**WHEREAS**, there is a growing need for the successful reintroduction of veterans into the civilian workforce after honorable service to our county; and

**WHEREAS**, this grateful city desires to assist veterans with their reintroduction into the civilian workforce; **NOW, THEREFORE**,

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

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

**Section 2.** That the City of Houston shall initiate a program to assist honorably discharged veterans in finding employment with the City, and that the City Council by adoption of this resolution supports the efforts of the Mayor to create by executive order a program of preferences for hiring veterans for employment by the City of Houston.

**Section 3.** That this Resolution shall take effect immediately upon its passage and approval by the Mayor; however, in the event that the Mayor fails to sign this Resolution within five days after its passage and adoption, it shall take effect in accordance with Article VI, Section 6, Houston City Charter.

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

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

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

Pursuant to Article VI, Section 6, Houston City Charter, the effective date of the foregoing Resolution is \_\_\_\_\_.

\_\_\_\_\_  
City Secretary

Prepared by Legal Dept.  
MLD:MLD 11/01/2010  
Requested by Mayor's Office  
L.D. File No. 0501000168001

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

TO: Mayor via City Secretary      **REQUEST FOR COUNCIL ACTION**      09-Single Family

|   |                       |  |
|---|-----------------------|--|
| <b>SUBJECT:</b> A Resolution approving Houston Housing Finance Corporation Single Family Mortgage Revenue Bonds, Series 2009A for purposes of Section 147(f) of Internal Revenue Code | <b>Page</b><br>1 of 2 | <b>Agenda Item #</b><br><span style="font-size: 2em; font-weight: bold;">10</span> |
|---|-----------------------|--|

|  |                                     |                                   |
|--|-------------------------------------|-----------------------------------|
| <b>FROM (Department or other point of origin):</b><br>James Noteware, Director<br>Housing and Community Development Department | <b>Origination Date</b><br>10-13-10 | <b>Agenda Date</b><br>NOV 17 2010 |
|--|-------------------------------------|-----------------------------------|

|   |  |
|---|--|
| <b>DIRECTOR'S SIGNATURE:</b><br><i>MS</i>  FOR: JAMES NOTEWARE | <b>Council District affected:</b><br>All |
|---|--|

|   |  |
|---|--|
| <b>For additional information contact:</b><br>James Noteware<br>Phone: 713-868-8305 | <b>Date and identification of prior authorizing Council action:</b> Resolution No. 09-36<br>December 2, 2009 |
|---|--|

**RECOMMENDATION: (Summary)**  
The Department recommends adoption of a Resolution approving Houston Housing Finance Corporation Single Family Mortgage Revenue Bonds, Series 2009A for purposes of Section 147(f) of Internal Revenue Code

|   |                        |
|---|------------------------|
| <b>Amount of Funding:</b><br>No City Funding or Liability | <b>F&amp;A Budget:</b> |
|---|------------------------|

**SOURCE OF FUNDING**       General Fund       Grant Fund       Enterprise Fund  
 Other (Specify)    **Single Family Mortgage Revenue Bonds**

**SPECIFIC EXPLANATION:**

The City has created the Houston Housing Finance Corporation ("Corporation") to assist persons of low and moderate income in acquiring and owning decent, safe, sanitary and affordable housing. To help accomplish the City's goal, the Corporation established a Single Family Mortgage Purchase Program (2009) (the "Program") to finance the purchase of mortgage-backed securities backed by mortgage loans to finance owner-occupied single family residential property located within the City, to be owned by persons of low and moderate income.

To implement the Program, the Corporation issued its Single Family Mortgage Revenue Bonds, Series 2009A in the aggregate principal amount of \$15,000,000 (the "Bonds"). The Corporation received an allocation to participate in the Treasury Department's New Issue Bond Program ("NIBP") under which Treasury purchased securities issued by Fannie Mae and Freddie Mac backed by the Bonds. The issuance of the Bonds was approved by City Council pursuant to Resolution No. 09-36 adopted on December 2, 2009. The City has no obligation or liability in regard to the Bonds.

The Bonds were initially issued on a taxable basis and are subject to conversion, on one or more separate dates, to tax-exempt bonds upon delivery of an opinion of bond counsel to the effect that interest on the Bonds is excludable from gross income for federal income tax purposes (the "Tax Exempt Conversion") and satisfaction of other conditions set forth in the Trust Indenture between the Corporation and Wells Fargo Bank, National Association (the "Trustee"). In connection with the Tax-Exempt Conversion, the interest rate on the Bonds will be converted from a short term floating rate to a long term fixed rate. Under the Program, certain procedures have been established for the purpose of verifying that the mortgage loans satisfy applicable federal law requirements including purchase price limits, mortgagor income limits (including both State and federal limits), new mortgage, assumption, loan-to-value ratio, insurance and documentation requirements. Upon the Tax-Exempt Conversion, the Trustee will purchase mortgage pass-through securities backed by qualifying mortgage loans and guaranteed as to timely payment of principal and interest by the Government National Mortgage Association, Fannie Mae or Freddie Mac (the "Certificates"). The Certificates will be pledged as security for the payment of the principal of and interest on the tax-exempt Bonds.

**REQUIRED AUTHORIZATION**

|                          |                             |                             |
|--------------------------|-----------------------------|-----------------------------|
| <b>F&amp;A Director:</b> | <b>Other Authorization:</b> | <b>Other Authorization:</b> |
|--------------------------|-----------------------------|-----------------------------|

**Date**

**Subject:** A Resolution approving Houston Housing Finance Corporation Single Family Mortgage Revenue Bonds, Series 2009A for purposes of Section 147(f) of Internal Revenue Code

**Originator's  
Initials**

**Page  
2 of 2**

On October 13, 2010, the Corporation's Board of Directors held a public hearing on the Tax-Exempt Conversion as required by federal tax law. A report of the public hearing, including any comments received from the public, will be submitted to City Council. Federal tax law, specifically Section 147(f) of the Internal Revenue Code, requires that the City Council approve the Bonds prior to the Tax-Exempt Conversion, even though the City has no obligation or liability in regard to the Bonds.

The proposed actions was presented to the Housing and Community Development Committee on September 16, 2010. The Department recommends that City Council adopt the Resolution approving the Tax-Exempt Conversion of the Bonds.

Cc: City Secretary  
Legal Department  
Mayor's Office



As 81 percent of permitting transactions are processed through ARA and PWE, we have relied on the cost analyses performed by these two departments as a statistically significant sample of the appropriate fee increase that should be applicable to the remaining 19 percent of City permits.

To account for the indirect or "overhead" costs associated with processing transactions and overall administration, a separate administrative fee of \$25 is being recommended for all transactions in excess of \$50. The fee shall not apply to online credit card convenience fees pursuant to contracts previously approved by City Council.

Attached is a list all of the proposed cost of service related fee increases. The adopted FY2011 Budget includes a revenue placeholder of \$15,000,000, which was an estimate of the degree to which our fee schedules lag behind actual costs.

Other ongoing initiatives include: creation of citywide policies for billing and collection of fees, centralized billing and collection activities to achieve best practices and to identify opportunities to take advantage of scale to negotiate more favorable collection fees.

The proposed cost of service fee adjustments were reviewed by the Budget and Fiscal Affairs Committee on November 8, 2010. Responses to Council Members' questions asked during the meeting are attached.

Attachments

**REQUIRED AUTHORIZATION**

|                      |                      |                      |
|----------------------|----------------------|----------------------|
| Other Authorization: | Other Authorization: | Other Authorization: |
|----------------------|----------------------|----------------------|

COH Cost Recovery Analysis

TABLE 1

| Permit/Fee/Fine Name | Permit/Fee Description                              | Rate (Current)<br>(\$) | Proposed New Fee<br>(\$) |
|----------------------|---|------------------------|--------------------------|
| Animal Adoption      | Cats - Everyday                                     | 27.50                  | 27.50                    |
| Animal Adoption      | Cats - Everyday                                     | 25.50                  | None                     |
| Animal Adoption      | Cats - Everyday                                     | 55.00                  | None                     |
| Animal Adoption      | Dogs - Sunday through Friday                        | 55.00                  | 75.00                    |
| Animal Adoption      | Dogs - Saturday Only                                | 30.00                  | None                     |
| Animal Adoption      | Dogs  | 28.00                  | None                     |
| Animal Adoption      | Dogs  | 27.50                  | 37.50                    |
| Animal Adoption      | Dogs  | 26.00                  | None                     |
| Animal Adoption      | Birds   | 5.00                   | 5.00                     |
| Animal Adoption      | Other   | 2.50                   | 5.00                     |
| Animal Control Fees  | Impoundment Fee - Unneutered (1st Offense)          | 50.00                  | 60.00                    |
| Animal Control Fees  | Impoundment Fee - Neutered (1st Offense)            | 25.00                  | 30.00                    |
| Animal Control Fees  | Impoundment Fee - Other Animals (1st Offense)       | 25.00                  | 30.00                    |
| Animal Control Fees  | Impoundment Fee - Unneutered (2nd Offense)          | 75.00                  | 85.00                    |
| Animal Control Fees  | Impoundment Fee - Neutered (2nd Offense)            | 50.00                  | 55.00                    |
| Animal Control Fees  | Impoundment Fee - Other Animals (2nd Offense)       | 50.00                  | 55.00                    |
| Animal Control Fees  | Impoundment Fee - Unneutered (3rd Offense)          | 100.00                 | 110.00                   |
| Animal Control Fees  | Impoundment Fee - Neutered (3rd Offense)            | 75.00                  | 80.00                    |
| Animal Control Fees  | Impoundment Fee - Other Animals (3rd Offense)       | 75.00                  | 80.00                    |
| Animal Control Fees  | Boarding Fee  | 9.25                   | 9.00                     |
| Animal Control Fees  | Rabies Vaccination Fee                              | 12.00                  | 20.00                    |
| Animal Control Fees  | Veterinary Services (Impounded Animals Only)        | 25.00                  | 25.00                    |
| Burglar Alarm Permit | Non Residential Burglar                             | 70.00                  | 100.00                   |
| Burglar Alarm Permit | Non Residential Panic                               | 70.00                  | 100.00                   |
| Burglar Alarm Permit | Non Res Burglar Panic Combo                         | 140.00                 | 200.00                   |
| Burglar Alarm Permit | Residential Burglar                                 | 30.00                  | 35.00                    |
| Burglar Alarm Permit | Residential Burglar Panic                           | 30.00                  | 35.00                    |
| Charter Bus Permits  | Annual Permit (per vehicle)                         | 400.00                 | 500.00                   |
| Charter Bus Permits  | Temporary Permit (30 day max per vehicle)           | 50.00                  | 100.00                   |
| Charter Bus Permits  | Replacement Fee                                     | 15.00                  | 0.00                     |
| Charter Bus Permits  | Scheduled Ground Transp. Fee 10-12 Pass.            | 50.00                  | 200.00                   |
| Charter Bus Permits  | Scheduled Ground Transp. Fee 13-30                  | 75.00                  | 200.00                   |
| Charter Bus Permits  | Scheduled Ground Transp. Fee 31 or more             | 100.00                 | 200.00                   |
| Dance Licenses       | Dance Halls Class A (dance clubs or cabaret)        | 550.00                 | 750.00                   |
| Dance Licenses       | Dance Halls Class A (<2days/wk)                     | 275.00                 | 0.00                     |
| Dance Licenses       | Dance Halls Class B (dance classes and rental hall) | 30.00                  | 100.00                   |
| Dance Licenses       | Dance Halls Class B (dance classes)                 | 10.00                  | 0.00                     |
| Dance Licenses       | Dance Halls Class C (teenage clubs)                 | 120.00                 | 120.00                   |
| Dance Licenses       | Dance Halls Class C (three nights a week)           | 60.00                  | 0.00                     |
| False Alarm Penalty  | Non-Residential Panic (after 1 free)                | 200.00                 | 240.00                   |
| False Alarm Penalty  | Non-Residential Panic (after 2 false alarms )       | 400.00                 | 480.00                   |
| False Alarm Penalty  | Non-Residential Panic (after 3 false alarms)        | 500.00                 | 600.00                   |
| False Alarm Penalty  | Non-Res. Burg. Alarm Non-Permitted Alarm System     | 200.00                 | 200.00                   |
| False Alarm Penalty  | Non-Permitted Alarm System                          | 350.00                 | 420.00                   |

## COH Cost Recovery Analysis

| Permit/Fee/Fine Name      | Permit/Fee Description                          | Rate (Current)<br>(\$) | Proposed New Fee<br>(\$) |
|---------------------------|---|------------------------|--------------------------|
| False Alarm Penalty       | Residential Panic after 1 false alarm           | 100.00                 | 120.00                   |
| False Alarm Penalty       | Residential Panic after 2 alarms                | 200.00                 | 240.00                   |
| False Alarm Penalty       | Residential Panic after 3 alarms                | 300.00                 | 360.00                   |
| False Alarm Penalty       | Residential panic after 4 alarms                | 400.00                 | 480.00                   |
| False Alarm Penalty       | Resid. Burg. Alarm - Non-Permitted Alarm System | 100.00                 | 100.00                   |
| False Alarm Penalty       | Residential Non permitted Panic                 | 220.00                 | 264.00                   |
| False Alarm Penalty       | Res & Non-Res Burg Al after 3rd false           | 50.00 - 100.00         |                          |
| F&A Coin Decals           | Coin Operated Machine Penalty                   | 250.00                 | 250.00                   |
| Limo Inspection Fees      | Limousine Inspection                            | 25.00                  | 50.00                    |
| Limo Inspection Fees      | Limousine Inspection (prorated)                 | 12.50                  | 0.00                     |
| Limousine Permits         | Limousine Permit                                | 400.00                 | 500.00                   |
| Limousine Permits         | Limousine Permits (prorated)                    | 250.00                 | 0.00                     |
| Limousine Permits         | Limousine Permits (prorated)                    | 300.00                 | 0.00                     |
| Limousine Permits         | Limousine Permits (prorated)                    | 350.00                 | 0.00                     |
| Limousine Permits         | Replacement Fee                                 | 15.00                  | 0.00                     |
| Limousine Permits         | Temporary Permit (30 day max per vehicle)       | 50.00                  | 100.00                   |
| Jitney Permit             | Jitney Permit                                   | 400.00                 | 500.00                   |
| Jitney Permit             | Jitney Application Fee / Transfer Fee           | 100.00                 | 100.00                   |
| Jitney Permit             | Jitney Rate/Route Cards (per rate/route)        | 30.00                  | 30.00                    |
| Jitney Permit             | Jitney Inspections                              | 25.00                  | 50.00                    |
| Jitney Permit             | Drivers License Fee                             | 10.00                  | 10.00                    |
| News rack Permit & Decals | News rack Permit                                | 300.00                 | 300.00                   |
| News rack Permit & Decals | News rack Decal                                 | 5.00                   | 5.00                     |
| Occupation Licenses       | Antique Dealer Show                             | 2.00                   | 10.00                    |
| Occupation Licenses       | Antique Dealers                                 | 50.00                  | 100.00                   |
| Occupation Licenses       | Common Market - 10 vendors or less              | 60.00                  | 75.00                    |
| Occupation Licenses       | Common Market - 11 to 20 vendors                | 120.00                 | 150.00                   |
| Occupation Licenses       | Common Market - 21 or more vendors              | 180.00                 | 200.00                   |
| Occupation Licenses       | Precious Metals (Gold, Silver, & Coins)         | 50.00                  | 130.00                   |
| Occupation Licenses       | Resale Media & Clothing Dealer                  | 50.00                  | 100.00                   |
| Occupation Licenses       | Secondhand Reseller                             | 250.00                 | 300.00                   |
| Other License & Permit    | Street Vendor                                   | 50.00                  | 135.00                   |
| Other License & Permit    | Game Room                                       | 60.00                  | 100.00                   |
| Other License & Permit    | Mini Warehouse                                  | 50.00                  | 100.00                   |
| Other License & Permit    | Outdoor Sound Amplification Permit              | 10.00                  | 30.00                    |
| Other License & Permit    | Charitable Solicitation - (Class B)             | 12.00                  | 20.00                    |
| Other License & Permit    | Charitable Solicitation - 30 DAY (Class A)      | 12.00                  | 20.00                    |
| Other License & Permit    | Carnival Amusement                              | 5.00                   | 100.00                   |
| Rabies Control License    | Neutered  | 10.00                  | 20.00                    |
| Rabies Control License    | Senior Citizens 60 + Altered Animal             | 5.00                   | 5.00                     |
| Rabies Control License    | Service Animal/Certified Assistance             | Free                   | None                     |
| Rabies Control License    | Kennel License                                  | 50.00                  | 200.00                   |
| Rabies Control License    | Dangerous Dog License                           | 50.00                  | 60.00                    |
| Rabies Control License    | Late Fee  | 10.00                  | 10.00                    |

## COH Cost Recovery Analysis

| Permit/Fee/Fine Name                            | Permit/Fee Description                              | Rate (Current)<br>(\$) | Proposed New Fee<br>(\$) |
|---|---|------------------------|--------------------------|
| Rabies Control License                          | Senior Citizens 60 + Altered Animal - Renewal       | 2.00                   | 2.00                     |
| Rabies Control License                          | Service Animal/Certified Assistance                 | 2.00                   | 2.00                     |
| Rabies Control License                          | Neutered - Renewal                                  | 10.00                  | 10.00                    |
| Rabies Control License                          | Breeders Permit                                     | 100.00                 | 120.00                   |
| Rabies Control License                          | Breeders Permit - Late Fee                          | 25.00                  | 30.00                    |
| Rabies Control License                          | Unneutered  | 50.00                  | 60.00                    |
| ROW Permit Fees                                 | ROW Permit Fees                                     | Varies                 | None                     |
| Sexually Oriented Businesses                    | Entertainer & Managers - Lost or Stolen             | 35.00                  | 35.00                    |
| Sexually Oriented Businesses                    | Entertainer & Managers - New                        | 60.00                  | 250.00                   |
| Sexually Oriented Businesses                    | SOB New   | 475.00                 | 2,000.00                 |
| Sexually Oriented Businesses                    | SOB Renewals  | 225.00                 | 1,000.00                 |
| Sexually Oriented Businesses                    | SOB Transfer non refundable                         | 100.00                 | 500.00                   |
| Sexually Oriented Businesses                    | Non refundable arcade                               | 275.00                 | 2,000.00                 |
| Sexually Oriented Businesses                    | Reinspection Fee adult arcade                       | 60.00                  | 100.00                   |
| Sexually Oriented Businesses                    | After hour inspection                               | 30.00                  | 30.00                    |
| Sexually Oriented Businesses                    | Renewal Fee Arcade                                  | 100.00                 | 1,000.00                 |
| Sexually Oriented Businesses                    | Transfer amendment application fee                  | 100.00                 | 500.00                   |
| School Bus Lic & Prm (private school & daycare) | Nonrefundable per Application                       | 100.00                 | 100.00                   |
| School Bus Lic & Prm (private school & daycare) | Add/Drop Driver Fee                                 | 10.00                  | None                     |
| School Bus Lic & Prm (private school & daycare) | School Veh (<15 passengers) (annual permit fee)     | 70.00                  | 200.00                   |
| Low Speed Shuttle                               | Low Speed Shuttle Vehicle Permit Fee                | 400.00                 | 500.00                   |
| Low Speed Shuttle                               | Low Speed Shuttle Vehicle Inspection Fee            | 25.00                  | 50.00                    |
| Low Speed Shuttle                               | Low Speed Shuttle Company Application Fee           | 100.00                 | 100.00                   |
| Low Speed Shuttle                               | Low Speed Shuttle Rate/Route Fee                    | 30.00                  | 30.00                    |
| Low Speed Shuttle                               | Low Speed Shuttle Drivers License Fee               | 10.00                  | 10.00                    |
| Pedicab   | Pedicab Vehicle Permit                              | 200.00                 | 200.00                   |
| Pedicab   | Pedicab Vehicle Inspection Fee                      | 25.00                  | 50.00                    |
| Pedicab   | Pedicab Company Appliation Fee                      | 100.00                 | 100.00                   |
| Pedicab   | Pedicab Drivers License Fee                         | 10.00                  | 10.00                    |
| Taxi License & Permit                           | Annual Permit                                       | 400.00                 | 500.00                   |
| Taxi License & Permit                           | Company Application Fee                             | 105.00                 | 105.00                   |
| Taxi License & Permit                           | Decal Replacement Fee                               | 15.00                  | None                     |
| Boot Fees                                       | Admin and Boot Fee                                  | 100.00                 | 150.00                   |
| Contract Parking Rev.                           | Bagged Meters and Contracts                         | 11.50                  | 15.00                    |
| Metered Parking Rev                             | Meter Revenue                                       | 0.25 - 1.50            | .030 - 1.80              |
| Parking Violations                              | Citations Paid                                      | 25.00 - 410.00         | 30.00 - 490.00           |
| Parking Violations                              | Double Parking Paid in <45 days                     | 35.00                  | 40.00                    |
| Parking Violations                              | Double Parking Paid in >45 days                     | 60.00                  | 65.00                    |
| Parking Violations                              | No Parking anytime Paid in <45 days                 | 35.00                  | 40.00                    |
| Parking Violations                              | No Parking anytime Paid in >45 days                 | 60.00                  | 65.00                    |
| Parking Violations                              | Parked on wrong side of the street Paid in <45 days | 25.00                  | 30.00                    |
| Parking Violations                              | Parked on wrong side of the street Paid in >45 days | 50.00                  | 55.00                    |
| Parking Violations                              | Parked on street more than 24hrs Paid in <45 days   | 25.00                  | 30.00                    |
| Parking Violations                              | Parked on street more than 24hrs Paid in >45 days   | 50.00                  | 55.00                    |

## COH Cost Recovery Analysis

| Permit/Fee/Fine Name     | Permit/Fee Description   | Rate (Current)<br>(\$) | Proposed New Fee<br>(\$) |
|--------------------------|--|------------------------|--------------------------|
| Parking Violations       | Parked in fire lane Paid in <45 days                           | 125.00                 | 130.00                   |
| Parking Violations       | Parked in fire lane Paid in >45 days                           | 175.00                 | 180.00                   |
| Parking Violations       | No parking from---- to----- Paid in <45 days                   | 35.00                  | 40.00                    |
| Parking Violations       | No parking from---- to----- Paid in >45 days                   | 60.00                  | 65.00                    |
| Parking Violations       | Parking meter expired Paid in <45 days                         | 25.00                  | 30.00                    |
| Parking Violations       | Parking meter expired Paid in >45 days                         | 50.00                  | 55.00                    |
| Parking Violations       | Other (describe) Paid in <45 days                              | 35.00                  | 40.00                    |
| Parking Violations       | Other (describe) Paid in >45 days                              | 60.00                  | 65.00                    |
| Parking Violations       | Disabled parking Paid in <45 days                              |                        | 400.00                   |
| Parking Violations       | Disabled parking Paid in >45 days                              |                        | 500.00                   |
| Parking Violations       | Parking oversized commercial vehicles Paid in <45 days         | 55.00                  | 60.00                    |
| Parking Violations       | Parking oversized commercial vehicles Paid in >45 days         | 75.00                  | 80.00                    |
| Parking Violations       | Parking in tow away zone Paid in <45 days                      | 65.00                  | 70.00                    |
| Parking Violations       | Parking in tow away zone Paid in >45 days                      | 100.00                 | 105.00                   |
| Parking Violations       | Parking within 15' of fire hydrant Paid in <45 days            | 100.00                 | 105.00                   |
| Parking Violations       | Parking within 15' of fire hydrant Paid in >45 days            | 150.00                 | 155.00                   |
| Parking Violations       | Overtime Parking Paid in <45 days                              | 25.00                  | 30.00                    |
| Parking Violations       | Overtime Parking Paid in >45 days                              | 50.00                  | 55.00                    |
| Resident Prkg Permit     | Decal  | 20.00                  | 25.00                    |
| Resident Prkg Permit     | Visitor (24 hours)   | 20.00                  | 25.00                    |
| Resident Prkg Permit     | Service Provider   | 10.00                  | 25.00                    |
| Resident Prkg Permit     | One Day Packs  | 15.00                  | 20.00                    |
| Valet Parking Op Prm     | Valet Zone Permit  | 300.00                 | 400.00                   |
| Valet Parking Op Prm     | Valet Zone Temp  | 100.00                 | 200.00                   |
| Valet Parking Op Prm     | Valet Operators Permit   | 1,000.00               | 1,500.00                 |
| Fire Alarm Permit        | Fire Alarm Permit (New)  | 50.00                  | 75.00                    |
| Fire Alarm Permit        | Fire Alarm Permit (Renewal)                                    | 25.00                  | 50.00                    |
| False Fire Alarm Penalty | False alarm fees are assessed based on classification of alarm | 300.00                 | 360.00                   |
| Haz Mat Response         | Charge for response clean up (per minute)                      | 15.00                  | 18.00                    |
| Haz Mat Response         | Charge for response clean up (per hour)                        | 900.00                 | 1,080.00                 |
| Special Fire Permits     | Aerosol products tier one                                      | 150.00                 | 200.00                   |
| Special Fire Permits     | Aerosol products tier two                                      | 500.00                 | 600.00                   |
| Special Fire Permits     | Apparatus access, road access-control gate                     | 75.00                  | 125.00                   |
| Special Fire Permits     | Apparatus access, road access-control gates (2+)               | 150.00                 | 200.00                   |
| Special Fire Permits     | Aircraft refueling vehicle                                     | 150.00                 | 200.00                   |
| Special Fire Permits     | Aircraft refueling vehicles (\$80 each additional, \$400 Max)  | 350.00                 | 400.00                   |
| Special Fire Permits     | Aircraft service or repair occupancy                           | 350.00                 | 400.00                   |
| Special Fire Permits     | Carnivals, festivals, trade show exhibitions and fairs         | 350.00                 | 400.00                   |
| Special Fire Permits     | Battery system   | 150.00                 | 200.00                   |
| Special Fire Permits     | Cellulose nitrate film use or storage                          | 150.00                 | 200.00                   |
| Special Fire Permits     | Combustible dust-producing operations                          | 150.00                 | 200.00                   |
| Special Fire Permits     | Combustible fibers tier one                                    | 150.00                 | 200.00                   |
| Special Fire Permits     | Combustible fibers tier two                                    | 500.00                 | 600.00                   |
| Special Fire Permits     | Compressed gases tier one                                      | 250.00                 | 300.00                   |

## COH Cost Recovery Analysis

| Permit/Fee/Fine Name | Permit/Fee Description                                   | Rate (Current)<br>(\$) | Proposed New Fee<br>(\$) |
|----------------------|--|------------------------|--------------------------|
| Special Fire Permits | Compressed gases tier two                                | 500.00                 | 600.00                   |
| Special Fire Permits | Covered Mall Buildings                                   | 500.00                 | 600.00                   |
| Special Fire Permits | Cryogenic Fluids tier one                                | 250.00                 | 300.00                   |
| Special Fire Permits | Cryogenic Fluids tier two                                | 500.00                 | 600.00                   |
| Special Fire Permits | Dry cleaning plants                                      | 150.00                 | 200.00                   |
| Special Fire Permits | Explosives, fire works and pyrotechnics                  | 350.00                 | 400.00                   |
| Special Fire Permits | Fire depository, key box                                 | 75.00                  | 125.00                   |
| Special Fire Permits | Fire depository, key box (2+)                            | 150.00                 | 200.00                   |
| Special Fire Permits | Flammable or combustible liquids tier one                | 250.00                 | 300.00                   |
| Special Fire Permits | Flammable or combustible liquids tier two                | 500.00                 | 600.00                   |
| Special Fire Permits | Tank removal, abandonment                                | 150.00                 | 200.00                   |
| Special Fire Permits | Floor Finishing  | 150.00                 | 200.00                   |
| Special Fire Permits | Fruit and crop ripening                                  | 150.00                 | 200.00                   |
| Special Fire Permits | Fumigation or thermal insecticidal fogging               | 150.00                 | 200.00                   |
| Special Fire Permits | Hazardous materials tier one                             | 250.00                 | 300.00                   |
| Special Fire Permits | Hazardous materials tier two                             | 500.00                 | 600.00                   |
| Special Fire Permits | High-piled storage level one                             | 350.00                 | 400.00                   |
| Special Fire Permits | High-piled storage level two                             | 500.00                 | 600.00                   |
| Special Fire Permits | Hot-work operations                                      | 150.00                 | 200.00                   |
| Special Fire Permits | Industrial ovens   | 150.00                 | 200.00                   |
| Special Fire Permits | Lumberyards and woodworking plants                       | 150.00                 | 200.00                   |
| Special Fire Permits | Liquid-or gas-fuel vehicles in assembly bldgs (1 Unit)   | 75.00                  | 125.00                   |
| Special Fire Permits | Liquid-or gas-fuel vehicles in assembly bldgs (2 Units)  | 150.00                 | 200.00                   |
| Special Fire Permits | Liquid-or gas-fuel vehicles in assembly bldgs (3+ Units) | 250.00                 | 300.00                   |
| Special Fire Permits | Liquefied petroleum gas/LP-gas                           | 250.00                 | 300.00                   |
| Special Fire Permits | Liquefied petroleum gas/Mobile Food Vendors              | 100.00                 | 150.00                   |
| Special Fire Permits | Magnesium tier one                                       | 250.00                 | 300.00                   |
| Special Fire Permits | Magnesium tier two                                       | 500.00                 | 600.00                   |
| Special Fire Permits | Miscellaneous combustible waste storage (1 Unit)         | 75.00                  | 125.00                   |
| Special Fire Permits | Miscellaneous combustible waste storage (2+ Units)       | 150.00                 | 200.00                   |
| Special Fire Permits | Open burning   | 250.00                 | 300.00                   |
| Special Fire Permits | Open flames and candles                                  | 75.00                  | 125.00                   |
| Special Fire Permits | Organic coatings   | 500.00                 | 600.00                   |
| Special Fire Permits | Places of Assembly 50-100 occupants                      | 150.00                 | 200.00                   |
| Special Fire Permits | Places of Assembly 101-299 occupants                     | 250.00                 | 300.00                   |
| Special Fire Permits | Places of Assembly 300 +occupants                        | 350.00                 | 400.00                   |
| Special Fire Permits | Radioactive materials                                    | 350.00                 | 400.00                   |
| Special Fire Permits | Pyroxylin plastics                                       | 500.00                 | 600.00                   |
| Special Fire Permits | Motor vehicle fuel-dispensing                            | 225.00                 | 300.00                   |
| Special Fire Permits | Rooftop heliports  | 150.00                 | 200.00                   |
| Special Fire Permits | Spraying or dipping                                      | 150.00                 | 200.00                   |
| Special Fire Permits | Storage of scrap tires and tire byproducts               | 150.00                 | 200.00                   |
| Special Fire Permits | Temporary membrane structures, tents and canopies        | 150.00                 | 200.00                   |
| Special Fire Permits | Tire-rebuilding plants                                   | 150.00                 | 200.00                   |

## COH Cost Recovery Analysis

| Permit/Fee/Fine Name       | Permit/Fee Description   | Rate (Current)<br>(\$) | Proposed New Fee<br>(\$) |
|----------------------------|--|------------------------|--------------------------|
| Special Fire Permits       | Waste handling   | 150.00                 | 200.00                   |
| Special Fire Permits       | Wood products  | 150.00                 | 200.00                   |
| Special Fire Permits       | Roofing operations- Asphalt kettle (1 Unit)                          | 150.00                 | 200.00                   |
| Special Fire Permits       | Roofing operations- Asphalt kettle (\$75 each additional unit, \$400 | 350.00                 | 400.00                   |
| Special Fire Permits       | Roofing operations- Ignited Torches (1 Unit)                         | 150.00                 | 200.00                   |
| Special Fire Permits       | Roofing operations- Ignited Torches (\$100 each additional unit,     | 500.00                 | 600.00                   |
| Special Fire Permits       | Re-inspections   | 250.00                 | 300.00                   |
| Special Fire Permits       | Fire Marshall Approvals  | 150.00                 | 200.00                   |
| Special Fire Permits       | Fire Marshall Approvals  | 250.00                 | 300.00                   |
| Special Fire Permits       | Fire Marshall Approvals  | 500.00                 | 600.00                   |
| Special Fire Permits       | Fire Marshall Approvals  | 750.00                 | 800.00                   |
| Special Fire Permits       | Priority Inspections   | 280.00                 | 300.00                   |
| Ambulance Permits          | Ambulance Operator Permit  | 500.00                 | 1,000.00                 |
| Ambulance Permits          | Ambulance Permit Fee Renewal   | 200.00                 | 800.00                   |
| Ambulance Permits          | Ambulance Inspection Fee-Private                                     | 160.00                 | 275.00                   |
| Ambulance Permits          | Ambulance Driver Permit Fee  | 40.00                  | 100.00                   |
| Food Dealers Permits       | Food Dealer (10-25)  | 330.00                 | 350.00                   |
| Food Dealers Permits       | Food Dealer (1-9)  | 200.00                 | 220.00                   |
| Food Dealers Permits       | Food Dealer (26-50)  | 480.00                 | 500.00                   |
| Food Dealers Permits       | Food Dealer (51-100)   | 630.00                 | 650.00                   |
| Food Dealers Permits       | Food Dealer (101+)   | 780.00                 | 800.00                   |
| Food Dealers Permits       | Food Dealer (non-profit)   | 20.00                  | 150.00                   |
| Food Dealers Permits       | Late payment fees  | 50.00                  | 50.00                    |
| Mobile Food Vendor License | Food Vendor Medallions   | 300.00                 | 535.00                   |
| Other License & Permit     | Temporary Transportation Applicatin                                  | 30.00                  | 45.00                    |
| Other License & Permit     | Transporter Application  | 90.00                  | 90.00                    |
| Other License & Permit     | Generators Replacement Permit  | 25.00                  | 25.00                    |
| Other License & Permit     | Generators Permit Fee  | 50.00                  | 92.00                    |
| Other License & Permit     | City Regulated Waste Truck Registration                              | 400.00                 | 635.00                   |
| Other License & Permit     | Temp City Regulated Waste Truck Registration                         | 35.00                  | 50.00                    |
| Other License & Permit     | Replacement Decal  | 25.00                  | 25.00                    |
| Other License & Permit     | Biological Permit & Registration Fee                                 | 250.00                 | 250.00                   |
| Other License & Permit     | Biological Processing Fee  | 10.00                  | 10.00                    |
| Other License & Permit     | Manifest   | 20.00                  | 45.00                    |
| Other License & Permit     | Manifest Processing Fee  | 2.50                   | 3.50                     |
| Spec Food Permits          | Temporary food dealer permits  | 60.00                  | 60.00                    |
| Spec Food Permits          | Frozen Dessert Non-Profit Organization                               | 45.00                  | 110.00                   |
| Spec Food Permits          | Frozen Dessert 6 Months or Less                                      | 54.00                  | 54.00                    |
| Spec Food Permits          | Frozen Dessert 7 Months  | 63.00                  | 63.00                    |
| Spec Food Permits          | Frozen Dessert 8 Months  | 72.00                  | 72.00                    |
| Spec Food Permits          | Frozen Dessert 9 Months  | 81.00                  | 81.00                    |
| Spec Food Permits          | Frozen Dessert 10 Months   | 90.00                  | 90.00                    |
| Spec Food Permits          | Frozen Dessert 11 Months   | 99.00                  | 99.00                    |
| Spec Food Permits          | Frozen Dessert Annual  | 110.00                 | 110.00                   |

## COH Cost Recovery Analysis

| Permit/Fee/Fine Name            | Permit/Fee Description   | Rate (Current)<br>(\$) | Proposed New Fee<br>(\$) |
|---------------------------------|--|------------------------|--------------------------|
| Spec Food Permits               | Permit Copy  | 25.00                  | 25.00                    |
| Spec Food Permits               | Required Reinspection  | 50.00                  | 50.00                    |
| Spec Food Permits               | Pre-Operational Inspection   | 50.00                  | 85.00                    |
| Spec Food Permits               | Pre-Operational Inspection (Double Fee)                              | 100.00                 | 170.00                   |
| Spec Food Permits               | Mobile Food Unit Plan Review   | 25.00                  | 25.00                    |
| Spec Food Permits               | Mobile Food Unit Plan Review--Double Fee                             | 50.00                  | 50.00                    |
| Spec Food Permits               | Produce Stand License  | 100.00                 | 100.00                   |
| Spec Food Permits               | Produce Peddler License  | 100.00                 | 100.00                   |
| Spec Food Permits               | Certified Farmers Mkt-9 or Less Vendors                              | 150.00                 | 150.00                   |
| Spec Food Permits               | Certified Farmers Mkt-10 or More Vendors                             | 250.00                 | 250.00                   |
| Swimming Pool Operating Permits | Inspection Fee   | 85.00                  | 230.00                   |
| Swimming Pool Operating Permits | Plan Review (commercial)   | 105.00                 | 160.00                   |
| Swimming Pool Operating Permits | Plan Review (residential)  | 25.00                  | 70.00                    |
| Library Fines                   | Overdue Items-Adult  | 0.20                   | 0.25                     |
| Library Fines                   | Overdue Items-Young Adult  | 0.20                   | 0.25                     |
| Library Fines                   | Overdue Items-Juvenile items   | 0.10                   | 0.15                     |
| Library Fines                   | Overdue Items-Non-circulating Items                                  | 1.00                   | 1.25                     |
| Library Fines                   | Replacement Fee (processing charge)                                  | 10.00                  | 11.00                    |
| Library Fines                   | Replacement Fee (processing charge for uncataloged paperbacks)       | 5.00                   | 6.00                     |
| Library Fines                   | Overdue Laptop Fine  | 25.00                  | 25.00                    |
| Library Fines                   | Laptop replacement fee   | 1,500.00               | 1,500.00                 |
| Library Fines                   | Laptop replacement processing fee                                    | 150.00                 | 150.00                   |
| Check Return Fee                | Check Return Fee   | 24.00                  | 26.00                    |
| Scire Facias Forfeitures        | Bond Forfeiture/Reinstitution of Bond Forfeiture/Nisi process        | 50.00                  | 100.00                   |
| Platting Fees                   | Application Fee  | varies                 | varies                   |
| Platting Fees                   | Development Plat   | 355.00                 | 460.00                   |
| Platting Fees                   | Class 1 Plat   | 355.00                 | 460.00                   |
| Platting Fees                   | Class 2 Plat   | 550.00                 | 715.00                   |
| Platting Fees                   | Class 3 Plat   | 550.00                 | 715.00                   |
| Platting Fees                   | General Plan   | 550.00                 | 715.00                   |
| Platting Fees                   | Street Dedication Plat   | 550.00                 | 715.00                   |
| Platting Fees                   | Extension of Plat Approval   | 550.00                 | 715.00                   |
| Platting Fees                   | Plat Name Change   | 180.00                 | 235.00                   |
| Platting Fees                   | Vacating Plat  | 550.00                 | 715.00                   |
| Platting Fees                   | Subdivision Plat Recordation   | 200.00                 | 260.00                   |
| Platting Fees                   | Tower Application  | 255.00                 | 330.00                   |
| Platting Fees                   | Preliminary Plat- for each area platted as a reserve (per lot)       | 12.50                  | 16.25                    |
| Platting Fees                   | Final Plat- for each area platted as a reserve (per lot)             | 12.50                  | 16.25                    |
| Platting Fees                   | Preliminary Plat- for each area platted as a reserve (per acre or    | 80.00                  | 105.00                   |
| Platting Fees                   | Final Plat- for each area platted as a reserve (per acre or faction) | 80.00                  | 105.00                   |
| Platting Fees                   | Plan Compliance Review   | 35.00                  | 45.00                    |
| Platting Fees                   | Plats with Variance Request  | 25% of base fee        | 30% of base fee          |
| Platting Fees                   | Vacating Plat  |                        | None                     |
| Platting Fees                   | Street Dedication Plat   |                        | None                     |

## COH Cost Recovery Analysis

| Permit/Fee/Fine Name         | Permit/Fee Description  | Rate (Current)<br>(\$) | Proposed New Fee<br>(\$) |
|------------------------------|---|------------------------|--------------------------|
| Building Space Rental Fee    | River Performing and Visual Arts                                  | 90.00                  | 112.50                   |
| Building Space Rental Fee    | Houston Council of the Blind                                      | 90.00                  | 112.50                   |
| Building Space Rental Fee    | Greater Houston Athletic Association for the Physically Disabled  | 90.00                  | 112.50                   |
| Building Space Rental Fee    | Houston Area Parkinson Society                                    | 90.00                  | 112.50                   |
| Building Space Rental Fee    | Special Olympics Texas  | 108.00                 | 135.00                   |
| Building Space Rental Fee    | Baylor College of Medicine/Center for Research on Women with I    | 90.00                  | 112.50                   |
| Building Space Rental Fee    | State of Texas Department of Assistive and Rehabilitative Service | 90.00                  | 112.50                   |
| Building Space Rental Fee    | Dr. Larry Pollock PhD and Associates                              | 90.00                  | 112.50                   |
| Building Space Rental Fee    | The ARC of Greater Houston  | 90.00                  | 112.50                   |
| Building Space Rental Fee    | Deaf Seniors  | 230.00                 | 287.50                   |
| Building Space Rental Fee    | State of Texas Department of Assistive and Rehabilitative Service | 235.00                 | 293.75                   |
| Building Space Rental Fee    | State of Texas Department of Assistive and Rehabilitative Service | 360.00                 | 450.00                   |
| Building Space Rental Fee    | American Cancer Society   | 70.00                  | 87.50                    |
| Building Space Rental Fee    | HOPE  | 180.00                 | 225.00                   |
| Building Space Rental Fee    | Montrose Counseling Center  | 145.00                 | 181.25                   |
| Building Space Rental Fee    | Texas A&M University  | 230.00                 | 287.50                   |
| Building Space Rental Fee    | The ARC of Greater Houston  | 100.00                 | 125.00                   |
| Building Space Rental Fee    | Community Center Rental   | 40.00 - 135.00         | 60.00 - 200.00           |
| Building Space Rental Fee    | Houston Garden Center Rental                                      | 50.00 - 250.00         | 75.00 - 300.00           |
| Closed Use Permits           | (a) Site Reservation  | 25.00                  | 50.00                    |
| Closed Use Permits           | (b) Picnics   | 75.00 - 900.00         | 100.00 - 1200.00         |
| Closed Use Permits           | (f) Weddings  | 75.00 - 600.00         | 100.00 - 800.00          |
| Closed Use Permits           | (g) Child's Birthday  | 25.00                  | 35.00                    |
| Closed Use Permits           | (i) Filming   | 115.00 - 900.00        | 150.00 - 1200.00         |
| Closed Use Permits           | (j) Fun Run/Walk  | 75.00 - 900.00         | 100.00 - 1200.00         |
| Closed Use Permits           | (k) Other Closed Use  | 75.00 - 900.00         | 100.00 - 1200.00         |
| Facility Rental Fees         | Lake Houston Wilderness Park                                      | 132.00 - 169.00        | 150.00 - 200.00          |
| Other Service Charges        | Homer Ford Tennis Center  | 0.50 - 0.75            | 0.75 - 1.00              |
| Other Service Charges        | Memorial Tennis   | 0.50 - 0.75            | 0.75 - 1.00              |
| Other Service Charges        | Lee LeClear   | 0.50 - 0.75            | 0.75 - 1.00              |
| Other Service Charges        | Memorial Fitness Center   | 0.50 - 0.75            | 0.75 - 1.00              |
| <i>Park Facility Use Fee</i> | HPARD Ballfields  | 20.00 - 200.00         | 50.00 - 300.00           |
| Rec, Sport & Edu Pro         | Adult Sports  | 180.00 - 330.00        | 200.00 - 350.00          |
| Rec, Sport & Edu Pro         | Team Registration   | 5.00 - 15.00           | 10.00 - 20.00            |
| Rec, Sport & Edu Pro         | Summer Enrichment   | 30.00                  | 45.00                    |
| Rec, Sport & Edu Pro         | ASA Fees  | 20.00                  | 25.00                    |
| Special Events               | Special Event Permit  | 50.00 - 500.00         | 100.00 - 550.00          |
| Sports Team/League Use.      | Memorial Fitness Entrance Fees                                    | 2.00                   | 3.00                     |
| Sports Team/League Use.      | Lake Houston Wilderness Park Entrance Fees                        | 3.00                   | 5.00                     |
| <i>Temp Park Concession</i>  | Leisure Programs  | 10%                    | 12.5%                    |
| <i>Temp Park Concession</i>  | Mobile Vendors  | 400.00                 | 600.00                   |
| Tennis Court Fees            | Homer Ford Tennis Center  | 1.00 - 5.00            | 8.00                     |
| Tennis Court Fees            | Memorial Tennis   | 2.00 - 6.00            | 8.00                     |
| Tennis Court Fees            | Lee LeClear   | 2.00 - 6.00            | 8.00                     |

## COH Cost Recovery Analysis

| Permit/Fee/Fine Name | Permit/Fee Description                                      | Rate (Current)<br>(\$) | Proposed New Fee<br>(\$) |
|----------------------|---|------------------------|--------------------------|
| Auto Dealers License | Automotive Parts Rebuilder Initial                          | 80.00                  | 220.00                   |
| Auto Dealers License | Automotive Parts Rebuilder Renewal                          | 60.00                  | 200.00                   |
| Auto Dealers License | Automotive Rebuilder and Dismantler Initial                 | 220.00                 | 610.00                   |
| Auto Dealers License | Automotive Rebuilder and Dismantler Renewal                 | 200.00                 | 590.00                   |
| Auto Dealers License | Automotive Repair Facility Initial                          | 220.00                 | 490.00                   |
| Auto Dealers License | Automotive Repair Facility Renewal                          | 200.00                 | 470.00                   |
| Auto Dealers License | Automotive Storage Lot Operator Initial                     | 120.00                 | 330.00                   |
| Auto Dealers License | Automotive Storage Lot Operator Renewal                     | 100.00                 | 310.00                   |
| Auto Dealers License | Body Shop Facility With Storage Privileges Initial          | 340.00                 | 510.00                   |
| Auto Dealers License | Body Shop Facility With Storage Privileges Renewal          | 300.00                 | 470.00                   |
| Auto Dealers License | Dealer - Vehicles, Parts, Accessories (new or used) Initial | 180.00                 | 500.00                   |
| Auto Dealers License | Dealer - Vehicles, Parts, Accessories (new or used) Renewal | 140.00                 | 460.00                   |
| Auto Dealers License | Dealer In New Motor Vehicles Initial                        | 120.00                 | 330.00                   |
| Auto Dealers License | Dealer In New Motor Vehicles Renewal                        | 100.00                 | 310.00                   |
| Auto Dealers License | Dealer Transfer Fee   | 10.00                  | 30.00                    |
| Auto Dealers License | Handling Fee  | 5.00                   | 40.00                    |
| Auto Dealers License | Parking Lot Operator  | 50.00                  | 60.00                    |
| Auto Dealers License | PPSLA   | 1,000.00               | 1,410.00                 |
| Auto Dealers License | Retail Supply Dealer Initial                                | 60.00                  | 170.00                   |
| Auto Dealers License | Retail Supply Dealer Renewal                                | 40.00                  | 150.00                   |
| Auto Dealers License | Salesman Initial  | 25.00                  | 70.00                    |
| Auto Dealers License | Salesman Renewal  | 15.00                  | 60.00                    |
| Auto Dealers License | Salesman Transfer Fee                                       | 5.00                   | 20.00                    |
| Auto Dealers License | Storage Lot Authorization Initial                           | 100.00                 | 150.00                   |
| Auto Dealers License | Storage Lot Authorization Renewal                           | 50.00                  | 100.00                   |
| Auto Dealers License | Used Parts & Used Accessory Dealer Initial                  | 220.00                 | 380.00                   |
| Auto Dealers License | Used Parts & Used Accessory Dealer Renewal                  | 200.00                 | 360.00                   |
| Auto Dealers License | Vehicle Immobilization Service Initial                      | 300.00                 | 350.00                   |
| Auto Dealers License | Vehicle Immobilization Service Renewal                      | 200.00                 | 250.00                   |
| Auto Dealers License | Wholesale Auto Jobber & Supply Dealer Initial               | 80.00                  | 220.00                   |
| Auto Dealers License | Wholesale Auto Jobber & Supply Dealer Renewal               | 60.00                  | 200.00                   |
| Auto Dealers License | Wholesale Jobber & Retail Supply Dealer Initial             | 140.00                 | 390.00                   |
| Auto Dealers License | Wholesale Jobber & Retail Supply Dealer Renewal             | 100.00                 | 350.00                   |
| Auto Dealers License | City Administrative Fee                                     | 10.00                  | 20.00                    |
| Other Bldg/Const Prm | Securing Dangerous Building Permit                          | 125.00                 | 190.00                   |
| Police Services      | Clearance Letters   | 9.00                   | 20.00                    |
| Wrecker License & Pr | PATSA Truck Fee   | 500.00                 | 660.00                   |
| Wrecker License & Pr | PATSA Wrecker Driver Fee                                    | 35.00                  | 75.00                    |
| Release of Liens     | Relase of order   | 36.70                  | 80.00                    |
|                      | Non Safe Clear Tow Fee                                      | 140.00                 | 152.00                   |
|                      | Administrative Fee  | varies                 | 25.00                    |
|                      | Lobbyist Fee  | 20.00                  | 50.00                    |

# TABLE 2

City of Houston  
Public Works  
Cost of Service Fee Increase Schedule  
Nov-10

| Code Type     | Section name | Section # | Fee Type   | Old Fee | Proposed Fee |
|---------------|--------------|-----------|--|---------|--------------|
| Building Code | General      | 117.1     | Permit or License Administrative Fee   | 10.00   | 25.00        |
| Building Code | General      | 117.1     | Deposit Receipt Fee  | 10.00   | 25.00        |
| Building Code | General      | 117.1     | Minimum Permit Fee   | 35.00   | 70.00        |
| Building Code | General      | 117.1     | Certificate of Occupancy or Compliance   | 55.00   | 70.00        |
| Building Code | General      | 117.1     | Temporary certificate of occupancy   | 55.00   | 70.00        |
| Building Code | General      | 117.1     | Reinspection fee   | 35.00   | 70.00        |
| Building Code | General      | 117.1     | Specially requested inspection during working hours  | 240.00  | 240.00       |
| Building Code | General      | 117.1     | Emergency inspections - 4 hours  | 150.00  | 240.00       |
| Building Code | General      | 117.1     | Emergency inspections - additional hour  | 35.00   | 62.50        |
| Building Code | General      | 117.1     | Inspection/plan review outside of normal working hours - 4 hours   | 240.00  | 240.00       |
| Building Code | General      | 117.1     | Inspection/plan review outside of normal working hours - additional hours  | 35.00   | 62.50        |
| Building Code | General      | 117.1     | Approved fabricators/certifying agent/agency   | 450.00  | 450.00       |
| Building Code | General      | 117.1     | Approved fabricators/certifying agent/agency   | 500.00  | 500.00       |
| Building Code | General      | 117.1     | Name Change  | 55.00   | 70.00        |
| Building Code | General      | 117.1     | Address Change   | 55.00   | 70.00        |
| Building Code | General      | 117.1     | Request for special approval, alternate method, interpretation or modification due to practical difficulty - Standard  | 40.00   | 40.00        |
| Building Code | General      | 117.1     | Request for special approval, alternate method, interpretation or modification due to practical difficulty - Moderate  | 100.00  | 100.00       |
| Building Code | General      | 117.1     | Request for special approval, alternate method, interpretation or modification due to practical difficulty - Extensive | 500.00  | 500.00       |
| Building Code | Structural   | 117.2     | Structural building permit fee when value is \$.01 to \$7,000  | 35.00   | 70.00        |
| Building Code | Structural   | 117.2     | Structural building permit fee when value is \$7,001 to \$150,000  | 35.00   | 70.00        |
| Building Code | Structural   | 117.2     | Structural building permit fee when value is \$150,001 to \$200,000  | 607.00  | 607.00       |
| Building Code | Structural   | 117.2     | Structural building permit fee when value is \$201,000 to \$300,000  | 794.50  | 794.50       |

| Code Type     | Section name | Section # | Fee Type  | Old Fee   | Proposed Fee |
|---------------|--------------|-----------|---|-----------|--------------|
| Building Code | Structural   | 117.2     | Structural building permit fee when value is \$300,001 to \$500,000                     | 1,144.50  | 1,144.50     |
| Building Code | Structural   | 117.2     | Structural building permit fee when value is \$500,001 to \$1,000,000                   | 1,794.50  | 1,794.50     |
| Building Code | Structural   | 117.2     | Structural building permit fee when value is \$1,000,001 to \$5,000,000                 | 3,294.50  | 3,294.50     |
| Building Code | Structural   | 117.2     | Structural building permit fee when value is \$5,000,001 to \$50,000,000                | 14,294.50 | 14,294.50    |
| Building Code | Structural   | 117.2     | Structural building permit fee when value is \$50,000,001 and up                        | 81,794.50 | 81,794.50    |
| Building Code | Structural   | 117.2     | Demolition - first story  | 60.00     | 70.00        |
| Building Code | Structural   | 117.2     | Demolition - additional story   | 30.00     | 30.00        |
| Building Code | Structural   | 117.2     | Stationary and floating piers - first 100 sq ft   | 20.00     | 20.00        |
| Building Code | Structural   | 117.2     | Stationary and floating piers - additional sq ft  | 0.15      | 0.15         |
| Building Code | Structural   | 117.2     | Incinerators  | 75.00     | 75.00        |
| Building Code | Structural   | 117.2     | Bulkheads - first 100 lineal feet   | 40.00     | 40.00        |
| Building Code | Structural   | 117.2     | Bulkheads - additional 100 lineal feet  | 10.00     | 10.00        |
| Building Code | Structural   | 117.2     | Dredging  | 100.00    | 100.00       |
| Building Code | Structural   | 117.2     | Prefabricated Fireplaces  | 15.00     | 15.00        |
| Building Code | Structural   | 117.2     | Sand blasting or water blasting   | 35.00     | 70.00        |
| Building Code | Structural   | 117.2     | Grading permit  | 35.00     | 70.00        |
| Building Code | Structural   | 117.2     | Uncovered loading dock - first 100 lineal feet  | 35.00     | 70.00        |
| Building Code | Structural   | 117.2     | Uncovered loading dock - each additional lineal foot                                    | 0.08      | 0.08         |
| Building Code | Structural   | 117.2     | Barricades - first 100 lineal feet  | 55.00     | 70.00        |
| Building Code | Structural   | 117.2     | Barricades - each additional lineal foot  | 15.00     | 15.00        |
| Building Code | Structural   | 117.2     | Paint spray booth   | 35.00     | 70.00        |
| Building Code | Structural   | 117.2     | Heliport/Helistop   | 700.00    | 700.00       |
| Building Code | Structural   | 117.2     | Duplicate Job Card  | 55.00     | 70.00        |
| Building Code | Structural   | 117.2     | Certificate of occupancy for existing building first story                              | 400.00    | 400.00       |
| Building Code | Structural   | 117.2     | Certificate of occupancy for existing building additional story                         | 100.00    | 100.00       |
| Building Code | Structural   | 117.2     | Certificate of occupancy for existing building square feet above 10,000 (max 200,000)   | 0.01      | 0.01         |
| Building Code | Structural   | 117.2     | Certificate of occupancy for existing building residential multifamily 1-30 units       | 400.00    | 400.00       |
| Building Code | Structural   | 117.2     | Certificate of occupancy for existing building residential multifamily additional units | 10.00     | 10.00        |
| Building Code | Structural   | 117.2     | Duplicate life safety compliance certificate  | 55.00     | 70.00        |
| Building Code | Structural   | 117.2     | Certificate name change only  | 55.00     | 70.00        |
| Building Code | Structural   | 117.2     | Duplicate certificate of occupancy  | 55.00     | 70.00        |
| Building Code | Structural   | 117.2     | Incinerator inspection  | 55.00     | 70.00        |

| Code Type     | Section name   | Section # | Fee Type  | Old Fee | Proposed Fee |
|---------------|----------------|-----------|---|---------|--------------|
| Building Code | Structural     | 117.2     | Revalidation inspection   | 55.00   | 70.00        |
| Building Code | Structural     | 117.2     | Change of address request   | 55.00   | 70.00        |
| Building Code | Structural     | 117.2     | Certificate for retail/office less than 3K sq ft - at inspection        | 35.00   | 35.00        |
| Building Code | Structural     | 117.2     | Certificate for retail/office less than 3K sq ft - after inspection     | 200.00  | 200.00       |
| Building Code | Structural     | 117.2     | Fence - first 100 lineal feet   | 55.00   | 70.00        |
| Building Code | Structural     | 117.2     | Fence - additional 100 lineal feet                                      | 8.00    | 8.00         |
| Building Code | Structural     | 117.2     | Fire escape - if building four stories or less                          | 30.00   | 30.00        |
| Building Code | Structural     | 117.2     | Fire escape - five stories or higher (per story)                        | 15.00   | 15.00        |
| Building Code | Structural     | 117.2     | Sidewalk - first 100 lineal feet  | 35.00   | 70.00        |
| Building Code | Structural     | 117.2     | Sidewalk - additional 100 feet  | 8.00    | 8.00         |
| Building Code | Structural     | 117.2     | driveway  | 35.00   | 70.00        |
| Building Code | Structural     | 117.2     | Culvert (not driveways) - first 100 lineal feet                         | 35.00   | 70.00        |
| Building Code | Structural     | 117.2     | Culvert (not driveways) - additional 100 lineal feet                    | 8.00    | 8.00         |
| Building Code | Structural     | 117.2     | Curb & gutter - first 100 lineal feet                                   | 35.00   | 70.00        |
| Building Code | Structural     | 117.2     | Curb & gutter - additional 100 lineal feet                              | 8.00    | 8.00         |
| Building Code | Structural     | 117.2     | Parking lot - first 1,000 sq ft   | 40.00   | 70.00        |
| Building Code | Structural     | 117.2     | Parking lot - each additional 1000 sq feet                              | 2.00    | 2.00         |
| Building Code | Structural     | 117.2     | Manufactured home park - 15 spaces or less                              | 35.00   | 70.00        |
| Building Code | Structural     | 117.2     | Manufactured home park - each additional space                          | 1.50    | 1.50         |
| Building Code | Structural     | 117.2     | Residential master plan   | 40.00   | 70.00        |
| Building Code | Structural     | 117.2     | Reexamination of plans or deferred submittal                            | 40.00   | 70.00        |
| Building Code | HVAC Equipment | 117.3     | HVAC - General  | 35.00   | 35.00        |
| Building Code | HVAC Equipment | 117.3     | HVAC - repairs/alterations  | 35.00   | 70.00        |
| Building Code | HVAC Equipment | 117.3     | HVAC - repairs/alteration to duct/grill in lease with value under \$500 | 35.00   | 70.00        |
| Building Code | HVAC Equipment | 117.3     | air handling duct system - fluid from external source                   | 35.00   | 35.00        |
| Building Code | HVAC Equipment | 117.3     | Air conditioning cooling system located in separate building            | 35.00   | 35.00        |
| Building Code | HVAC Equipment | 117.3     | Complete air conditioning system  | 35.00   | 35.00        |
| Building Code | HVAC Equipment | 117.3     | Commercial, manufacturing & industrial refrigeration system             | 35.00   | 35.00        |
| Building Code | HVAC Equipment | 117.3     | HVAC Temporary Operations Inspection                                    | 35.00   | 70.00        |
| Building Code | HVAC Equipment | 117.3     | Local vent permit   | 35.00   | 70.00        |
| Building Code | HVAC Equipment | 117.3     | Self-contained A/C (per unit)   | 35.00   | 35.00        |
| Building Code | HVAC Equipment | 117.3     | HVAC for manufactured home  | 25.00   | 70.00        |
| Building Code | HVAC Equipment | 117.3     | HVAC certificate of approval  | 20.00   | 70.00        |

| Code Type     | Section name | Section # | Fee Type                                     | Old Fee | Proposed Fee |
|---------------|--------------|-----------|--|---------|--------------|
| Building Code | Boilers      | 117.4     | Boiler installation                          | 35.00   | 70.00        |
| Building Code | Boilers      | 117.4     | Boiler annual fee                            | 30.00   | 70.00        |
| Building Code | Boilers      | 117.4     | Boiler repair                                | 35.00   | 35.00        |
| Building Code | Plumbing     | 117.5     | Plumbing - opening in street                 | 85.00   | 85.00        |
| Building Code | Plumbing     | 117.5     | Temporary gas inspection                     | 35.00   | 70.00        |
| Building Code | Plumbing     | 117.5     | Gas permit & inspection - up to 4            | 35.00   | 70.00        |
| Building Code | Plumbing     | 117.5     | Gas permit & inspection - each additional    | 5.00    | 6.00         |
| Building Code | Plumbing     | 117.5     | Plumbing inspection - manufactured home      | 35.00   | 70.00        |
| Building Code | Plumbing     | 117.5     | Fire protection fee - up to 25 heads         | 75.00   | 75.00        |
| Building Code | Plumbing     | 117.5     | Fire protection fee - additional heads       | 3.00    | 3.00         |
| Building Code | Plumbing     | 117.5     | Standpipe system - up to 25 hose connections | 55.00   | 55.00        |
| Building Code | Plumbing     | 117.5     | Standpipe system - additional connection     | 3.00    | 3.00         |
| Building Code | Plumbing     | 117.5     | Irrigation system (1-200 heads) per head     | 1.00    | 1.00         |
| Building Code | Plumbing     | 117.5     | Irrigation system (over 200 heads) per head  | 0.50    | 0.50         |
| Building Code | Plumbing     | 117.5     | Furnace (nonduct)                            | 16.00   | 25.50        |
| Building Code | Plumbing     | 117.5     | Additional furnaces on same permit           | 8.00    | 8.50         |
| Building Code | Plumbing     | 117.5     | floor furnace (non duct)                     | 35.00   | 35.00        |
| Building Code | Plumbing     | 117.5     | Incinerators (gas, 2+ burners)               | 60.00   | 60.00        |
| Building Code | Plumbing     | 117.5     | Infrared heaters (1-2)                       | 16.00   | 16.00        |
| Building Code | Plumbing     | 117.5     | Each additional infrared heater on same      | 8.00    | 8.50         |
| Building Code | Plumbing     | 117.5     | Yard light or BBQ - first opening            | 16.00   | 25.50        |
| Building Code | Plumbing     | 117.5     | Yard light or BBQ - additional opening       | 8.00    | 8.50         |
| Building Code | Plumbing     | 117.5     | Wall heater                                  | 16.00   | 16.00        |
| Building Code | Plumbing     | 117.5     | Additional wall heater on same permit        | 8.50    | 8.50         |
| Building Code | Plumbing     | 117.5     | Gas steam radiator                           | 35.00   | 35.00        |
| Building Code | Plumbing     | 117.5     | additional gas steam radiator on same permit | 8.00    | 8.50         |
| Building Code | Plumbing     | 117.5     | commercial oven                              | 40.00   | 40.00        |
| Building Code | Plumbing     | 117.5     | Commercial dryer                             | 35.00   | 35.00        |
| Building Code | Plumbing     | 117.5     | Plumbing fixture, up to 3                    | 16.00   | 70.00        |
| Building Code | Plumbing     | 117.5     | Additional plumbing fixture on same permit   | 8.00    | 8.50         |
| Building Code | Plumbing     | 117.5     | Warm-air circulator (first three)            | 35.00   | 70.00        |
| Building Code | Plumbing     | 117.5     | Additional warm air circulator               | 8.00    | 8.50         |
| Building Code | Plumbing     | 117.5     | Tie to curb inlet-storm sewer                | 65.00   | 65.00        |
| Building Code | Plumbing     | 117.5     | Manholes, each                               | 65.00   | 65.00        |
| Building Code | Plumbing     | 117.5     | Roof drain or outside downspout 1-2          | 16.00   | 70.00        |
| Building Code | Plumbing     | 117.5     | Each additional roof/outside drain           | 8.00    | 8.50         |
| Building Code | Plumbing     | 117.5     | Catch basin or outside area drain 1-2        | 16.00   | 16.00        |
| Building Code | Plumbing     | 117.5     | Each additional catch basin/outside drain    | 8.00    | 8.50         |
| Building Code | Plumbing     | 117.5     | Sewer connection                             | 40.00   | 70.00        |

| Code Type     | Section name | Section # | Fee Type   | Old Fee | Proposed Fee |
|---------------|--------------|-----------|--|---------|--------------|
| Building Code | Plumbing     | 117.5     | Ground in plumbing/shell building - 3000 sq ft             | 35.00   | 70.00        |
| Building Code | Plumbing     | 117.5     | Ground in plumbing/shell building - 1000+ sq ft            | 16.00   | 16.00        |
| Building Code | Plumbing     | 117.5     | Septic tank or individual sewer                            | 30.00   | 70.00        |
| Building Code | Plumbing     | 117.5     | Disconnect and plug main sewer                             | 35.00   | 70.00        |
| Building Code | Plumbing     | 117.5     | Non-septic tanks - to 1,000 gallons                        | 35.00   | 70.00        |
| Building Code | Plumbing     | 117.5     | Non-septic tanks - to 1,001-6,000 gallons                  | 50.00   | 90.00        |
| Building Code | Plumbing     | 117.5     | Non-septic tanks - to 6,001-15,000 gallons                 | 70.00   | 110.00       |
| Building Code | Plumbing     | 117.5     | Non-septic tanks - to 15,001-30,000 gallons                | 115.00  | 155.00       |
| Building Code | Plumbing     | 117.5     | Non-septic tanks - over 30,000 gallons                     | 170.00  | 170.00       |
| Building Code | Electrical   | 117.6     | Electrical meter & loop service, up to 50kW                | 35.00   | 70.00        |
| Building Code | Electrical   | 117.6     | Electrical meter & loop service, 51-250kW                  | 40.00   | 75.00        |
| Building Code | Electrical   | 117.6     | greater  | 45.00   | 80.00        |
| Building Code | Electrical   | 117.6     | Panels with 8 or more circuits                             | 6.00    | 7.00         |
| Building Code | Electrical   | 117.6     | Each electrical outlet                                     | 0.50    | 1.00         |
| Building Code | Electrical   | 117.6     | Electrical vehicle charging outlets - level 1              | 35.00   | 70.00        |
| Building Code | Electrical   | 117.6     | Electrical vehicle charging outlets - level 2              | 40.00   | 75.00        |
| Building Code | Electrical   | 117.6     | Electrical vehicle charging outlets - level 3              | 45.00   | 80.00        |
| Building Code | Electrical   | 117.6     | Electrical fixture   | 0.50    | 1.00         |
| Building Code | Electrical   | 117.6     | Range receptacle   | 2.50    | 3.50         |
| Building Code | Electrical   | 117.6     | Clothes dryer  | 2.50    | 3.50         |
| Building Code | Electrical   | 117.6     | Stove top  | 2.50    | 3.50         |
| Building Code | Electrical   | 117.6     | Oven   | 2.50    | 3.50         |
| Building Code | Electrical   | 117.6     | Garbage disposal   | 2.50    | 3.50         |
| Building Code | Electrical   | 117.6     | Dishwasher   | 2.50    | 3.50         |
| Building Code | Electrical   | 117.6     | Window AC receptacle                                       | 2.50    | 3.50         |
| Building Code | Electrical   | 117.6     | Motor - up to 1 horsepower                                 | 2.00    | 3.00         |
| Building Code | Electrical   | 117.6     | Motor - 1-10 horsepower                                    | 7.50    | 8.50         |
| Building Code | Electrical   | 117.6     | Motor - over 10 horsepower                                 | 5.00    | 6.00         |
| Building Code | Electrical   | 117.6     | Shop inspection of electrical signs 0-5kVA                 | 35.00   | 70.00        |
| Building Code | Electrical   | 117.6     | Shop inspection of electrical signs additional             | 7.00    | 7.00         |
| Building Code | Electrical   | 117.6     | 5kVA   | 35.00   | 70.00        |
| Building Code | Electrical   | 117.6     | Installation inspection of electrical signs additional kVA | 7.00    | 7.00         |
| Building Code | Electrical   | 117.6     | Outdoor electric streamers & festoon light                 | 7.50    | 8.50         |
| Building Code | Electrical   | 117.6     | Ball park/parking lot light poles                          | 35.00   | 70.00        |
| Building Code | Electrical   | 117.6     | etc)   | 15.00   | 20.00        |
| Building Code | Electrical   | 117.6     | Temp. installation of sound equipment                      | 20.00   | 25.00        |

| Code Type     | Section name | Section # | Fee Type  | Old Fee | Proposed Fee |
|---------------|--------------|-----------|---|---------|--------------|
| Building Code | Electrical   | 117.6     | Temp. lighting installation   | 15.00   | 20.00        |
| Building Code | Electrical   | 117.6     | Temp. carnival, etc. 0-10kVa  | 20.00   | 25.00        |
| Building Code | Electrical   | 117.6     | Temp. carnival, etc. additional kVA                                 | 1.00    | 1.00         |
| Building Code | Electrical   | 117.6     | Temp. saw poles   | 35.00   | 70.00        |
| Building Code | Electrical   | 117.6     | Temp. cut-in made permanent   | 35.00   | 70.00        |
| Building Code | Electrical   | 117.6     | Reconnection fee  | 35.00   | 70.00        |
| Building Code | Elevators    | 117.7     | Elevator, up to \$40K value   | 55.00   | 70.00        |
| Building Code | Elevators    | 117.7     | Elevator, each additional \$1K value                                | 1.00    | 2.00         |
| Building Code | Elevators    | 117.7     | Personal hoist manufacturing design                                 | 500.00  | 500.00       |
| Building Code | Elevators    | 117.7     | Elevator in private residence up to \$10K                           | 15.00   | 15.00        |
| Building Code | Elevators    | 117.7     | Elevator in private additional \$1K value                           | 1.00    | 2.00         |
| Building Code | Elevators    | 117.7     | Inspection of personal hoist - acceptance load                      | 150.00  | 150.00       |
| Building Code | Elevators    | 117.7     | Inspection of personal hoist - periodic test                        | 75.00   | 75.00        |
| Building Code | Elevators    | 117.7     | Inspection of personal hoist - single cage                          | 50.00   | 50.00        |
| Building Code | Elevators    | 117.7     | Inspection of personal hoist - twin-cage                            | 75.00   | 75.00        |
| Building Code | Elevators    | 117.7     | Acceptance inspection - new elevator                                | 300.00  | 300.00       |
| Building Code | Elevators    | 117.7     | Acceptance inspection - escalator, dumbwaiter, wheelchair lift, etc | 150.00  | 150.00       |
| Building Code | Elevators    | 117.7     | Annual inspection - elevator  | 125.00  | 125.00       |
| Building Code | Elevators    | 117.7     | Reinspection - elevator   | 50.00   | 50.00        |
| Building Code | Elevators    | 117.7     | Escalator annual inspection   | 125.00  | 125.00       |
| Building Code | Elevators    | 117.7     | Moving walk annual inspection                                       | 125.00  | 125.00       |
| Building Code | Elevators    | 117.7     | Wheelchair lift annual inspection                                   | 125.00  | 125.00       |
| Building Code | Elevators    | 117.7     | Dumbwaiter annual inspection 1-10 landings                          | 100.00  | 100.00       |
| Building Code | Elevators    | 117.7     | Dumbwaiter annual inspection each additional landing                | 5.00    | 5.00         |
| Building Code | Elevators    | 117.7     | Manlift or inclined stairway annual inspection                      | 125.00  | 125.00       |
| Building Code | Elevators    | 117.7     | Traction elevator load test - 5-year                                | 250.00  | 250.00       |
| Building Code | Elevators    | 117.7     | Traction elevator load test - add counter-weight                    | 75.00   | 75.00        |
| Building Code | Elevators    | 117.7     | buffer  | 20.00   | 20.00        |
| Building Code | Elevators    | 117.7     | Traction elevator load test - add for spring buffer                 | 125.00  | 125.00       |
| Building Code | Elevators    | 117.7     | Hydraulic elevator 3year load test                                  | 125.00  | 125.00       |
| Building Code | Elevators    | 117.7     | Reschedule elevator test  | 100.00  | 100.00       |
| Building Code | Elevators    | 117.7     | Any test longer than 8 hours, per hour                              | 50.00   | 50.00        |
| Building Code | Elevators    | 117.7     | Reinspection  | 50.00   | 50.00        |
| Building Code | Elevators    | 117.7     | Operating or limited permit - elevator                              | 30.00   | 30.00        |
| Building Code | Elevators    | 117.7     | Operating or limited permit - escalator/moving walk                 | 20.00   | 20.00        |
| Building Code | Elevators    | 117.7     | Operating or limited permit - dumbwaiter                            | 12.00   | 12.00        |

| Code Type     | Section name  | Section # | Fee Type  | Old Fee | Proposed Fee |
|---------------|---|-----------|---|---------|--------------|
| Building Code | Elevators   | 117.7     | Operating or limited permit - personal hoist              | 25.00   | 25.00        |
| Building Code | Elevators   | 117.7     | Operating or limited permit - wheelchair lift             | 20.00   | 20.00        |
| Building Code | Elevators   | 117.7     | Operating or limited permit - manlift                     | 15.00   | 15.00        |
| Building Code | Elevators   | 117.7     | Operating or limited permit - inclined stairway chairlift | 15.00   | 15.00        |
| Building Code | Signs   | 117.8     | Sign site inspection                                      | 60.00   | 70.00        |
| Building Code | Signs   | 117.8     | Sign electrical inspection                                | 35.00   | 70.00        |
| Building Code | Signs   | 117.8     | Sign reinspection   | 35.00   | 70.00        |
| Building Code | Signs   | 117.8     | Sign construction/reconstruction - 32sq ft                | 45.00   | 70.00        |
| Building Code | Signs   | 117.8     | Sign construction/reconstruction - addl sq ft             | 0.40    | 0.40         |
| Building Code | Signs   | 117.8     | Operating permit - on-premises sign - 32 sq ft            | 35.00   | 70.00        |
| Building Code | Signs   | 117.8     | Operating permit - on-premises sign - add sq ft           | 0.40    | 0.40         |
| Building Code | Signs   | 117.8     | Operating permit -off-premises sign                       | 100.00  | 100.00       |
| Building Code | Signs   | 117.8     | Operating permit -off-premises sign                       | 40.00   | 70.00        |
| Building Code | Signs   | 117.8     | Changeable message sign                                   | 45.00   | 70.00        |
| Building Code | Signs   | 117.8     | Replacement operating tag                                 | 35.00   | 70.00        |
| Building Code | Signs   | 117.8     | Plan examination fee                                      | 35.00   | 70.00        |
| Building Code | Signs   | 117.8     | Plan examination fee - due to alteration of approved plan | 35.00   | 70.00        |
| Building Code | Signs   | 117.8     | Ground sign exceeding 14'                                 | 2.00    | 2.00         |
| Building Code | Signs   | 117.8     | Seized fee for unlawful sign                              | 70.00   | 70.00        |
| Building Code | Signs   | 117.8     | Seized sign hauling fee                                   | 20.00   | 20.00        |
| Building Code | Medical gas permits                                     | 117.9     | Medical gas permit  | 35.00   | 70.00        |
| Building Code | Alarms, detectors, central station security and testing | 117.10    | Smoke detector up to 10                                   | 35.00   | 70.00        |
| Building Code | Alarms, detectors, central station security and testing | 117.10    | Additional smoke detector                                 | 2.50    | 3.50         |
| Building Code | Alarms, detectors, central station security and testing | 117.10    | Emergency central alarm                                   | 25.00   | 35.00        |
| Building Code | Alarms, detectors, central station security and testing | 117.10    | Emergency PA, to 9 floors                                 | 40.00   | 70.00        |
| Building Code | Alarms, detectors, central station security and testing | 117.10    | Additional emergency PA                                   | 4.00    | 5.00         |
| Building Code | Alarms, detectors, central station security and testing | 117.10    | Security system, minimum                                  | 35.00   | 70.00        |

| Code Type        | Section name  | Section # | Fee Type   | Old Fee | Proposed Fee |
|------------------|---|-----------|--|---------|--------------|
| Building Code    | Alarms, detectors, central station security and testing | 117.10    | Each floor in excess of 2                        | 10.00   | 15.00        |
| Building Code    | Alarms, detectors, central station security and testing | 117.10    | Retest entire emergency system                   | 75.00   | 75.00        |
| Building Code    | Alarms, detectors, central station security and testing | 117.10    | Retest any single-type system                    | 25.00   | 35.00        |
| Building Code    | Private plan review and inspection services             | 118.5     | Private Plan review                              | 10.00   | 25.00        |
| Building Code    | Private plan review and inspection services             | 118.5     | Private Plan inspection                          | 75.00   | 100.00       |
| Residential Code | Private plan review and inspection services             | R115.5    | Residential private plan review                  | 10.00   | 25.00        |
| Residential Code | Private plan review and inspection services             | R115.5    | Residential private plan inspection              | 75.00   | 150.00       |
| Mechanical Code  | Validity  | 114.3     | Maximum fee for mechanical code                  | 50.00   | 70.00        |
| Mechanical Code  | Temporary Operation Inspection                          | 117.2     | Inspection of temporary HVAC                     | 35.00   | 70.00        |
| Mechanical Code  | Temporary Operation Inspection                          | 117.2     | Temporary HVAC renewal (30 days)                 | 35.00   | 35.00        |
| Mechanical Code  | State License Notification Requirement                  | 121.6     | Initial state license notification requirement   | 30.00   | 70.00        |
| Mechanical Code  | State License Notification Requirement                  | 121.6     | Annual state license notification requirement    | 30.00   | 70.00        |
| Mechanical Code  | Stationary Engineer Examination Application             | 123.2     | Stationary Engineer exam fee                     | 30.00   | 100.00       |
| Mechanical Code  | Stationary Engineer Examination Application             | 123.2     | Stationary Engineer license fee                  | 30.00   | 70.00        |
| Mechanical Code  | License Renewals  | 123.3     | License renewal (w/in 30 days of expiration)     | 30.00   | 70.00        |
| Mechanical Code  | License Renewals  | 123.3     | License renewal (more than 30 days past expire.) | 35.00   | 75.00        |
| Mechanical Code  | License Renewals  | 123.3     | License renewal (each year/part past expire.)    | 30.00   | 70.00        |
| Mechanical Code  | Validity, Replacement or License                        | 123.4     | Replacement license                              | 30.00   | 70.00        |
| Mechanical Code  | Boiler Operator's Permit                                | 124.0     | Boiler operator permit                           | 30.00   | 70.00        |
| Mechanical Code  | Boiler Operator's Permit                                | 124.0     | Boiler operator permit - renewal w/in 30 days    | 30.00   | 70.00        |
| Mechanical Code  | Boiler Operator's Permit                                | 124.0     | Boiler operator permit - renewal after 30 day    | 35.00   | 75.00        |
| Fire Code        | Permit or license                                       | 105.9     | Fire code permit                                 | 10.00   | 25.00        |
| Fire Code        | Receipt   | 105.9     | Fire code admin fee                              | 10.00   | 25.00        |

**Cost of Service Fees Questions:**

**Bradford:**

1. Collection contract having a performance clause build into them. Have we looked at the existing contracts to scrub them to determine are there performance base clause built into our collection contracts, the existing contracts? (Would be happy to dig for it / final directives not provided)

**The monitoring and oversight for billing and collection contracts has been the responsibility of the contracting departments. We have not done a central review. Typically the contracts are performance based since the vendors get paid a % of their collections. All City contracts have cancellation clauses although there might be an early termination penalty clause.**

**Costello:**

1. Focus is on new revenue. Would like to look at expenditure side. Are we proficient in the services that we do internally for the cost of services? Add cost of service column to compare the two to make sure that we are actually doing what we are doing and doing it proficiently.

**Please see attached Summary Cost of Services and break down of all fees as identified by the departments. (Please note that the summary is a roll up of the entire fee structure ).We are unaware of benchmarking being done with other municipalities or the private sector.**

**Gonzalez:**

1. Make sure appropriate index are used to capture cost.

**We are looking into the different indexes that are available to determine the most appropriate to use. The default index is the producers price index.**

**Jones:**

1. Who's collecting on all the collection contracts? What has their level of success been? What are they doing across the country? Has there been any place that is collecting more than us?

**Collections are being done by the departments who manage the contracts. We believe this should be a centralized collection group. We are not aware of any recent benchmarking studies.**

**REQUEST FOR COUNCIL ACTION**

**TO:** Mayor via City Secretary

**RCA#**

**Subject:** Approve an Ordinance Amending Section 4-13 of the City of Houston Code of Ordinances, relating to Ambulance Fees; Containing Findings and Other Provisions Relating to the Foregoing Subject; Containing a Savings Clause; Providing an Effective Date; Providing for Severability; and Declaring an Emergency.

Category #

Page 1 of 2

Agenda Item

*12*

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

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

Michelle Mitchell, Director  
Finance Department

**Origination Date**

November 8, 2010

**Agenda Date**

NOV 17 2010

**DIRECTOR'S SIGNATURE**

*[Handwritten signatures of Alfred Moran, Jr. and Michelle Mitchell]*

**Council District(s) affected**  
All

**For additional information contact:**

Jack Alexander  
Frank Carmody

**Phone:** (713) 837-9880  
**Phone:** (713) 837-9521

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

**RECOMMENDATION: (Summary)**

Approve an ordinance amending Section 4-13 of the City of Houston Code of Ordinances, relating to Ambulance Fees.

**AMOUNT AND SOURCE OF FUNDING:**

Revenue

**Finance Budget**

**SPECIFIC EXPLANATION:**

The Finance Department, Administration & Regulatory Affairs and Houston Fire Department recommend that City Council approve an ordinance amending Section 4-13 of the City of Houston Code of Ordinances ("the Code") relating to ambulance fees.

In 2002, City Council approved previous revisions to Section 4-13, which increased the ambulance base rate from \$350 to \$415 for Basic Life Support ("BLS") and Advanced Life Support ("ALS") transports. The fees charged by the City of Houston for these services are the lowest among major Texas cities, and rank 13th among a national survey of 16 cities.

Via the annual budget process, the City of Houston has invested in Fire and EMS equipment and personnel training protocols to establish a significant Emergency Medical Service (EMS) response capacity. The response capacity enables Houston Fire Department first responders to arrive on-scene to emergency situations within the most stringent nationally recognized standards and which sets the Houston Fire Department at the leading edge of global EMS performance and practices. Houston is internationally recognized as the industry leader in resuscitations of patients suffering cardiac arrest. HFD's first responder deployment models provide top quality medical care and deliver patients to Houston trauma centers and emergency rooms in time frames which maximize health outcomes during critical situations. The response models additionally benefit City of Houston residents by minimizing fire insurance premiums.

In FY 2010, the average billed charge per transport was \$523.41, and the average revenue collected per transport in FY 2010 was \$185.91. **Medicare, Medicaid and private insurance companies pay approximately 90% of the total collected revenue in FY 2010.** The City of Houston has maintained the current EMS charges which are often lower than private insurance company fee schedules, and has subsequently foregone an opportunity to offset a greater portion of the cost of EMS service delivery.

The recommended ordinance revisions will increase the base rate for BLS and ALS transport to \$1,000. The fee increase will enable the City of Houston to recoup a greater portion of the cost of EMS service funded by the general tax base. The majority of the direct users of EMS transport are beneficiaries of either federal government or private insurance company programs, which will compensate the City at increased rates following Council approval of this ordinance. The proposed fee increase will increase annual net revenues by approximately \$5.5 Million. The fee amounts will be adjusted annually to correspond with changes in the CPI-U

**REQUIRED AUTHORIZATION**

**Other Authorization:**  
Terry A. Garrison, Chief  
Houston Fire Department

**Other Authorization:**  
Dr. David E. Persse, Director  
Emergency Medical Services

**Other Authorization:**

|                    |  |                                 |             |
|--------------------|--|---------------------------------|-------------|
| Date:<br>11/8/2010 | Subject: Approve an Ordinance Amending Section 4-13 of the City of Houston Code of Ordinances, relating to Ambulance Fees; Containing Findings and Other Provisions Relating to the Foregoing Subject; Containing a Savings Clause; Providing an Effective Date; Providing for Severability; and Declaring an Emergency. | Originator's<br>Initials<br>CAN | Page 2 of 2 |
|--------------------|--|---------------------------------|-------------|

index, which will allow ambulance fees to smoothly track consumer price trends. The proposed fees shall be effective upon Council approval.

The City has issued an EMS Billing and Collections Request for Proposals, which will result in improved technology utilization and lower expenses. ARA, Finance and HFD have implemented several processes to improve vendor performance, improve collections of billed accounts, and divert non-emergency trips to lower cost resources. Refinements continue to be made to identify low-income uninsured patients early in the billing process in order to determine the appropriate level of collection effort. Additionally, the City will eliminate its practice of pro-rating charges for multiple patients transported in one ambulance. This billing practice is unique to the City of Houston, and its elimination will generate an estimated additional \$500,000 in annual revenue.

The revenue resulting from this proposed fee increase was included in the proposed FY 2011 Budget unanimously approved by City Council on June 23<sup>rd</sup>, 2010, and this item was presented to the Budget and Fiscal Affairs Committee on November 8<sup>th</sup>, 2010.

#12

11-17-10

November 8, 2010 – Budget and Fiscal Affairs Committee Meeting Response

**Council Questions: Ambulance Cost of Service Fees**

**Adams:**

1. Medicare includes ambulance fees in their coverage. If we go to nursing homes for pick up, currently we are not billing. We are losing monies if we don't, we don't know if they are billing anyway, and we are not billing that insurance company for that actual pickup because they are required to have private ambulance service tied to that nursing home. How much money are we losing? How many nursing homes have we serviced but did not bill for, when we qualify for that billing? Hoping that the nursing home did not bill the insurance company for that money and the COH did not get their share.

**We do make non emergency transports from nursing homes. An example is where a nursing home patient has a non emergency visit scheduled at a hospital. The nursing home will call the private ambulance service. If the private ambulance service is unable to come timely the nursing home will dial 911 knowing the EMS ambulance will come and will transport. The City's current practice is to bill transportees not nursing homes. We do bill Medicare but Medicare will typically decline the claim because it was not an emergency. Our recommendation is to refer this to legal and have them advise us on whether we can require the nursing homes to pay us if we transport one of their residents.**

2. If we did privatize, do you think that private company will pick up if they are not insured?

**If the EMS response function were privatized it is likely the City would have to subsidize it. We should considering looking at legislation requiring private ambulances to transport all emergency cases regardless of ability to pay, however as with hospitals someone has to cover the total operating costs or no one will bid on the business.**

**Bradford:**

1. The cost of service \$1,128, it does include the response posture that we opted to employ to send three vehicles out? You quote Forth Worth, Austin and Dallas, do we know if they have a similar response posture? Believe San Antonio does, will have to check.

**Response from Chief Garrison's Office**

**Emergency medical dispatchers (EMD), using the computer-assisted medical priority dispatch system, interrogate callers in order to determine the location, nature, and priority of the medical emergency. This information is then utilized to identify and dispatch the closest**

MT

available appropriate EMS response units (First Responder, BLS ambulance, ALS ambulance, or Paramedic Squad). The number of units dispatched may be as few as one or as many five depending on the information provided by the caller which will provides HFD with the initial indication of how critical the emergency call is. The greater the threat to life, the more assets dispatched to provide the patient with the highest chance of survival. When the response time for an ambulance is delayed, neighborhood engine companies (or occasionally ladder trucks) are dispatched to the scene. The crews provide basic life support and create a well-orchestrated team effort called the medical incident command system. This is known as the First Responder System.

According to the International Association of Fire Chiefs (IAFC) "Of the 200 most populated communities, 97 percent have the fire service delivering pre-hospital emergency medical service response. Additionally, the fire service provides critical advanced life support (ALS) response and care in 90 percent of the 30 most populated United States cities and counties."

2. In the presentation there is a recommendation to take the ambulance fee from \$415.00 to \$1000.00, does this include any mileage charge. Currently there is a \$7 mileage charge? Will the mileage charge be eliminated? What will the recommended mileage charge be? What is the current mileage charge?

**We have not included the mileage charges or the medical supply charges that we now charge in the presentation to keep the focus on the base rate increase proposal. We intend to keep the same at \$7, even though it is more representative of other cities to charge \$15.**

**Costello:**

1. Have we looked at the cost of services that we are providing?

**Yes we have looked at the cost of services the cost is \$937, (after only excluding the apparatus).**

2. Collection productivity. What is the collection rate for other metropolitan areas? How are we evaluating ACS.

**It is very difficult to compare collection rates between cities because of the demographic mixes, the accuracy of the data obtained by the EMS personnel, the billing rates etc.. For example the higher the billing rate the lower the collection rate. Our review of the billing and collection processes employed by ACS and our conversations with other vendors indicate to us that the collection rate for Houston is on the low end. We believe a more sophisticated vendor, utilizing more advance software processes, will lower the rate of the unidentified and will increase the discovery of insurance availability. We have gone out with an RPF to**

replace our provider due to the lack of detail and analytical information ACS has been able to provide to us and the timeliness of their responses to our questions and needs as well as their fee being above market rate for services.

3. Are we verifying that we will not be in violation of HIPPA Laws when we seek completion of forms from hospitals?

**ACS currently receives hospital data and is responsible for being HIPPA compliant. Additionally, the EMS operation must also be HIPPA compliant. We are currently working on issues with Legal department**

#### **Gonzalez:**

1. Are we looking at the response of an emergency call or just the transport? Are these cost associated with the actual transport. Once the Fire department makes a determination to transport, does the cost start rolling at that point or in terms of adding up the cost of the additional vehicles?

**We look at costs both on an overall response basis and on a transport basis. There are approximately 375,000 responses per year of which 130,000 result in a transport. We do not charge for non transports even though medical assistance may have been rendered.**

2. In previous presentations, we were looking at diversion programs that the fire department have been working on that were proving successful, taxi cabs vouchers, things we have voted on prior, to go ahead and to other triage efforts to find medical homes for individuals that were frequent fliers. How has this been taken into account to lower the number of transport?

#### **Response from Chief Garrison's Office**

**HFD is actively engaged in several programs to more effectively and efficiently provide EMS care to the citizens of Houston. They use a Tele-health Nurse project, in which certain low-priority calls are diverted to a nurse to attempt to rectify the caller's problem. For recurrent high-volume users of EMS, the Care Houston project teams EMS with the health department and directly engages these citizens to determine better ways to manage their chronic health problems. Lastly, a system wide emergency ambulance routing system to provide real-time awareness of all EMS transports in order to give individual units the information they need to make proper hospital destination decisions.**

**The pertinent statistics for the three programs mentioned above are as follows:**

- **Care Houston.** During the period September 2007 through September 2008, there were 215 frequent callers to 911. Those callers made 2,351 calls to 911 for ambulance service.
  - There has been a 70% reduction in repeat calls in the first three months after those callers were identified.

- **Tele-health Nurse (THN).** During the nine month period July 1, 2008 through March 31, 2009, there were 3,509 referrals to the nurse program. The following summarizes the results of those calls.
  - Transported by ambulance – 2,403
  - Declined transport or gone upon arrival – 345
  - Successful referrals – 761 (These are calls that did not come back to EMS for services)

In FY 2009, the City Council approved the funded \$250,000 from POP funds to the Harris County Healthcare Alliance to provide clinic visits for those citizens who cannot afford to make payment. The clinic visits are made by the THN personnel from those referred to that program by HFD. To date there have been 10 clinic visits costing \$1,280.

- **Emergency Ambulance Routing.** The implementation of the emergency ambulance routing system has resulted in a decrease in the unit hour utilization (UHU) of the EMS units. UHU is the primary measure of EMS transport usage. The availability of the EMS transport units is directly correlated to response times.
    - UHU for ambulance (BLS) units decreased from 46.39% in 2006 to 42.94% in 2009, a 7.44% decrease in utilization. The optimal utilization range for public EMS systems is the 33% to 42% range.
    - In 2009 there were 5 EMS units operating at a UHU greater than 50%.
    - In 2009 there were 228,540 EMS calls dispatched compared to 235,582 in 2008, a decrease of 3%.
    - In 2009 there were an average of 11,700 transport per month compared to 12,200 average transports per month in 2008, a decrease of 4%.
3. The response portion, it is a model that was utilized that is inherited successful, some calls are difficult to diagnose appropriate, sometimes having a certain response is beneficial. Don't always know when responding to a particular call. Would like to know what the Fire department would have to say.

### Response from Chief Garrison's Office

Emergency medical dispatchers (EMD), using the computer-assisted medical priority dispatch system, interrogate callers in order to determine the location, nature, and priority of the medical emergency. This information is then utilized to identify and dispatch the closest available appropriate EMS response units (First Responder, BLS ambulance, ALS ambulance, or Paramedic Squad). The number of units dispatched may be as few as one or as many five depending on the information provided by the caller which will provides HFD with the initial indication of how critical the emergency call is. The greater the threat to life, the more assets dispatched to provide the patient with the highest chance of survival. When the response

time for an ambulance is delayed, neighborhood engine companies (or occasionally ladder trucks) are dispatched to the scene. The crews provide basic life support and create a well-orchestrated team effort called the medical incident command system. This is known as the First Responder System. According to the International Association of Fire Chiefs (IAFC) "Of the 200 most populated communities, 97 percent have the fire service delivering pre-hospital emergency medical service response. Additionally, the fire service provides critical advanced life support (ALS) response and care in 90 percent of the 30 most populated United States cities and counties."

4. Can you see if there is any actual data to support how many individuals we have place on that program. Is it still successful, if it's not are we still allocated funds to it, maybe we ought to change those funds to something else? Can you see how successful the program has been, are there any additional ones in the pipeline to help continue divert individuals who might just need transport not emergency through tell a nurse or other programs that we have.

**See the previous responses.**

**Jones:**

1. Have we considered allowing the private sector for our ambulances? Request empirical data on cost on when privatize and if we are looking at privatization.
2. How much the extra apparatus cost? Carve that out in the cost.

**Our current Cost of \$937, (after only excluding the apparatus).**

**Noriega:**

1. Do you know what the outstanding, sitting on the table, collection for ambulance fee is right now?

**The outstanding receivable as of September 30, 2010 for billings in the last 24 months was \$68 million.**

**SUBJECT:** An Ordinance authorizing the issuance of City of Houston Airport System Subordinate Lien Revenue Refunding Bonds, Series 2010 (Non-AMT) for an amount up to \$105 million; Authorizing the refunding and defeasance of certain outstanding bonds, and for funding certain other projects and purposes; authorizing the execution and delivery of a reimbursement agreement with a credit facility provider; authorizing the distribution of the Preliminary Official Statement and proceeding with a negotiated sale of such bonds.

**Category #**

**Page 1 of 1**

**Agenda Item #**

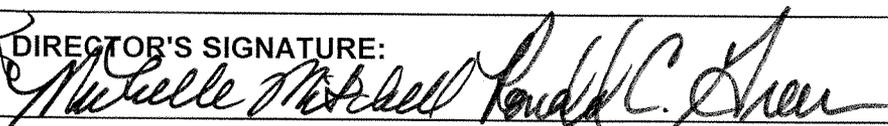
13

**FROM (Department or other point of origin):**  
Finance Department and Office of City Controller

**Origination Date:**  
November 5, 2010

**Agenda Date**  
NOV 17 2010

**DIRECTOR'S SIGNATURE:**



**Council District Affected:**  
All

**For additional information contact:**

Jennifer Olenick 713-837-9899  
Shawnell Holman-Smith 832-393-3513

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

**RECOMMENDATION:** An Ordinance authorizing the issuance of City of Houston Airport System Subordinate Lien Revenue Refunding Bonds, Series 2010 (Non-AMT) for an amount up to \$105 million; Authorizing the refunding and defeasance of certain outstanding bonds, and for funding certain other projects and purposes; authorizing the execution and delivery of a reimbursement agreement with a credit facility provider; authorizing the distribution of the Preliminary Official Statement and proceeding with a negotiated sale of such bonds.

**Amount of Funding:** Not Applicable

**Finance Dept Budget:**

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

**SPECIFIC EXPLANATION:**

The American Recovery and Reinvestment Act of 2009, includes an "Alternative Minimum Tax (AMT) Holiday", which allows private activity bonds to be issued as non-AMT debt. This provides greater market access and more favorable borrowing rates. This "AMT Holiday" expires on December 31, 2010.

The Finance Working Group (the "FWG") recommends refunding the Houston Airport System Subordinate Lien Revenue Refunding Bonds, Series 2005A into the Houston Airport System Subordinate Lien Revenue Refunding Bonds, Series 2010 (the "Series 2010 Bonds"), to convert the tax status to non-AMT. The proceeds of the Series 2010 Bonds will also fund the Subordinate Lien Bond Reserve Fund and associated costs of issuance. Additionally, the FWG recommends replacement of the associated expiring liquidity facility with a credit facility issued by Barclays Bank PLC.

This transaction was presented to the Budget and Fiscal Affairs Committee on October 5, 2010.

The FWG recommends the Series 2010 Bonds be issued through a negotiated financing with Citigroup Global Markets, Inc. Vinson & Elkins, L.L.P. and Bates & Coleman, P.C. are recommended as Co-Bond Counsel and Fulbright & Jaworski L.L.P. and Escamilla & Poneck, Inc. as Special Disclosure Co-Counsel.

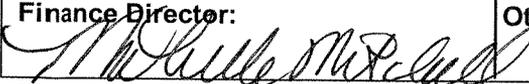
The Finance Working Group recommends approval of these transactions.

**REQUIRED AUTHORIZATION**

**Finance Department Director:**

**Other Authorization:**

**Other Authorization:**

|   |  |  |                                   |   |
|---|--|--|-----------------------------------|---|
| <b>SUBJECT:</b><br>Revisions to the Master Classification Ordinance for City Employees  |  | <b>Category</b><br># 3   | <b>Page</b><br>1 of 1             | <b>Agenda Item</b><br># <span style="font-size: 2em; vertical-align: middle;">14</span> |
| <b>FROM (Department or other point of origin):</b><br>Human Resources Department  |  | <b>Origination Date</b><br>October 18, 2010  | <b>Agenda Date</b><br>NOV 17 2010 |   |
| <b>DIRECTOR'S SIGNATURE:</b><br>  |  | <b>Council District affected:</b> ALL  |                                   |   |
| <b>For additional information contact:</b><br>Omar Reid<br>Phone: (713) 837-9330 <span style="margin-left: 20px;">UA</span>   |  | <b>Date and identification of prior authorizing Council action:</b> Rev. to Ord. 90-1292 as amended by Ord. 2010-512 |                                   |   |
| <b>RECOMMENDATION: (Summary)</b><br>Approve the proposed revisions to the Master Classification Ordinance by adding five job classifications and deleting two job classifications.  |  |  |                                   |   |
| <b>Amount &amp; Source of Funding:</b><br>None  |  |  | <b>Budget:</b>                    |   |
| <b>SPECIFIC EXPLANATION:</b><br>The Human Resources Department recommends the following revisions to the civilian Master Classification Listing. These revisions can be found on Exhibit A of the ordinance.  |  |  |                                   |   |
| <b>A. Add job classifications</b>   |  |  |                                   |   |
| <u>Proposed Job Title</u>   |  | <u>Proposed Pay Grade</u>  |                                   |   |
| Fleet Management Director   |  | 35   |                                   |   |
| This job is needed to direct the new Fleet Management Department.   |  |  |                                   |   |
| <u>Proposed Job Title</u>   |  | <u>Proposed Pay Grade</u>  |                                   |   |
| Clerk of the Court/Deputy Director (Executive Level)  |  | 34   |                                   |   |
| Assistant Clerk of the Court/Assistant Director (Executive Level)   |  | 32   |                                   |   |
| These jobs are needed as part of the new organizational structure of the new Municipal Courts Department.   |  |  |                                   |   |
| <u>Proposed Job Title</u>   |  | <u>Proposed Pay Grade</u>  |                                   |   |
| Human Resources Generalist  |  | 17   |                                   |   |
| Senior Human Resources Generalist   |  | 21   |                                   |   |
| These jobs are needed as part of the revised organizational structure of the Human Resources Department. These classifications will provide professional human resources support to City Departments in all general areas of human resources by selecting, developing and retaining a qualified and diverse workforce in compliance with policies and procedures. |  |  |                                   |   |
| <b>B. Delete job classifications</b>  |  |  |                                   |   |
| <u>Job Title</u>  |  | <u>Pay Grade</u>   |                                   |   |
| Chief Clerk   |  | 34   |                                   |   |
| Assistant Chief Clerk (Executive Level)   |  | 32   |                                   |   |
| These jobs are no longer needed in the new organizational structure of the new Municipal Courts Department.   |  |  |                                   |   |
| <b>REQUIRED AUTHORIZATION</b>   |  |  |                                   |   |
| <b>Finance Director:</b><br>  |  | <b>Other Authorization:</b>  |                                   | <b>Other Authorization:</b>   |

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

|   |                       |                                |
|---|-----------------------|--------------------------------|
| SUBJECT: Ordinance authorizing the abandonment and sale of two 5-foot-wide utility easements and their attendant aerial easements in exchange for the conveyance to the City of a 7.5-foot-wide utility easement, all located within Lots 98 and 99, Block 8, Baker Place Section Two Subdivision, out of the J.L. Stanley Survey. Parcels SY10-007A, SY10-007B, and VY10-031 | Page<br><u>1 of 2</u> | Agenda Item #<br><br><b>15</b> |
|---|-----------------------|--------------------------------|

|   |                                  |                                |
|---|----------------------------------|--------------------------------|
| FROM (Department or other point of origin):<br><br>Department of Public Works and Engineering | Origination Date<br><br>11-10-10 | Agenda Date<br><br>NOV 17 2010 |
|---|----------------------------------|--------------------------------|

|  |   |               |
|--|---|---------------|
| DIRECTOR'S SIGNATURE:<br><br>Daniel W. Krueger, P.E., Director | Council District affected: B<br> | Key Map: 455F |
|--|---|---------------|

|  |   |
|--|---|
| For additional information contact:<br><br>Nancy P. Collins <br>Senior Assistant Director-Real Estate Phone: (713) 837-0881 | Date and identification of prior authorizing Council Action:<br><br>C.M. 2010-0024 (01/20/2010) |
|--|---|

**RECOMMENDATION: (Summary)** It is recommended City Council approve an Ordinance authorizing the abandonment and sale of two 5-foot-wide utility easements and their attendant aerial easements in exchange for a consideration of \$2,100.00 plus the conveyance to the City of a 7.5-foot-wide utility easement, all located within Lots 98 and 99, Block 8, Baker Place Section Two Subdivision, out of the J.L. Stanley Survey. Parcels SY10-007A, SY10-007B, and VY10-031

|  |  |
|--|--|
| Amount and Source of Funding: Not Applicable |  |
|--|--|

**SPECIFIC EXPLANATION:**

By Council Motion 2010-0024, City Council authorized the subject transaction. Alejandro Camarillo, the property owner, plans to expand his home into the subject property.

Alejandro Camarillo 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 Alejandro Camarillo:

|   |                          |
|---|--------------------------|
| <b>Parcel SY10-007A</b>                   |                          |
| 968-square-foot utility easement          | \$968.00                 |
| Valued at \$1.00 per square foot          |                          |
| <b>Parcel SY10-007B</b>                   |                          |
| 918-square-foot utility easement          | \$918.00                 |
| Valued at \$1.00 per square foot          |                          |
| <b>TOTAL ABANDONMENTS</b>                 | <b><u>\$1,886.00</u></b> |
| In exchange, Alejandro Camarillo will pay |                          |
| Cash                                      | \$2,100.00               |
| Plus convey to the City                   |                          |
| <b>Parcel VY10-031</b>                    |                          |
| 1040-square-foot utility easement         | \$1,040.00               |
| Valued at \$1.00 per square foot          |                          |
| <b>TOTAL CASH AND CONVEYANCES</b>         | <b><u>\$3,140.00</u></b> |

|                      |                        |                |
|----------------------|------------------------|----------------|
| agd/sy10-007.rc2.doc | REQUIRED AUTHORIZATION | CUIC #20AGD004 |
|----------------------|------------------------|----------------|

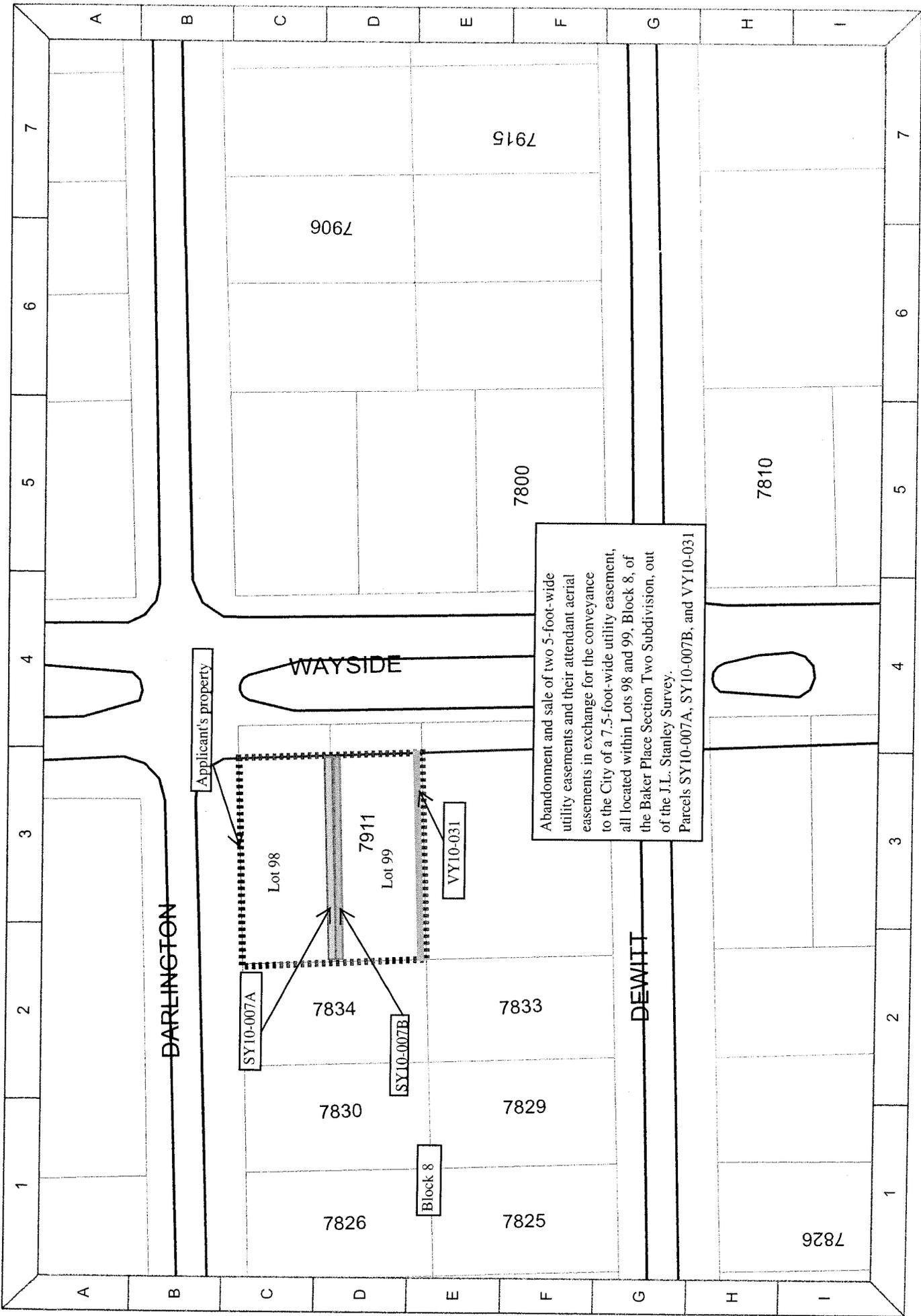
|                     |                      |   |
|---------------------|----------------------|---|
| Finance Department: | Other Authorization: | Other Authorization:<br><br>Mark Loethen, P.E., CFM, PTOE<br>Acting Deputy Director<br>Planning and Development Services Division |
|---------------------|----------------------|---|

|              |   |   |                                     |
|--------------|---|---|-------------------------------------|
| <b>Date:</b> | <b>Subject:</b> Ordinance authorizing the abandonment and sale of two 5-foot-wide utility easements and their attendant aerial easements in exchange for the conveyance to the City of a 7.5-foot-wide utility easement, all located within Lots 98 and 99, Block 8, Baker Place Section Two Subdivision, out of the J.L. Stanley Survey. <b>Parcels SY10-007A, SY10-007B, and VY10-031</b> | <b>Originator's Initials</b><br> | <b>Page</b><br><u>2</u> of <u>2</u> |
|--------------|---|---|-------------------------------------|

Inasmuch as the value of the \$2,100.00 minimum fee plus the easement being conveyed to the City is greater than the value of the easements being abandoned and sold, it is recommended City Council approve an Ordinance authorizing the abandonment and sale of two 5-foot-wide utility easements and their attendant aerial easements, in exchange for a consideration of \$2,100.00 plus the conveyance to the City of a 7.5-foot-wide utility easement, all located within Lots 98 and 99, Block 8, Baker Place Section Two Subdivision, out of the J.L. Stanley Survey.

NPC:WSB:agd

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



Abandonment and sale of two 5-foot-wide utility easements and their attendant aerial easements in exchange for the conveyance to the City of a 7.5-foot-wide utility easement, all located within Lots 98 and 99, Block 8, of the Baker Place Section Two Subdivision, out of the J.L. Stanley Survey.  
 Parcels SY10-007A, SY10-007B, and VY10-031



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

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



1 inch equals 75 feet  
 0 5 10 15 20 Feet

MOTION by Council Member Lovell that the recommendation of the Director of the Department of Public Works and Engineering, reviewed and approved by the Joint Referral Committee, on request from Alejandro Camarillo, 7911 North Wayside, Houston, Texas 77028, for the abandonment and sale of two 5-foot-wide utility easements and their attendant aerial easements located within Lots 98 and 99, Block 8, of the Baker Place Section Two Subdivision, out of the J. L. Stanley Survey, Parcels SY10-007A, SY10-007B and VY10-031, be adopted as follows:

1. The City abandon and sell two 5-foot-wide utility easements and their attendant aerial easements in exchange for the conveyance to the City of a 7.5-foot-wide utility easement, all located within Lots 98 and 99, Block 8, of the Baker Place Section Two Subdivision, out of the J. L. Stanley Survey;
2. The applicant be required to furnish the Department of Public Works and Engineering with a durable, reproducible (Mylar) survey plat and field notes of the affected property;
3. The applicant be required to obtain a letter of no objection from each of the privately owned utility companies for the utility easements being abandoned and sold;
4. The applicant be required to increase the 7.5-foot-wide utility easement that will be conveyed in this transaction by 5 feet if the house within the subject property is ever demolished;
5. Inasmuch as the value of the property interests is not expected to exceed \$50,000.00, that the value be established by a staff appraiser, according to City policy.

Seconded by Council Member Clutterbuck and carried.

Mayor Parker, Council Members Stardig, Clutterbuck,  
Sullivan, Hoang, Pennington, Gonzalez, Costello,  
Lovell, Noriega, Bradford and Jones voting aye  
Nays none  
Council Member Johnson absent

Council Member Adams absent due to being ill

Council Member Rodriguez absent due to death in family

PASSED AND ADOPTED this 20th day of January 2010.

Pursuant to Article VI, Section 6 of the City Charter, the effective date of the foregoing motion is January 26, 2010.

  
City Secretary

**REQUEST FOR COUNCIL ACTION**

**TO: Mayor via City Secretary**

**RCA #**

**SUBJECT:** Ordinance approving a Significant Historic Structure Tax Exemption for the property located at 313-315 Travis Street, 77002.

**Category #**

**Page 1 of 1**

**Agenda Item#**

16

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

Michelle Mitchell, Director  
Finance Department

Marlene Gafrick, Director  
Planning and Development

**Origination Date**

11-10-10

**Agenda Date**

NOV 17 2010

**DIRECTOR'S SIGNATURE:**

*Michelle Mitchell* *Marlene Gafrick*

**Council Districts affected:**

1

**For additional information contact:**

Tim Douglass  
Julia Gee

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

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

Ord. 2007-658, 12/6/2007  
Res. 2010-48, 8/11/2010

**RECOMMENDATION: (Summary)**

That City Council adopt an ordinance approving a Significant Historic Structure Tax Exemption for the property located at 313-315 Travis Street, 77002, which meets the relevant eligibility requirements of Section 44-29 of the Code of Ordinances.

**Amount of Funding:** No funding required

**Finance Budget:**

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

**SPECIFIC EXPLANATION:**

Section 44-29 of the Code of Ordinances provides an incentive for historic preservation in the form of a tax exemption for Significant Historic Structures. The only statutory prerequisite to granting a Significant Historic Structure tax exemption is prior City Council designation of the property as a Significant Historic Structure. The tax exemption applies to ad valorem taxes that would be owed on both land and improvements for the entire duration of the property's compliance as a Significant Historic Structure.

The owner of the following designated Significant Historic Structure submitted a sworn affidavit that meets the criteria set out in the Code of Ordinances. Based on HCAD's 2010 property valuation and the City's current property tax rate, the approximate dollar amount of the taxes that will be foregone for the first year of the exemption are shown below:

| Address               | Significant Historic Structure | 2011<br>Estimated Taxes<br>(Year 1) | 2010<br>Appraised Value<br>(2011 not available) |
|-----------------------|--------------------------------|-------------------------------------|---|
| 313-315 Travis Street | Baker-Meyer Building           | \$5,054                             | \$791,224                                       |

Since the property has been designated a Significant Historic Structure, it is recommended that City Council grant the property an exemption from ad valorem taxation provided under Section 44-29 of the Code of Ordinances.

cc: Marty Stein, Agenda Director  
Anna Russell, City Secretary  
David Feldman, City Attorney

**REQUIRED AUTHORIZATION**

**Finance Director:**

**Other Authorization:**

**Other Authorization:**

*[Signature]*

|  |
|--|
| <b>313-315 Travis Street</b>                                     |
| <b>SIGNIFICANT HISTORIC STRUCTURE<br/>TAX EXEMPTION ANALYSIS</b> |

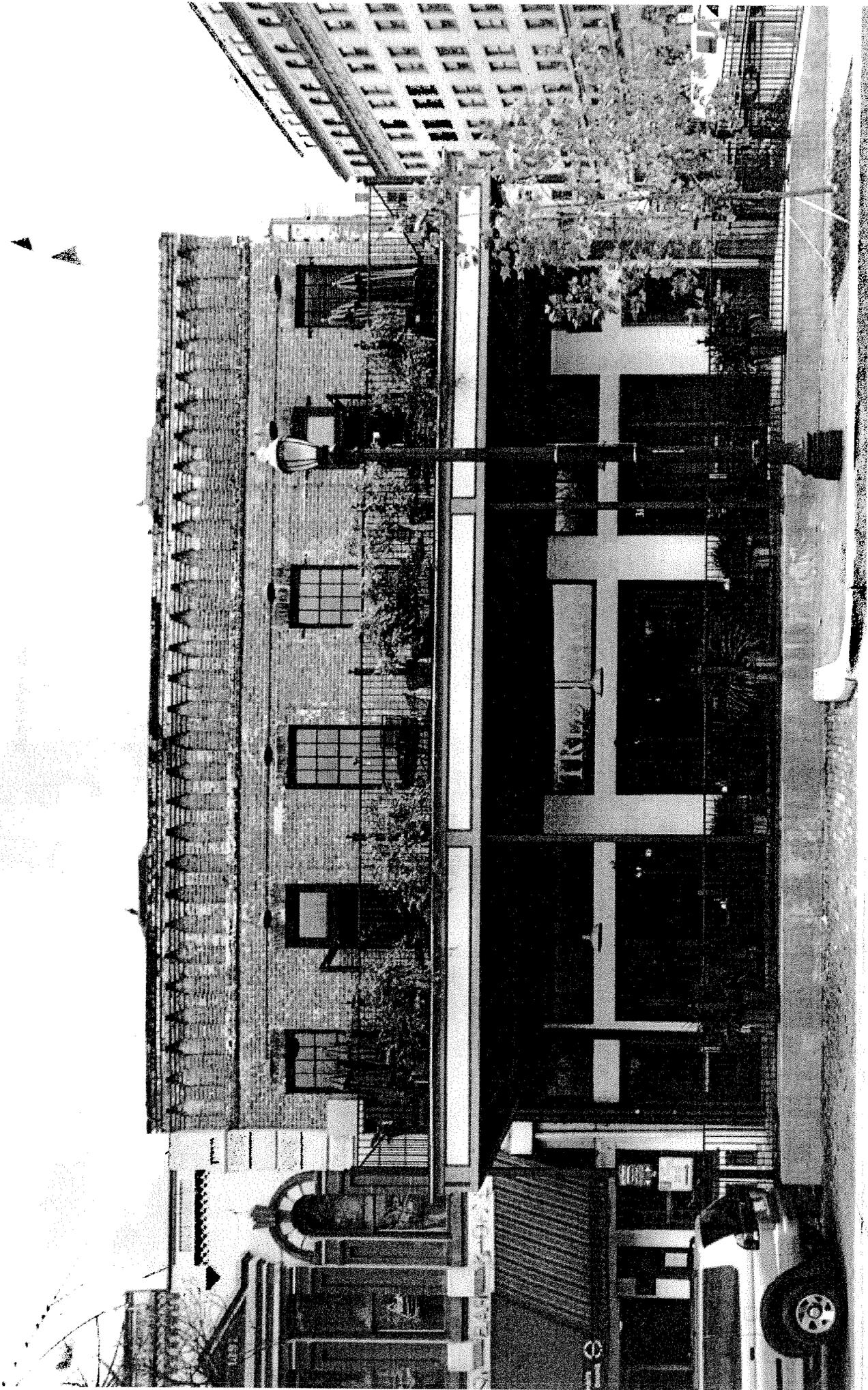
|                                   |                  |              |
|-----------------------------------|------------------|--------------|
| <b>Initial Exemption Criteria</b> |                  |              |
| <b>2010 Values</b>                |                  |              |
| <b>Land</b>                       | <b>Structure</b> | <b>Total</b> |
| \$425,000                         | \$366,224        | \$791,224    |

|   |             |
|---|-------------|
| Maximum reduction of tax revenue allowed per year per Ordinance           | \$30,000    |
| Maximum Exemption on Total Assessed Value per Ordinance, beginning TY2011 | \$4,696,673 |

|   |                 |             |                  |                               |
|---|-----------------|-------------|------------------|-------------------------------|
| <b>Projected Annual Tax Revenue</b>   |                 |             |                  |                               |
| <b>(Based upon 100% exemption)</b>  |                 |             |                  |                               |
| <b>Year</b>   | <b>Tax Year</b> | <b>Land</b> | <b>Structure</b> | <b>Total Revenue Exempted</b> |
| 1   | 2011            | (\$2,715)   | (\$2,339)        | (\$5,054)                     |
| 2   | 2012            | (\$2,824)   | (\$2,433)        | (\$5,256)                     |
| 3   | 2013            | (\$2,937)   | (\$2,530)        | (\$5,467)                     |
| 4   | 2014            | (\$3,054)   | (\$2,631)        | (\$5,685)                     |
| 5   | 2015            | (\$3,176)   | (\$2,737)        | (\$5,913)                     |
| ↓   |                 |             |                  |                               |
| for the duration of compliance as a significant historic structure<br>(in perpetuity) |                 |             |                  |                               |

**Projection based on latest rate (Tax Year 2010): \$.63875 per \$100 of taxable value**

**Assumes a 4% increase in property value each year.**



**REQUEST FOR COUNCIL ACTION**

**TO: Mayor via City Secretary**

RCA #

**SUBJECT:** Ordinances approving Historic Site Tax Exemptions for Contributing Structures in Designated Historic Districts for the three (3) properties located at 717 Colorado Street, 77007; 1220 Arlington Street, 77008; and 4607 Oak Ridge Street, 77009.

Category #

Page 1 of 1

Agenda Item#

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

Michelle Mitchell, Director  
Finance Department

Marlene Gafrick, Director  
Planning and Development

Origination Date

11-10-10

Agenda Date

NOV 17 2010

**DIRECTOR'S SIGNATURE:**

*Michelle Mitchell* *Marlene Gafrick*

Council Districts affected:

H

**For additional information contact:**

Tim Douglass  
Julia Gee

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

**Date and identification of prior authorizing Council Action:** Ord. 2007-658, 12/6/2007; Res. 2007-855, 8/1/07; 2008-4, 2/20/08; 2000-28, 6/14/00.

**RECOMMENDATION: (Summary)**

That City Council adopt ordinances approving Historic Site Tax Exemptions for Contributing Structures in Designated Historic Districts for the three (3) properties located at 717 Colorado Street, 77007; 1220 Arlington Street, 77008; and 4607 Oak Ridge Street, 77009, which meet the relevant eligibility requirements of Section 44-5 of the Code of Ordinances.

**Amount of Funding:** No funding required

**Finance Budget:**

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

**SPECIFIC EXPLANATION:**

Section 44-5 of the Code of Ordinances provides an incentive for historic preservation in the form of a tax exemption for historic sites. Prior City Council designation of the property as a contributing structure in an historic district is a prerequisite to granting an historic site tax exemption. The property owner must then demonstrate to the Director of Finance that restoration and preservation expenditures were made in an amount equal to at least 50% of appraised value of the improvements and within the time frames prescribed in the Ordinance. The tax exemption amount is then calculated based on the amount spent on restoration, up to 100% of ad valorem taxes that would be owed the following year on the appraised value of improvements only (not land). **The exemption is for a 15-year period but is capped each year at the exemption amount calculated for year one.**

The owners of the following contributing structures in an historic district submitted sworn affidavits that meet the criteria set out in the Code of Ordinances. The table below shows the base value of improvement (pre-restoration), the amount of the restoration investment made by the property owner, the approximate dollar amount of the taxes that will be foregone for the first year, based on HCAD's 2009 property valuation and the City's current property tax rate, and the maximum amount that would be exempt over 15 years:

| Contributing Structure | Historic District    | Base Value of Improvement | Restoration Investment | Estimated Year One Exemption | Maximum Exemption over 15 years |
|------------------------|----------------------|---------------------------|------------------------|------------------------------|---------------------------------|
| 717 Colorado Street    | Old Sixth Ward       | \$ 19,900                 | \$ 21,090              | \$ 696                       | \$ 10,440                       |
| 1220 Arlington Street  | Houston Heights East | \$ 29,704                 | \$ 46,554              | \$ 199                       | \$ 2,985                        |
| 4607 Oak Ridge Street  | Norhill              | \$ 100,566                | \$ 192,400             | \$ 975                       | \$ 14,625                       |

Since the properties have been designated as contributing structures in an historic district, and meet all other criteria, it is recommended that City Council grant each of the properties the exemption from ad valorem taxation provided under Section 44-5 of the Code of Ordinances.

cc: Marty Stein, Agenda Director  
Anna Russell, City Secretary  
David Feldman, City Attorney

**REQUIRED AUTHORIZATION**

**Finance Director:**

**Other Authorization:**

**Other Authorization:**

|   |
|---|
| <b>717 Colorado Street</b>                              |
| <b>HISTORIC SITE TAX EXEMPTION<br/>15 YEAR ANALYSIS</b> |

| Initial Exemption Criteria |           |                              |             |           |
|----------------------------|-----------|------------------------------|-------------|-----------|
| 2008 Values<br>(base year) |           | Preservation<br>Expenditures | 2010 Values |           |
| Land                       | Structure |                              | Land        | Structure |
| \$150,000                  | \$19,900  | \$21,090                     | \$150,000   | \$109,000 |

Expenditures as % of Base Value

106%

Maximum Exemption on Structure/Improvement will be equal to TY2011 value (not yet available)\*

| Projected Annual Tax Revenue<br>(Based upon 100% of Improvements) |          |  |   |
|---|----------|--|---|
| Year  | Tax Year | Revenue<br><i>to be received</i><br>(Land) | Revenue<br><i>exempt</i><br>(Structure) |
| 1   | 2011     | \$958                                      | \$696                                   |
| 2   | 2012     | \$996                                      | \$696                                   |
| 3   | 2013     | \$1,036                                    | \$696                                   |
| 4   | 2014     | \$1,078                                    | \$696                                   |
| 5   | 2015     | \$1,121                                    | \$696                                   |
| 6   | 2016     | \$1,166                                    | \$696                                   |
| 7   | 2017     | \$1,212                                    | \$696                                   |
| 8   | 2018     | \$1,261                                    | \$696                                   |
| 9   | 2019     | \$1,311                                    | \$696                                   |
| 10  | 2020     | \$1,364                                    | \$696                                   |
| 11  | 2021     | \$1,418                                    | \$696                                   |
| 12  | 2022     | \$1,475                                    | \$696                                   |
| 13  | 2023     | \$1,534                                    | \$696                                   |
| 14  | 2024     | \$1,595                                    | \$696                                   |
| 15  | 2025     | \$1,659                                    | \$696                                   |
| <b>Total</b>  |          | <b>\$19,185</b>                            | <b>\$10,440</b>                         |

Projection based on latest rate (Tax Year 2010): \$.63875 per \$100 of taxable value

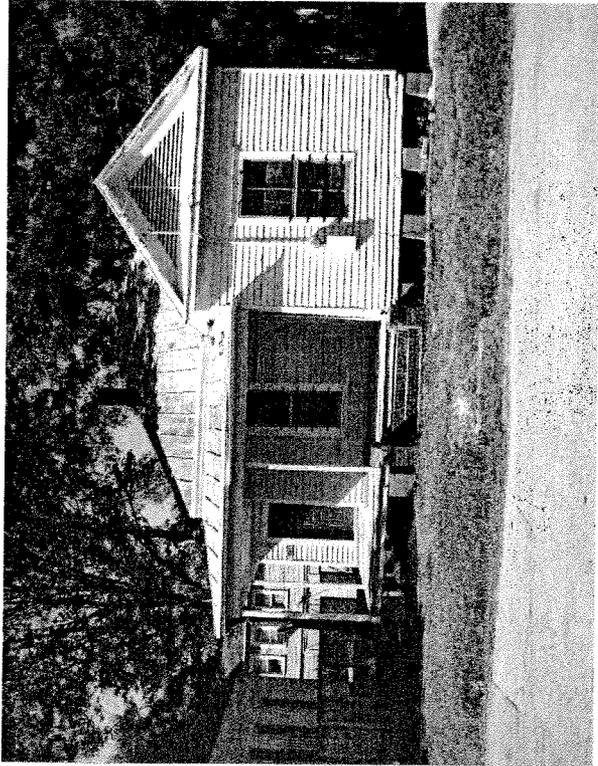
Assumes a 4% increase in land value each year.

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

The tax revenue may change relative to the tax rate.

717 COLORADO ST. OLD SIXTH WARD HISTORIC DISTRICT

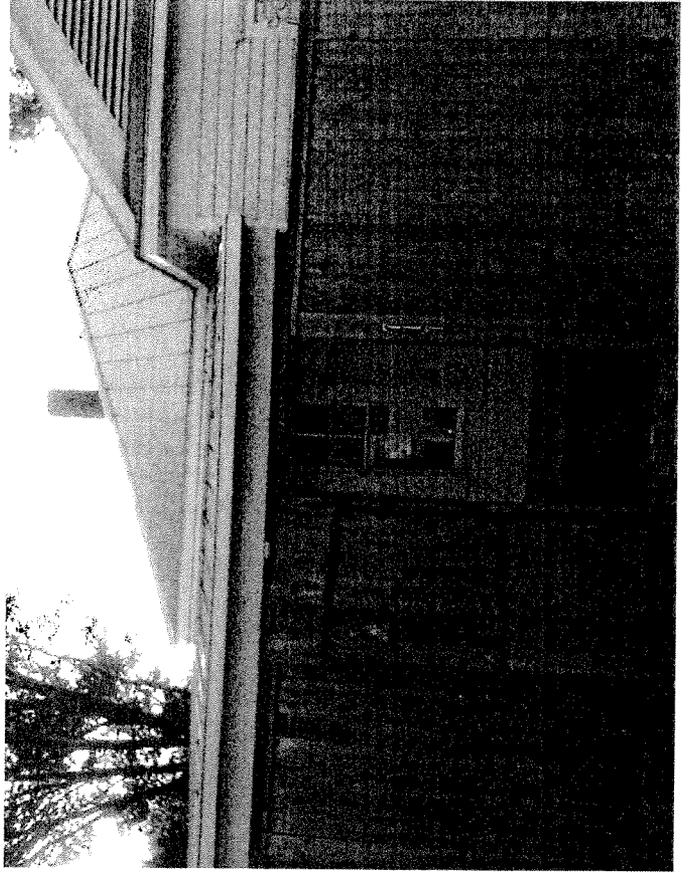
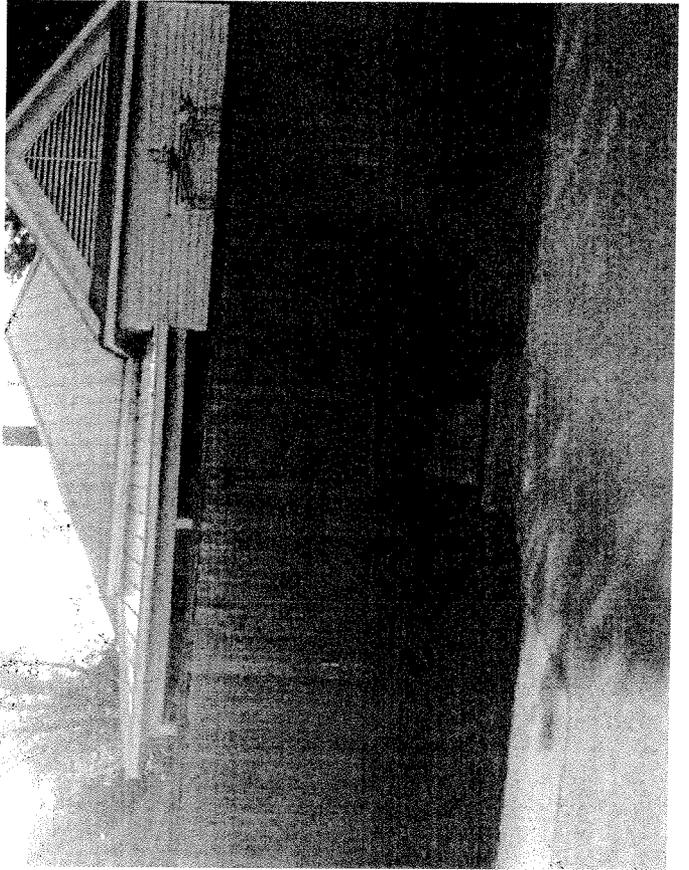
BEFORE



AFTER



AFTER



**REQUEST FOR COUNCIL ACTION**

**TO: Mayor via City Secretary**

**RCA #**

**SUBJECT:** Ordinances approving Historic Site Tax Exemptions for Contributing Structures in Designated Historic Districts for the three (3) properties located at 717 Colorado Street, 77007; 1220 Arlington Street, 77008; and 4607 Oak Ridge Street, 77009.

**Category #**

**Page 1 of 1**

**Agenda Item#**

18

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

Michelle Mitchell, Director  
Finance Department

Marlene Gafrick, Director  
Planning and Development

**Origination Date**

11-10-10

**Agenda Date**

SEP 17 2010

**DIRECTOR'S SIGNATURE:**

*Michelle Mitchell*      *Marlene Gafrick*

**Council Districts affected:**

H

**For additional information contact:**

Tim Douglass  
Julia Gee

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

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

Ord. 2007-658, 12/6/2007;  
Res. 2007-855, 8/1/07; 2008-4, 2/20/08;  
2000-28, 6/14/00.

**RECOMMENDATION: (Summary)**

That City Council adopt ordinances approving Historic Site Tax Exemptions for Contributing Structures in Designated Historic Districts for the three (3) properties located at 717 Colorado Street, 77007; 1220 Arlington Street, 77008; and 4607 Oak Ridge Street, 77009, which meet the relevant eligibility requirements of Section 44-5 of the Code of Ordinances.

**Amount of Funding:** No funding required

**Finance Budget:**

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

**SPECIFIC EXPLANATION:**

Section 44-5 of the Code of Ordinances provides an incentive for historic preservation in the form of a tax exemption for historic sites. Prior City Council designation of the property as a contributing structure in an historic district is a prerequisite to granting an historic site tax exemption. The property owner must then demonstrate to the Director of Finance that restoration and preservation expenditures were made in an amount equal to at least 50% of appraised value of the improvements and within the time frames prescribed in the Ordinance. The tax exemption amount is then calculated based on the amount spent on restoration, up to 100% of ad valorem taxes that would be owed the following year on the appraised value of improvements only (not land). **The exemption is for a 15-year period but is capped each year at the exemption amount calculated for year one.**

The owners of the following contributing structures in an historic district submitted sworn affidavits that meet the criteria set out in the Code of Ordinances. The table below shows the base value of improvement (pre-restoration), the amount of the restoration investment made by the property owner, the approximate dollar amount of the taxes that will be foregone for the first year, based on HCAD's 2009 property valuation and the City's current property tax rate, and the maximum amount that would be exempt over 15 years:

| Contributing Structure | Historic District    | Base Value of Improvement | Restoration Investment | Estimated Year One Exemption | Maximum Exemption over 15 years |
|------------------------|----------------------|---------------------------|------------------------|------------------------------|---------------------------------|
| 717 Colorado Street    | Old Sixth Ward       | \$ 19,900                 | \$ 21,090              | \$ 696                       | \$ 10,440                       |
| 1220 Arlington Street  | Houston Heights East | \$ 29,704                 | \$ 46,554              | \$ 199                       | \$ 2,985                        |
| 4607 Oak Ridge Street  | Norhill              | \$ 100,566                | \$ 192,400             | \$ 975                       | \$ 14,625                       |

Since the properties have been designated as contributing structures in an historic district, and meet all other criteria, it is recommended that City Council grant each of the properties the exemption from ad valorem taxation provided under Section 44-5 of the Code of Ordinances.

cc: Marty Stein, Agenda Director  
Anna Russell, City Secretary  
David Feldman, City Attorney

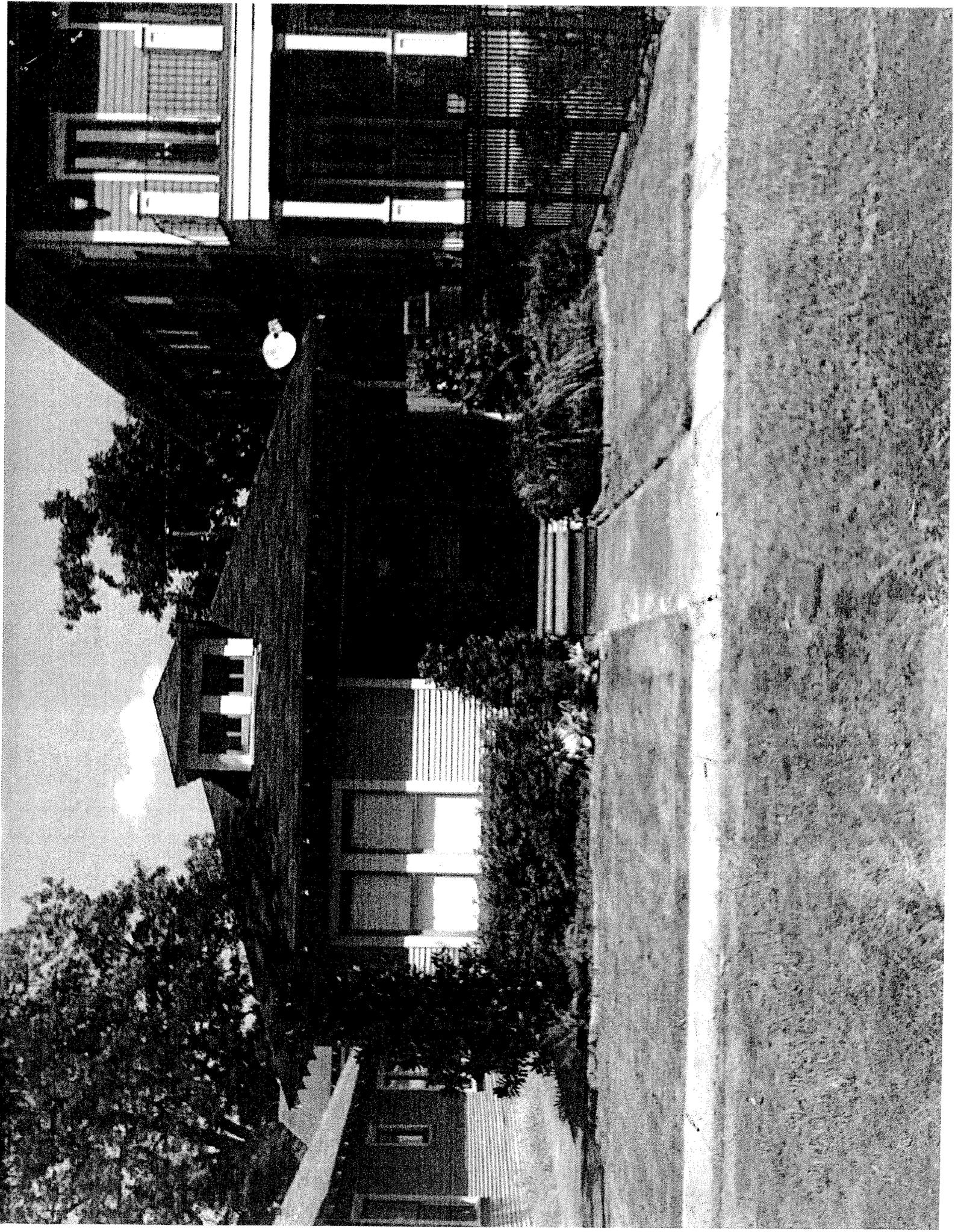
**REQUIRED AUTHORIZATION**

**Finance Director:**

**Other Authorization:**

**Other Authorization:**





**REQUEST FOR COUNCIL ACTION**

**TO: Mayor via City Secretary**

RCA #

**SUBJECT:** Ordinances approving Historic Site Tax Exemptions for Contributing Structures in Designated Historic Districts for the three (3) properties located at 717 Colorado Street, 77007; 1220 Arlington Street, 77008; and 4607 Oak Ridge Street, 77009.

Category #

Page 1 of 1

Agenda Item#

19

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

Michelle Mitchell, Director  
Finance Department

Marlene Gafrick, Director  
Planning and Development

Origination Date

11-10-10

Agenda Date

NOV 17 2010

**DIRECTOR'S SIGNATURE:**

*Michelle Mitchell*      *Marlene Gafrick*

Council Districts affected:

H

**For additional information contact:**

Tim Douglass  
Julia Gee

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

**Date and identification of prior authorizing**

**Council Action:** Ord. 2007-658, 12/6/2007;  
Res. 2007-855, 8/1/07; 2008-4, 2/20/08;  
2000-28, 6/14/00.

**RECOMMENDATION: (Summary)**

That City Council adopt ordinances approving Historic Site Tax Exemptions for Contributing Structures in Designated Historic Districts for the three (3) properties located at 717 Colorado Street, 77007; 1220 Arlington Street, 77008; and 4607 Oak Ridge Street, 77009, which meet the relevant eligibility requirements of Section 44-5 of the Code of Ordinances.

**Amount of Funding:** No funding required

**Finance Budget:**

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

**SPECIFIC EXPLANATION:**

Section 44-5 of the Code of Ordinances provides an incentive for historic preservation in the form of a tax exemption for historic sites. Prior City Council designation of the property as a contributing structure in an historic district is a prerequisite to granting an historic site tax exemption. The property owner must then demonstrate to the Director of Finance that restoration and preservation expenditures were made in an amount equal to at least 50% of appraised value of the improvements and within the time frames prescribed in the Ordinance. The tax exemption amount is then calculated based on the amount spent on restoration, up to 100% of ad valorem taxes that would be owed the following year on the appraised value of improvements only (not land). **The exemption is for a 15-year period but is capped each year at the exemption amount calculated for year one.**

The owners of the following contributing structures in an historic district submitted sworn affidavits that meet the criteria set out in the Code of Ordinances. The table below shows the base value of improvement (pre-restoration), the amount of the restoration investment made by the property owner, the approximate dollar amount of the taxes that will be foregone for the first year, based on HCAD's 2009 property valuation and the City's current property tax rate, and the maximum amount that would be exempt over 15 years:

| Contributing Structure | Historic District    | Base Value of Improvement | Restoration Investment | Estimated Year One Exemption | Maximum Exemption over 15 years |
|------------------------|----------------------|---------------------------|------------------------|------------------------------|---------------------------------|
| 717 Colorado Street    | Old Sixth Ward       | \$ 19,900                 | \$ 21,090              | \$ 696                       | \$ 10,440                       |
| 1220 Arlington Street  | Houston Heights East | \$ 29,704                 | \$ 46,554              | \$ 199                       | \$ 2,985                        |
| 4607 Oak Ridge Street  | Norhill              | \$ 100,566                | \$ 192,400             | \$ 975                       | \$ 14,625                       |

Since the properties have been designated as contributing structures in an historic district, and meet all other criteria, it is recommended that City Council grant each of the properties the exemption from ad valorem taxation provided under Section 44-5 of the Code of Ordinances.

cc: Marty Stein, Agenda Director  
Anna Russell, City Secretary  
David Feldman, City Attorney

**REQUIRED AUTHORIZATION**

**Finance Director:**

**Other Authorization:**

**Other Authorization:**

|   |
|---|
| <b>4607 Oak Ridge Street</b>                            |
| <b>HISTORIC SITE TAX EXEMPTION<br/>15 YEAR ANALYSIS</b> |

| Initial Exemption Criteria |           |                              |             |           |
|----------------------------|-----------|------------------------------|-------------|-----------|
| 2009 Values<br>(base year) |           | Preservation<br>Expenditures | 2010 Values |           |
| Land                       | Structure |                              | Land        | Structure |
| \$112,031                  | \$100,566 | \$192,400                    | \$122,543   | \$152,594 |

Expenditures as % of Base Value

191%

Maximum Exemption on Structure/Improvement will be equal to TY2011 value (not yet available)\*

| Projected Annual Tax Revenue<br>(Based upon 100% of Improvements) |          |  |   |
|---|----------|--|---|
| Year  | Tax Year | Revenue<br><i>to be received</i><br>(Land) | Revenue<br><i>exempt</i><br>(Structure) |
| 1   | 2011     | \$783                                      | \$975                                   |
| 2   | 2012     | \$814                                      | \$975                                   |
| 3   | 2013     | \$847                                      | \$975                                   |
| 4   | 2014     | \$880                                      | \$975                                   |
| 5   | 2015     | \$916                                      | \$975                                   |
| 6   | 2016     | \$952                                      | \$975                                   |
| 7   | 2017     | \$990                                      | \$975                                   |
| 8   | 2018     | \$1,030                                    | \$975                                   |
| 9   | 2019     | \$1,071                                    | \$975                                   |
| 10  | 2020     | \$1,114                                    | \$975                                   |
| 11  | 2021     | \$1,159                                    | \$975                                   |
| 12  | 2022     | \$1,205                                    | \$975                                   |
| 13  | 2023     | \$1,253                                    | \$975                                   |
| 14  | 2024     | \$1,303                                    | \$975                                   |
| 15  | 2025     | \$1,355                                    | \$975                                   |
| <b>Total</b>  |          | <b>\$15,673</b>                            | <b>\$14,625</b>                         |

Projection based on latest rate (Tax Year 2010): \$.63875 per \$100 of taxable value

Assumes a 4% increase in land value each year.

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

The tax revenue may change relative to the tax rate.

4607 OAK RIDGE STREET

NORHILL HISTORIC DISTRICT

BEFORE



AFTER



**REQUEST FOR COUNCIL ACTION**

**TO: Mayor via City Secretary**

**RCA #**

**SUBJECT:** Ordinance approving an Historic Site Tax Exemption for a Landmark and Protected Landmark for the property located at 3362 Del Monte Drive, 77019.

**Category #**

**Page 1 of 1**

**Agenda Item#**

20

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

Andrew F. Icken  
Chief Development Officer

Marlene Gafrick, Director  
Planning and Development

**Origination Date**

11-10-10

**Agenda Date**

NOV 17 2010

**DIRECTOR'S SIGNATURE:**

*[Handwritten Signature]*

**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:**

Ord. 2007-658, 12/6/2007; Res. 2006-10, 8/1/06

**RECOMMENDATION: (Summary)**

That City Council adopt an ordinance approving an Historic Site Tax Exemption for a Landmark and Protected Landmark for the property located at 3362 Del Monte Drive, 77019, which meets the relevant eligibility requirements of Section 44-5 of the Code of Ordinances.

**Amount of Funding:** No funding required

**Finance Budget:**

**SOURCE OF FUNDING:**

General Fund

Grant Fund

Enterprise Fund

Other (Specify)

**SPECIFIC EXPLANATION:**

Section 44-5 of the Code of Ordinances provides an incentive for historic preservation in the form of a tax exemption for Landmarks and Protected Landmarks. Prior City Council designation of the property as a Landmark and Protected Landmark is a prerequisite to granting an historic site tax exemption. The property owner must then demonstrate to the Director of Finance that restoration and preservation expenditures were made in an amount equal to at least 50% of appraised value of the improvements and within the time frames prescribed in the Ordinance. The tax exemption amount is then calculated based on the amount spent on restoration, up to 100% of ad valorem taxes that would be owed the following year on the appraised value of improvements only (not land). **The exemption is for a 15-year period, but is capped each year at the exemption amount calculated for year one.**

The owners of the following Landmarks and Protected Landmarks submitted sworn affidavits that meet the criteria set out in the Code of Ordinances. The table below shows the base value of improvement (pre-restoration), the amount of the restoration investment made by the property owner, the approximate dollar amount of the taxes that will be foregone for the first year, based on HCAD's 2010 property valuation and the City's current property tax rate, and the maximum amount that would be exempt over 15 years:

| Landmarks and Protected Landmarks | Building               | Base Value of Improvement | Restoration Investment | Estimated Year-One Exemption | Maximum Exemption over 15 years |
|-----------------------------------|------------------------|---------------------------|------------------------|------------------------------|---------------------------------|
| 3362 Del Monte Drive              | Albert L. Ladner House | \$1,173,363               | \$1,365,542            | \$ 6,320                     | \$ 94,800                       |

Since the properties have been designated as Landmarks and Protected Landmarks, and meet all other criteria, it is recommended that City Council grant each of the properties the exemption from ad valorem taxation provided under Section 44-5 of the Code of Ordinances.

cc: Marty Stein, Agenda Director  
Anna Russell, City Secretary  
David Feldman, City Attorney

**REQUIRED AUTHORIZATION**

**Finance Director:**

**Other Authorization:**

**Other Authorization:**

*[Handwritten Signature]*

*[Handwritten Signature]*

*[Handwritten Signature]*

|   |
|---|
| <b>3362 Del Monte Drive</b>                             |
| <b>HISTORIC SITE TAX EXEMPTION<br/>15 YEAR ANALYSIS</b> |

| Initial Exemption Criteria |             |                              |             |           |
|----------------------------|-------------|------------------------------|-------------|-----------|
| 2009 Values<br>(base year) |             | Preservation<br>Expenditures | 2010 Values |           |
| Land                       | Structure   |                              | Land        | Structure |
| \$2,000,790                | \$1,173,363 | \$1,365,542                  | \$2,000,790 | \$989,501 |

Expenditures as % of Base Value

116%

Maximum Exemption on Structure/Improvement will be equal to TY2011 value (not yet available)\*

| Projected Annual Tax Revenue<br>(Based upon 100% of Improvements) |          |  |   |
|---|----------|--|---|
| Year  | Tax Year | Revenue<br><i>to be received</i><br>(Land) | Revenue<br><i>exempt</i><br>(Structure) |
| 1   | 2011     | \$12,780                                   | \$6,320                                 |
| 2   | 2012     | \$13,291                                   | \$6,320                                 |
| 3   | 2013     | \$13,823                                   | \$6,320                                 |
| 4   | 2014     | \$14,376                                   | \$6,320                                 |
| 5   | 2015     | \$14,951                                   | \$6,320                                 |
| 6   | 2016     | \$15,549                                   | \$6,320                                 |
| 7   | 2017     | \$16,171                                   | \$6,320                                 |
| 8   | 2018     | \$16,818                                   | \$6,320                                 |
| 9   | 2019     | \$17,490                                   | \$6,320                                 |
| 10  | 2020     | \$18,190                                   | \$6,320                                 |
| 11  | 2021     | \$18,918                                   | \$6,320                                 |
| 12  | 2022     | \$19,674                                   | \$6,320                                 |
| 13  | 2023     | \$20,461                                   | \$6,320                                 |
| 14  | 2024     | \$21,280                                   | \$6,320                                 |
| 15  | 2025     | \$22,131                                   | \$6,320                                 |
| <b>Total</b>  |          | <b>\$255,902</b>                           | <b>\$94,800</b>                         |

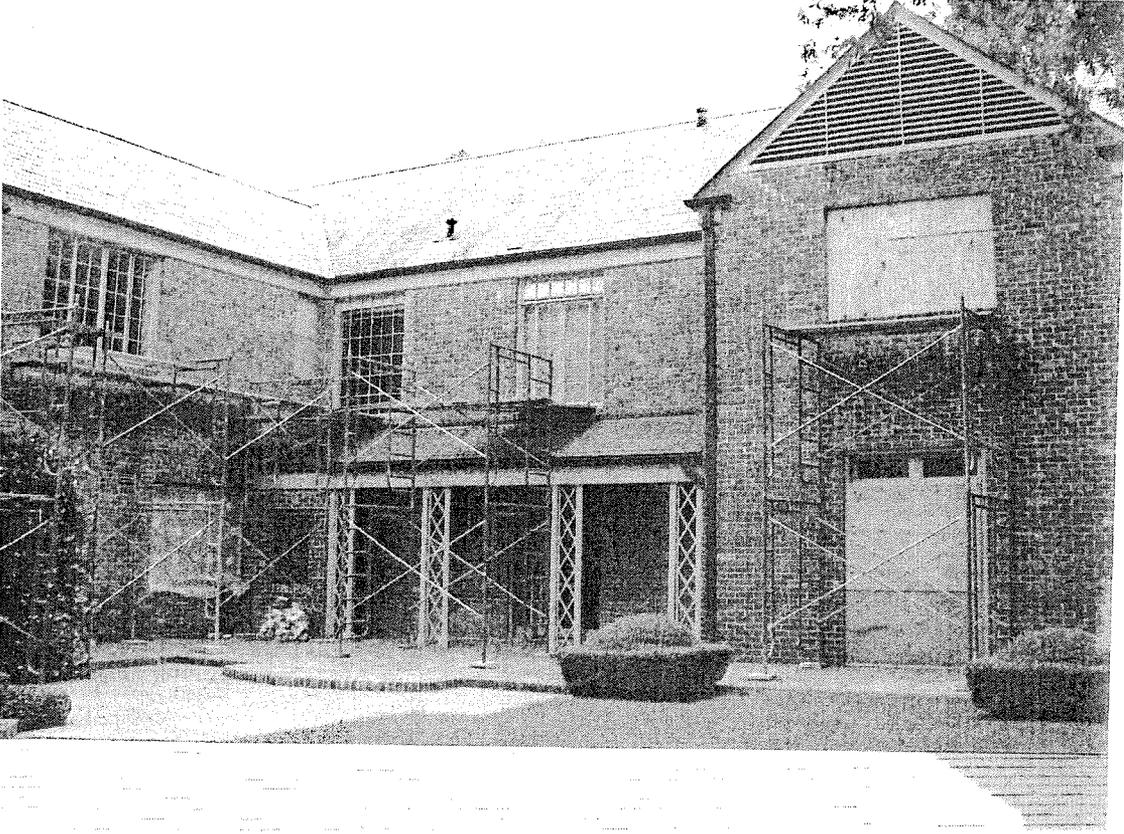
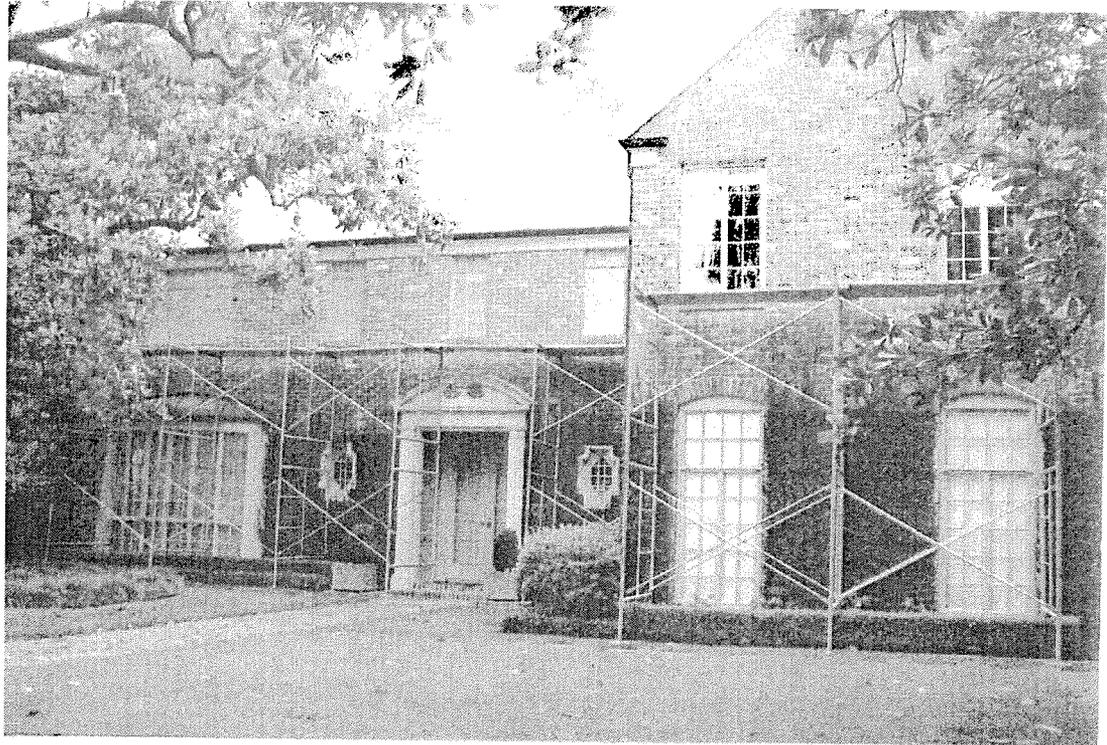
Projection based on latest rate (Tax Year 2010): \$.63875 per \$100 of taxable value

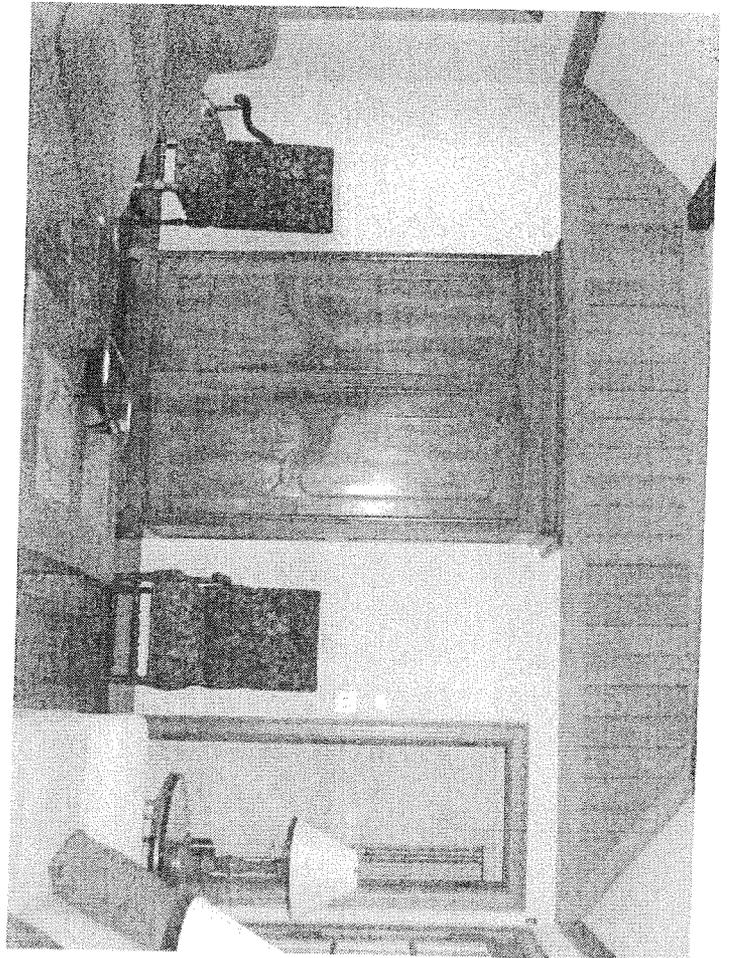
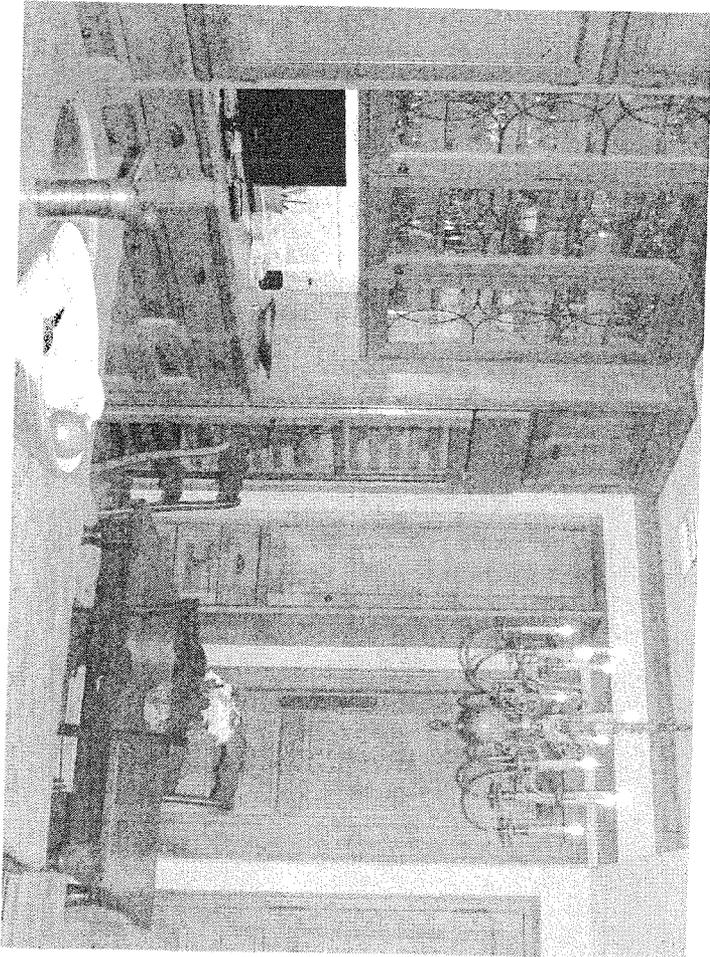
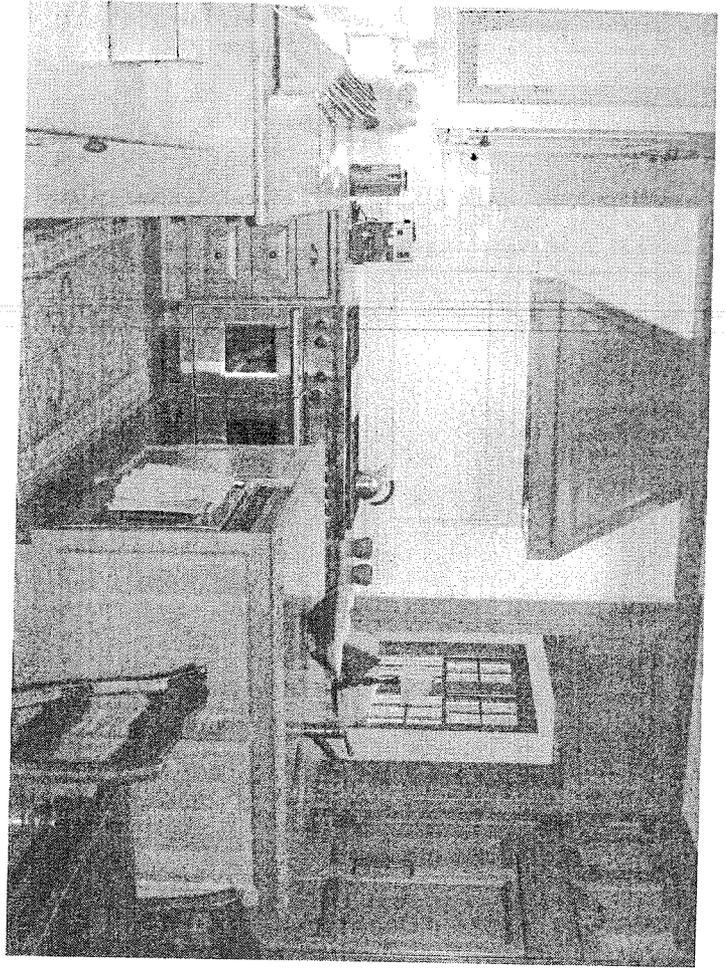
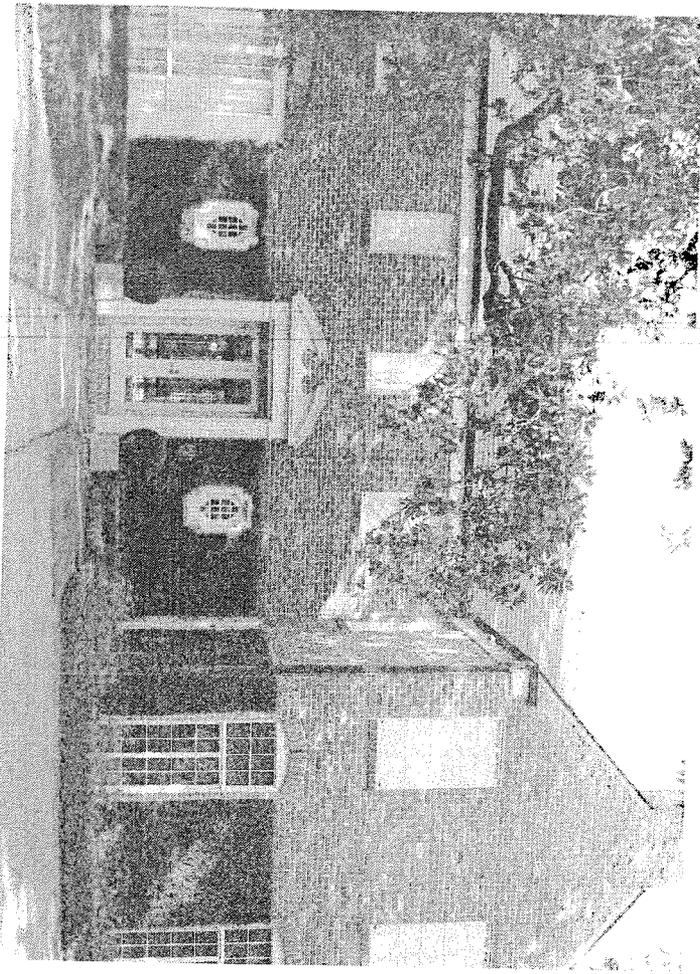
Assumes a 4% increase in land value each year.

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

The tax revenue may change relative to the tax rate.

Before





After

**REQUEST FOR COUNCIL ACTION**

**TO: Mayor via City Secretary**

**RCA #**

**SUBJECT:** Ordinances approving Historic Site Tax Exemptions for Historic Landmarks for the five (5) properties located at 1508 Kirby Drive, 77019; 3640 Inwood Drive, 77019; 2136 Brentwood Drive, 77019; 2911 Ella Lee Lane, 77019; and 2514 Brentwood Drive, 77019.

**Category #**

**Page 1 of 1**

**Agenda Item#**

21

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

Andrew F. Icken  
Chief Development Officer

Marlene Gafrick, Director  
Planning and Development

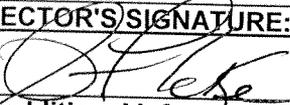
**Origination Date**

11-10-10

**Agenda Date**

NOV 17 2010

**DIRECTOR'S SIGNATURE:**



**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:**

Ord. 2007-658, 12/6/2007;  
Res. 2007-11, 3/26/07; 2008-05, 2/20/08;  
2007-29, 7/3/07; 2010-30, 4/21/10; 2008-07, 3/12/08

**RECOMMENDATION: (Summary)**

That City Council adopt ordinances approving Historic Site Tax Exemptions for Historic Landmarks for the five (5) properties located at 1508 Kirby Drive, 77019; 3640 Inwood Drive, 77019; 2136 Brentwood Drive, 77019; 2911 Ella Lee Lane, 77019; and 2514 Brentwood Drive, 77019, which meet the relevant eligibility requirements of Section 44-5 of the Code of Ordinances.

**Amount of Funding:** No funding required

**Finance Budget:**

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

**SPECIFIC EXPLANATION:**

Section 44-5 of the Code of Ordinances provides an incentive for historic preservation in the form of a tax exemption for Historic Landmarks. Prior City Council designation of the property as an Historic Landmark is a prerequisite to granting an historic site tax exemption. The property owner must then demonstrate to the Director of Finance that restoration and preservation expenditures were made in an amount equal to at least 50% of appraised value of the improvements and within the time frames prescribed in the Ordinance. The tax exemption amount is then calculated based on the amount spent on restoration, up to 100% of ad valorem taxes that would be owed the following year on the appraised value of improvements only (not land). **The exemption is for a 15-year period, but is capped each year at the exemption amount calculated for year one.**

The owners of the following Historic Landmarks submitted sworn affidavits that meet the criteria set out in the Code of Ordinances. The table below shows the base value of improvement (pre-restoration), the amount of the restoration investment made by the property owner, the approximate dollar amount of the taxes that will be foregone for the first year, based on HCAD's 2010 property valuation and the City's current property tax rate, and the maximum amount that would be exempt over 15 years:

| Historic Landmarks   | Building                             | Base Value of Improvement | Restoration Investment | Estimated Year One Exemption | Maximum Exemption over 15 years |
|----------------------|--------------------------------------|---------------------------|------------------------|------------------------------|---------------------------------|
| 1508 Kirby Drive     | Cox-Ewing House                      | \$ 165,200                | \$ 192,957             | \$ 1,545                     | \$ 23,175                       |
| 3640 Inwood Drive    | Dr. Conway & Bessie Blume House      | \$ 876,516                | \$1,033,091            | \$ 12,088                    | \$181,320                       |
| 2136 Brentwood Drive | Dr. Mavis P. Kelsey, Sr. House       | \$ 109,115                | \$ 271,615             | \$ 1,549                     | \$ 23,235                       |
| 2911 Ella Lee Lane   | William Fairchild House              | \$ 193,811                | \$ 325,175             | \$ 3,098                     | \$ 46,470                       |
| 2514 Brentwood Drive | Maurice & Virginia Brown Angly House | \$ 143,420                | \$ 269,048             | \$ 1,467                     | \$ 22,005                       |

Since the properties have been designated as Historic Landmarks, and meet all other criteria, it is recommended that City Council grant each of the properties the exemption from ad valorem taxation provided under Section 44-5 of the Code of Ordinances.

cc: Marty Stein, Agenda Director  
Anna Russell, City Secretary  
David Feldman, City Attorney

**REQUIRED AUTHORIZATION**

**Finance Director:**



**Other Authorization:**



**Other Authorization:**



## 1508 Kirby Drive

### HISTORIC SITE TAX EXEMPTION 15 YEAR ANALYSIS

| Initial Exemption Criteria |           |                              |             |           |
|----------------------------|-----------|------------------------------|-------------|-----------|
| 2004 Values<br>(base year) |           | Preservation<br>Expenditures | 2010 Values |           |
| Land                       | Structure |                              | Land        | Structure |
| \$784,800                  | \$165,200 | \$192,957                    | \$1,199,000 | \$241,814 |

Expenditures as % of Base Value

117%

Maximum Exemption on Structure/Improvement will be equal to TY2011 value (not yet available)\*

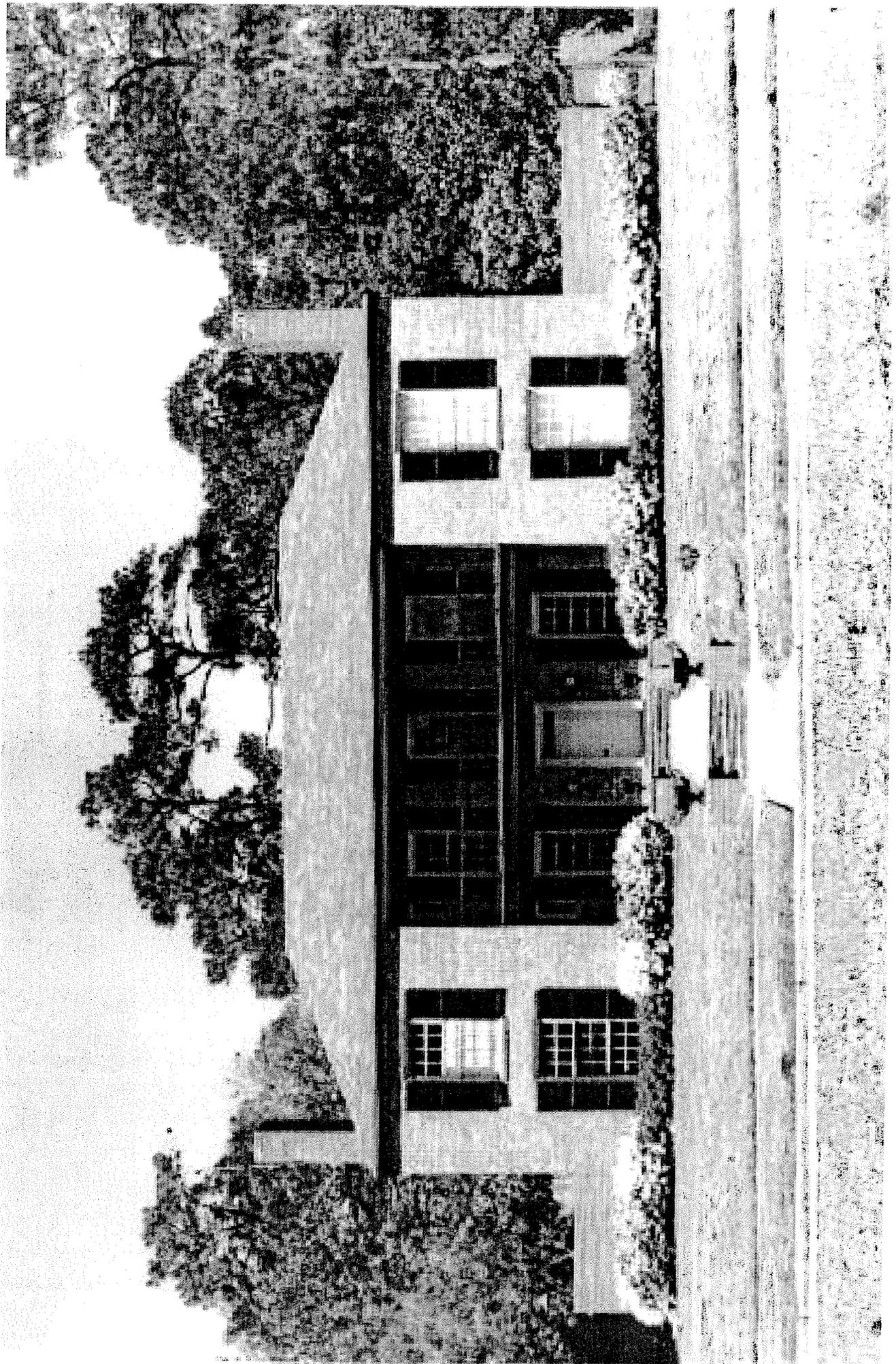
| Projected Annual Tax Revenue<br>(Based upon 100% of Improvements) |          |  |   |
|---|----------|--|---|
| Year  | Tax Year | Revenue<br><i>to be received</i><br>(Land) | Revenue<br><i>exempt</i><br>(Structure) |
| 1   | 2011     | \$7,659                                    | \$1,545                                 |
| 2   | 2012     | \$7,965                                    | \$1,545                                 |
| 3   | 2013     | \$8,284                                    | \$1,545                                 |
| 4   | 2014     | \$8,615                                    | \$1,545                                 |
| 5   | 2015     | \$8,959                                    | \$1,545                                 |
| 6   | 2016     | \$9,318                                    | \$1,545                                 |
| 7   | 2017     | \$9,691                                    | \$1,545                                 |
| 8   | 2018     | \$10,078                                   | \$1,545                                 |
| 9   | 2019     | \$10,481                                   | \$1,545                                 |
| 10  | 2020     | \$10,901                                   | \$1,545                                 |
| 11  | 2021     | \$11,337                                   | \$1,545                                 |
| 12  | 2022     | \$11,790                                   | \$1,545                                 |
| 13  | 2023     | \$12,262                                   | \$1,545                                 |
| 14  | 2024     | \$12,752                                   | \$1,545                                 |
| 15  | 2025     | \$13,262                                   | \$1,545                                 |
| <b>Total</b>  |          | <b>\$153,353</b>                           | <b>\$23,175</b>                         |

Projection based on latest rate (Tax Year 2010): \$.63875 per \$100 of taxable value

Assumes a 4% increase in land value each year.

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

The tax revenue may change relative to the tax rate.



**REQUEST FOR COUNCIL ACTION**

**TO: Mayor via City Secretary**

RCA #

**SUBJECT:** Ordinances approving Historic Site Tax Exemptions for Historic Landmarks for the five (5) properties located at 1508 Kirby Drive, 77019; 3640 Inwood Drive, 77019; 2136 Brentwood Drive, 77019; 2911 Ella Lee Lane, 77019; and 2514 Brentwood Drive, 77019.

Category #

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Agenda Item#

27

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

Andrew F. Icken  
Chief Development Officer

Marlene Gafrick, Director  
Planning and Development

Origination Date

11-10-10

Agenda Date

NOV 17 2010

**DIRECTOR'S SIGNATURE:**



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:**

Ord. 2007-658, 12/6/2007;  
Res. 2007-11, 3/26/07; 2008-05, 2/20/08;  
2007-29, 7/3/07; 2010-30, 4/21/10; 2008-07, 3/12/08

**RECOMMENDATION: (Summary)**

That City Council adopt ordinances approving Historic Site Tax Exemptions for Historic Landmarks for the five (5) properties located at 1508 Kirby Drive, 77019; 3640 Inwood Drive, 77019; 2136 Brentwood Drive, 77019; 2911 Ella Lee Lane, 77019; and 2514 Brentwood Drive, 77019, which meet the relevant eligibility requirements of Section 44-5 of the Code of Ordinances.

**Amount of Funding:** No funding required

**Finance Budget:**

**SOURCE OF FUNDING:**

General Fund

Grant Fund

Enterprise Fund

Other (Specify)

**SPECIFIC EXPLANATION:**

Section 44-5 of the Code of Ordinances provides an incentive for historic preservation in the form of a tax exemption for Historic Landmarks. Prior City Council designation of the property as an Historic Landmark is a prerequisite to granting an historic site tax exemption. The property owner must then demonstrate to the Director of Finance that restoration and preservation expenditures were made in an amount equal to at least 50% of appraised value of the improvements and within the time frames prescribed in the Ordinance. The tax exemption amount is then calculated based on the amount spent on restoration, up to 100% of ad valorem taxes that would be owed the following year on the appraised value of improvements only (not land). **The exemption is for a 15-year period, but is capped each year at the exemption amount calculated for year one.**

The owners of the following Historic Landmarks submitted sworn affidavits that meet the criteria set out in the Code of Ordinances. The table below shows the base value of improvement (pre-restoration), the amount of the restoration investment made by the property owner, the approximate dollar amount of the taxes that will be foregone for the first year, based on HCAD's 2010 property valuation and the City's current property tax rate, and the maximum amount that would be exempt over 15 years:

| Historic Landmarks   | Building                             | Base Value of Improvement | Restoration Investment | Estimated Year One Exemption | Maximum Exemption over 15 years |
|----------------------|--------------------------------------|---------------------------|------------------------|------------------------------|---------------------------------|
| 1508 Kirby Drive     | Cox-Ewing House                      | \$ 165,200                | \$ 192,957             | \$ 1,545                     | \$ 23,175                       |
| 3640 Inwood Drive    | Dr. Conway & Bessie Blume House      | \$ 876,516                | \$1,033,091            | \$ 12,088                    | \$181,320                       |
| 2136 Brentwood Drive | Dr. Mavis P. Kelsey, Sr. House       | \$ 109,115                | \$ 271,615             | \$ 1,549                     | \$ 23,235                       |
| 2911 Ella Lee Lane   | William Fairchild House              | \$ 193,811                | \$ 325,175             | \$ 3,098                     | \$ 46,470                       |
| 2514 Brentwood Drive | Maurice & Virginia Brown Angly House | \$ 143,420                | \$ 269,048             | \$ 1,467                     | \$ 22,005                       |

Since the properties have been designated as Historic Landmarks, and meet all other criteria, it is recommended that City Council grant each of the properties the exemption from ad valorem taxation provided under Section 44-5 of the Code of Ordinances.

cc: Marty Stein, Agenda Director  
Anna Russell, City Secretary  
David Feldman, City Attorney

**REQUIRED AUTHORIZATION**

**Finance Director:**



**Other Authorization:**



**Other Authorization:**



|   |
|---|
| <b>3640 Inwood Drive</b>                                |
| <b>HISTORIC SITE TAX EXEMPTION<br/>15 YEAR ANALYSIS</b> |

| Initial Exemption Criteria |           |                              |             |             |
|----------------------------|-----------|------------------------------|-------------|-------------|
| 2007 Values<br>(base year) |           | Preservation<br>Expenditures | 2010 Values |             |
| Land                       | Structure |                              | Land        | Structure   |
| \$1,660,700                | \$876,516 | \$1,033,091                  | \$1,953,000 | \$1,892,524 |

Expenditures as % of Base Value

118%

Maximum Exemption on Structure/Improvement will be equal to TY2011 value (not yet available)\*

| Projected Annual Tax Revenue<br>(Based upon 100% of Improvements) |          |  |   |
|---|----------|--|---|
| Year  | Tax Year | Revenue<br><i>to be received</i><br>(Land) | Revenue<br><i>exempt</i><br>(Structure) |
| 1   | 2011     | \$12,475                                   | \$12,088                                |
| 2   | 2012     | \$12,974                                   | \$12,088                                |
| 3   | 2013     | \$13,493                                   | \$12,088                                |
| 4   | 2014     | \$14,032                                   | \$12,088                                |
| 5   | 2015     | \$14,594                                   | \$12,088                                |
| 6   | 2016     | \$15,177                                   | \$12,088                                |
| 7   | 2017     | \$15,785                                   | \$12,088                                |
| 8   | 2018     | \$16,416                                   | \$12,088                                |
| 9   | 2019     | \$17,073                                   | \$12,088                                |
| 10  | 2020     | \$17,756                                   | \$12,088                                |
| 11  | 2021     | \$18,466                                   | \$12,088                                |
| 12  | 2022     | \$19,204                                   | \$12,088                                |
| 13  | 2023     | \$19,973                                   | \$12,088                                |
| 14  | 2024     | \$20,771                                   | \$12,088                                |
| 15  | 2025     | \$21,602                                   | \$12,088                                |
| <b>Total</b>  |          | <b>\$249,790</b>                           | <b>\$181,320</b>                        |

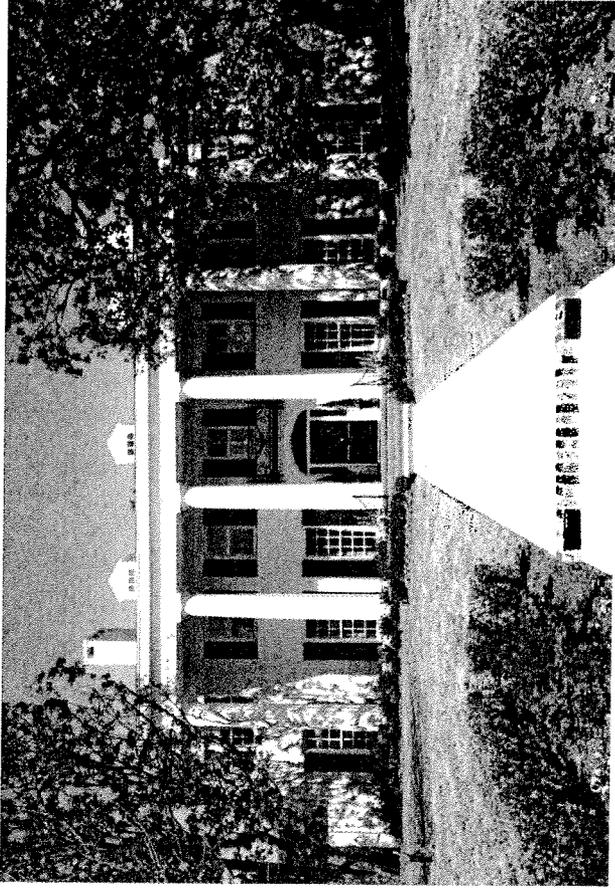
Projection based on latest rate (Tax Year 2010): \$.63875 per \$100 of taxable value

Assumes a 4% increase in land value each year.

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

The tax revenue may change relative to the tax rate.

3640 INWOOD DRIVE HISTORIC LANDMARK



BEFORE



AFTER

**REQUEST FOR COUNCIL ACTION**

**TO: Mayor via City Secretary**

RCA #

**SUBJECT:** Ordinances approving Historic Site Tax Exemptions for Historic Landmarks for the five (5) properties located at 1508 Kirby Drive, 77019; 3640 Inwood Drive, 77019; 2136 Brentwood Drive, 77019; 2911 Ella Lee Lane, 77019; and 2514 Brentwood Drive, 77019.

Category #

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Agenda Item#

23

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

Andrew F. Icken  
Chief Development Officer

Marlene Gafrick, Director  
Planning and Development

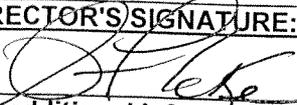
Origination Date

11-10-10

Agenda Date

NOV 17 2010

**DIRECTOR'S SIGNATURE:**



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:**

Ord. 2007-658, 12/6/2007;  
Res. 2007-11, 3/26/07; 2008-05, 2/20/08;  
2007-29, 7/3/07; 2010-30, 4/21/10; 2008-07, 3/12/08

**RECOMMENDATION: (Summary)**

That City Council adopt ordinances approving Historic Site Tax Exemptions for Historic Landmarks for the five (5) properties located at 1508 Kirby Drive, 77019; 3640 Inwood Drive, 77019; 2136 Brentwood Drive, 77019; 2911 Ella Lee Lane, 77019; and 2514 Brentwood Drive, 77019, which meet the relevant eligibility requirements of Section 44-5 of the Code of Ordinances.

**Amount of Funding:** No funding required

**Finance Budget:**

**SOURCE OF FUNDING:**

General Fund

Grant Fund

Enterprise Fund

Other (Specify)

**SPECIFIC EXPLANATION:**

Section 44-5 of the Code of Ordinances provides an incentive for historic preservation in the form of a tax exemption for Historic Landmarks. Prior City Council designation of the property as an Historic Landmark is a prerequisite to granting an historic site tax exemption. The property owner must then demonstrate to the Director of Finance that restoration and preservation expenditures were made in an amount equal to at least 50% of appraised value of the improvements and within the time frames prescribed in the Ordinance. The tax exemption amount is then calculated based on the amount spent on restoration, up to 100% of ad valorem taxes that would be owed the following year on the appraised value of improvements only (not land). **The exemption is for a 15-year period, but is capped each year at the exemption amount calculated for year one.**

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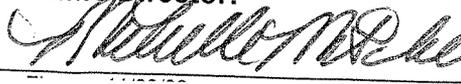
| Historic Landmarks   | Building                             | Base Value of Improvement | Restoration Investment | Estimated Year One Exemption | Maximum Exemption over 15 years |
|----------------------|--------------------------------------|---------------------------|------------------------|------------------------------|---------------------------------|
| 1508 Kirby Drive     | Cox-Ewing House                      | \$ 165,200                | \$ 192,957             | \$ 1,545                     | \$ 23,175                       |
| 3640 Inwood Drive    | Dr. Conway & Bessie Blume House      | \$ 876,516                | \$1,033,091            | \$ 12,088                    | \$181,320                       |
| 2136 Brentwood Drive | Dr. Mavis P. Kelsey, Sr. House       | \$ 109,115                | \$ 271,615             | \$ 1,549                     | \$ 23,235                       |
| 2911 Ella Lee Lane   | William Fairchild House              | \$ 193,811                | \$ 325,175             | \$ 3,098                     | \$ 46,470                       |
| 2514 Brentwood Drive | Maurice & Virginia Brown Angly House | \$ 143,420                | \$ 269,048             | \$ 1,467                     | \$ 22,005                       |

Since the properties have been designated as Historic Landmarks, and meet all other criteria, it is recommended that City Council grant each of the properties the exemption from ad valorem taxation provided under Section 44-5 of the Code of Ordinances.

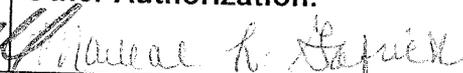
cc: Marty Stein, Agenda Director  
Anna Russell, City Secretary  
David Feldman, City Attorney

**REQUIRED AUTHORIZATION**

**Finance Director:**



**Other Authorization:**



**Other Authorization:**



## 2136 Brentwood Drive

### HISTORIC SITE TAX EXEMPTION 15 YEAR ANALYSIS

| Initial Exemption Criteria |           |                              |             |           |
|----------------------------|-----------|------------------------------|-------------|-----------|
| 2009 Values<br>(base year) |           | Preservation<br>Expenditures | 2010 Values |           |
| Land                       | Structure |                              | Land        | Structure |
| \$1,040,885                | \$109,115 | \$271,615                    | \$1,040,885 | \$242,537 |

Expenditures as % of Base Value 249%

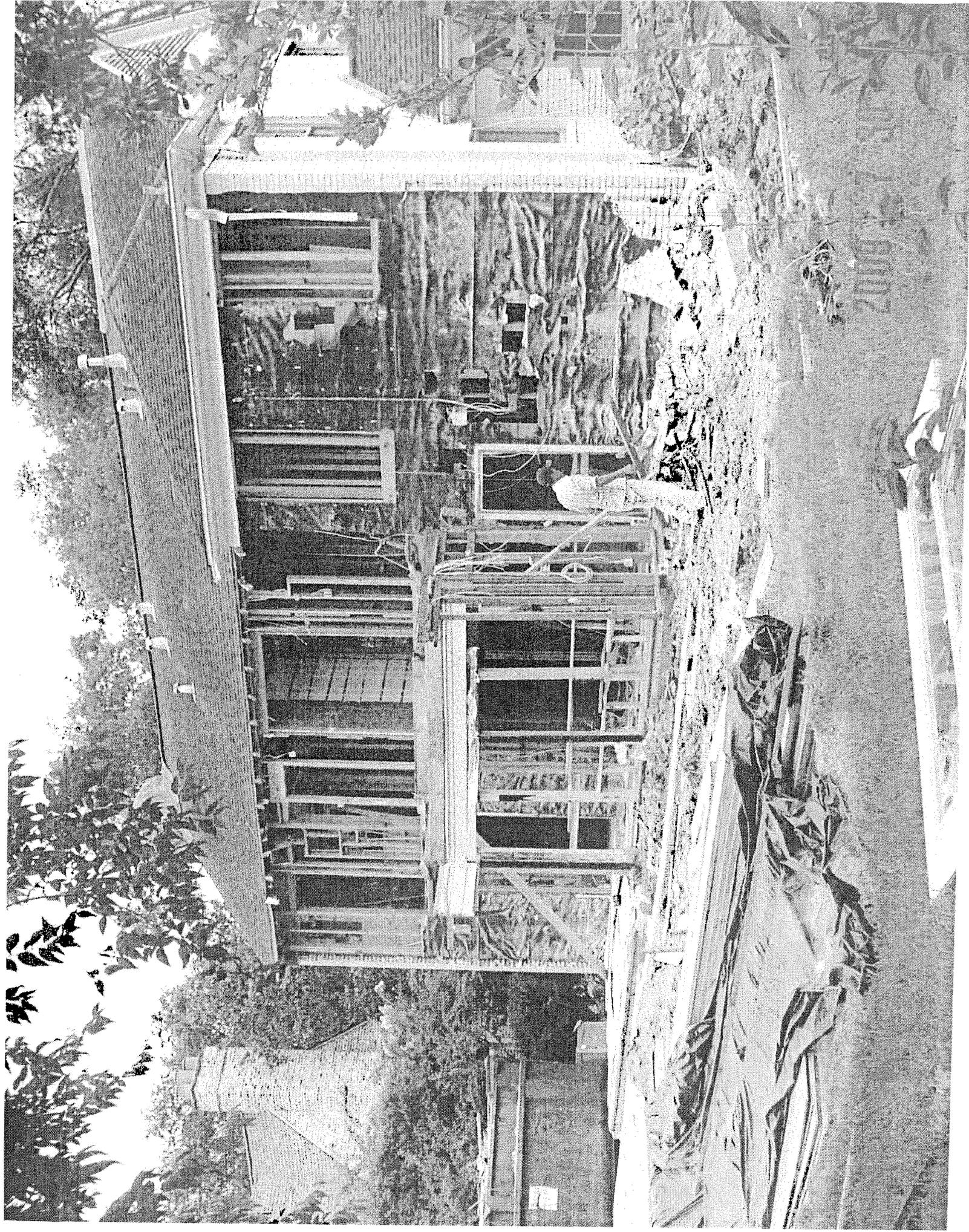
Maximum Exemption on Structure/Improvement will be equal to TY2011 value (not yet available)\*

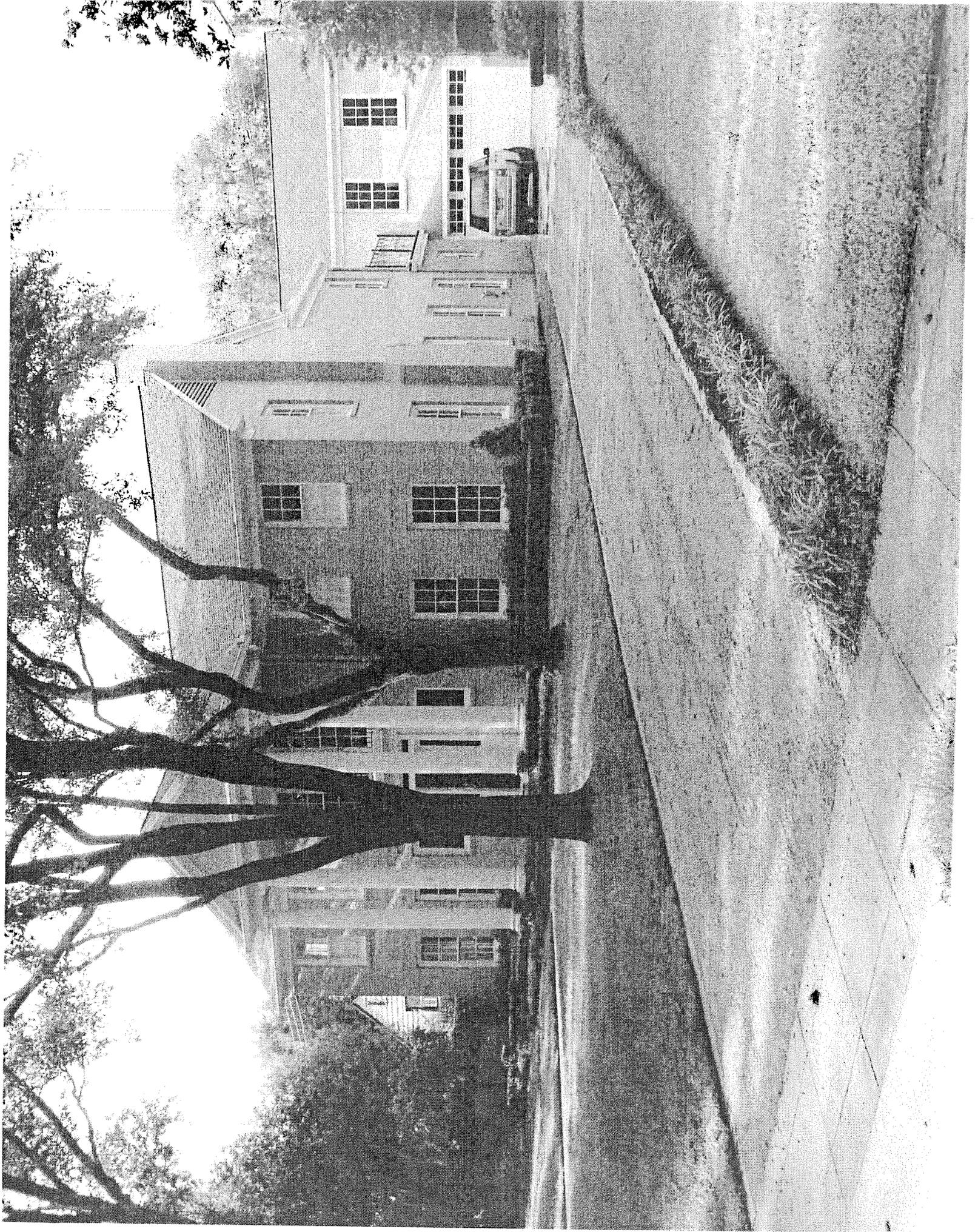
| Projected Annual Tax Revenue<br>(Based upon 100% of Improvements) |          |  |   |
|---|----------|--|---|
| Year  | Tax Year | Revenue<br><i>to be received</i><br>(Land) | Revenue<br><i>exempt</i><br>(Structure) |
| 1   | 2011     | \$6,649                                    | \$1,549                                 |
| 2   | 2012     | \$6,915                                    | \$1,549                                 |
| 3   | 2013     | \$7,191                                    | \$1,549                                 |
| 4   | 2014     | \$7,479                                    | \$1,549                                 |
| 5   | 2015     | \$7,778                                    | \$1,549                                 |
| 6   | 2016     | \$8,089                                    | \$1,549                                 |
| 7   | 2017     | \$8,413                                    | \$1,549                                 |
| 8   | 2018     | \$8,749                                    | \$1,549                                 |
| 9   | 2019     | \$9,099                                    | \$1,549                                 |
| 10  | 2020     | \$9,463                                    | \$1,549                                 |
| 11  | 2021     | \$9,842                                    | \$1,549                                 |
| 12  | 2022     | \$10,235                                   | \$1,549                                 |
| 13  | 2023     | \$10,645                                   | \$1,549                                 |
| 14  | 2024     | \$11,070                                   | \$1,549                                 |
| 15  | 2025     | \$11,513                                   | \$1,549                                 |
| <b>Total</b>  |          | <b>\$133,130</b>                           | <b>\$23,235</b>                         |

Projection based on latest rate (Tax Year 2010): \$.63875 per \$100 of taxable value

Assumes a 4% increase in land value each year.

\*The tax exemption for the (Structure) Improvement remains the same.  
The tax revenue may change relative to the tax rate.





**REQUEST FOR COUNCIL ACTION**

**TO: Mayor via City Secretary**

RCA #

**SUBJECT:** Ordinances approving Historic Site Tax Exemptions for Historic Landmarks for the five (5) properties located at 1508 Kirby Drive, 77019; 3640 Inwood Drive, 77019; 2136 Brentwood Drive, 77019; 2911 Ella Lee Lane, 77019; and 2514 Brentwood Drive, 77019.

Category #

Page 1 of 1

Agenda Item#

24

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

Andrew F. Icken  
Chief Development Officer

Marlene Gafrick, Director  
Planning and Development

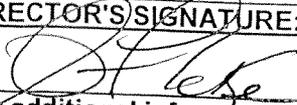
Origination Date

11-10-10

Agenda Date

NOV 17 2010

**DIRECTOR'S SIGNATURE:**



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:**

Ord. 2007-658, 12/6/2007;  
Res. 2007-11, 3/26/07; 2008-05, 2/20/08;  
2007-29, 7/3/07; 2010-30, 4/21/10; 2008-07, 3/12/08

**RECOMMENDATION: (Summary)**

That City Council adopt ordinances approving Historic Site Tax Exemptions for Historic Landmarks for the five (5) properties located at 1508 Kirby Drive, 77019; 3640 Inwood Drive, 77019; 2136 Brentwood Drive, 77019; 2911 Ella Lee Lane, 77019; and 2514 Brentwood Drive, 77019, which meet the relevant eligibility requirements of Section 44-5 of the Code of Ordinances.

**Amount of Funding:** No funding required

**Finance Budget:**

**SOURCE OF FUNDING:**

General Fund     Grant Fund     Enterprise Fund     Other (Specify)

**SPECIFIC EXPLANATION:**

Section 44-5 of the Code of Ordinances provides an incentive for historic preservation in the form of a tax exemption for Historic Landmarks. Prior City Council designation of the property as an Historic Landmark is a prerequisite to granting an historic site tax exemption. The property owner must then demonstrate to the Director of Finance that restoration and preservation expenditures were made in an amount equal to at least 50% of appraised value of the improvements and within the time frames prescribed in the Ordinance. The tax exemption amount is then calculated based on the amount spent on restoration, up to 100% of ad valorem taxes that would be owed the following year on the appraised value of improvements only (not land). **The exemption is for a 15-year period, but is capped each year at the exemption amount calculated for year one.**

The owners of the following Historic Landmarks submitted sworn affidavits that meet the criteria set out in the Code of Ordinances. The table below shows the base value of improvement (pre-restoration), the amount of the restoration investment made by the property owner, the approximate dollar amount of the taxes that will be foregone for the first year, based on HCAD's 2010 property valuation and the City's current property tax rate, and the maximum amount that would be exempt over 15 years:

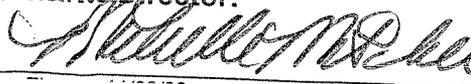
| Historic Landmarks   | Building                             | Base Value of Improvement | Restoration Investment | Estimated Year One Exemption | Maximum Exemption over 15 years |
|----------------------|--------------------------------------|---------------------------|------------------------|------------------------------|---------------------------------|
| 1508 Kirby Drive     | Cox-Ewing House                      | \$ 165,200                | \$ 192,957             | \$ 1,545                     | \$ 23,175                       |
| 3640 Inwood Drive    | Dr. Conway & Bessie Blume House      | \$ 876,516                | \$1,033,091            | \$ 12,088                    | \$181,320                       |
| 2136 Brentwood Drive | Dr. Mavis P. Kelsey, Sr. House       | \$ 109,115                | \$ 271,615             | \$ 1,549                     | \$ 23,235                       |
| 2911 Ella Lee Lane   | William Fairchild House              | \$ 193,811                | \$ 325,175             | \$ 3,098                     | \$ 46,470                       |
| 2514 Brentwood Drive | Maurice & Virginia Brown Angly House | \$ 143,420                | \$ 269,048             | \$ 1,467                     | \$ 22,005                       |

Since the properties have been designated as Historic Landmarks, and meet all other criteria, it is recommended that City Council grant each of the properties the exemption from ad valorem taxation provided under Section 44-5 of the Code of Ordinances.

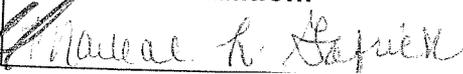
cc: Marty Stein, Agenda Director  
Anna Russell, City Secretary  
David Feldman, City Attorney

**REQUIRED AUTHORIZATION**

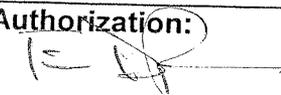
**Finance Director:**



**Other Authorization:**



**Other Authorization:**



|   |
|---|
| <b>2911 Ella Lee Lane</b>                               |
| <b>HISTORIC SITE TAX EXEMPTION<br/>15 YEAR ANALYSIS</b> |

| Initial Exemption Criteria |           |                              |             |           |
|----------------------------|-----------|------------------------------|-------------|-----------|
| 2007 Values<br>(base year) |           | Preservation<br>Expenditures | 2010 Values |           |
| Land                       | Structure |                              | Land        | Structure |
| \$681,189                  | \$193,811 | \$325,175                    | \$915,030   | \$484,970 |

Expenditures as % of Base Value

168%

Maximum Exemption on Structure/Improvement will be equal to TY2011 value (not yet available)\*

| Projected Annual Tax Revenue<br>(Based upon 100% of Improvements) |          |  |   |
|---|----------|--|---|
| Year  | Tax Year | Revenue<br><i>to be received</i><br>(Land) | Revenue<br><i>exempt</i><br>(Structure) |
| 1   | 2011     | \$5,845                                    | \$3,098                                 |
| 2   | 2012     | \$6,079                                    | \$3,098                                 |
| 3   | 2013     | \$6,322                                    | \$3,098                                 |
| 4   | 2014     | \$6,575                                    | \$3,098                                 |
| 5   | 2015     | \$6,838                                    | \$3,098                                 |
| 6   | 2016     | \$7,111                                    | \$3,098                                 |
| 7   | 2017     | \$7,395                                    | \$3,098                                 |
| 8   | 2018     | \$7,691                                    | \$3,098                                 |
| 9   | 2019     | \$7,999                                    | \$3,098                                 |
| 10  | 2020     | \$8,319                                    | \$3,098                                 |
| 11  | 2021     | \$8,652                                    | \$3,098                                 |
| 12  | 2022     | \$8,998                                    | \$3,098                                 |
| 13  | 2023     | \$9,358                                    | \$3,098                                 |
| 14  | 2024     | \$9,732                                    | \$3,098                                 |
| 15  | 2025     | \$10,121                                   | \$3,098                                 |
| <b>Total</b>  |          | <b>\$117,033</b>                           | <b>\$46,470</b>                         |

Projection based on latest rate (Tax Year 2010): \$.63875 per \$100 of taxable value

Assumes a 4% increase in land value each year.

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

The tax revenue may change relative to the tax rate.



10th St  
1st St  
2nd St

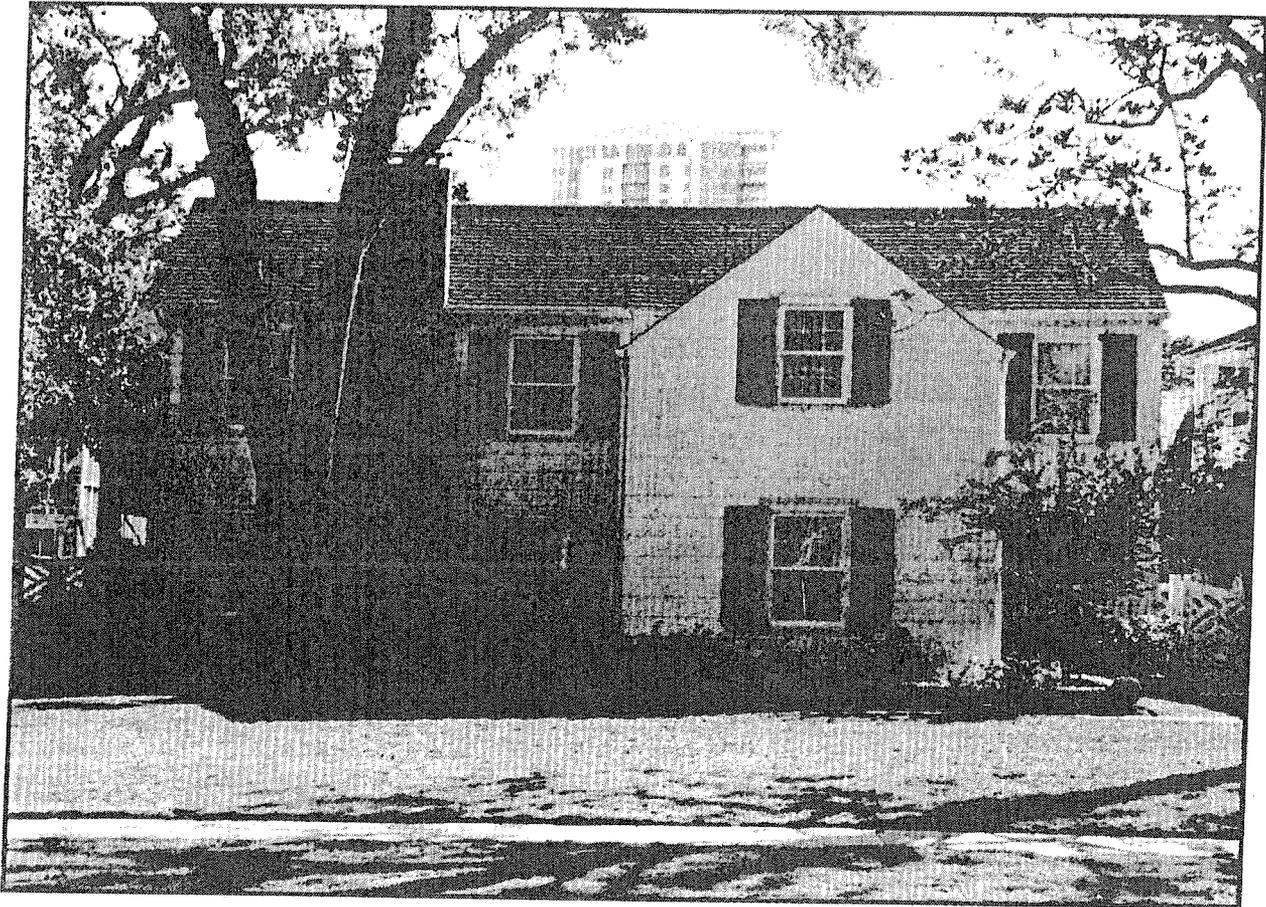
# CITY OF HOUSTON

Archaeological & Historical Commission

Planning and Development Department

**EXHIBIT A**  
William Fairchild House  
2911 Ella Lee Lane – River Oaks

*A.P.C. from  
(P12 from  
application)*



**REQUEST FOR COUNCIL ACTION**

**TO: Mayor via City Secretary**

RCA #

**SUBJECT:** Ordinances approving Historic Site Tax Exemptions for Historic Landmarks for the five (5) properties located at 1508 Kirby Drive, 77019; 3640 Inwood Drive, 77019; 2136 Brentwood Drive, 77019; 2911 Ella Lee Lane, 77019; and 2514 Brentwood Drive, 77019.

Category #      Page 1 of 1      Agenda Item#

25

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

Andrew F. Icken  
Chief Development Officer

Marlene Gafrick, Director  
Planning and Development

Origination Date

11-10-10

Agenda Date

NOV 17 2010

**DIRECTOR'S SIGNATURE:**



Council Districts affected:

C

**For additional information contact:**

Tim Douglass      Phone: (713) 837-9857  
Julia Gee      Phone: (713) 837-7828

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

Ord. 2007-658, 12/6/2007;  
Res. 2007-11, 3/26/07; 2008-05, 2/20/08;  
2007-29, 7/3/07; 2010-30, 4/21/10; 2008-07, 3/12/08

**RECOMMENDATION: (Summary)**

That City Council adopt ordinances approving Historic Site Tax Exemptions for Historic Landmarks for the five (5) properties located at 1508 Kirby Drive, 77019; 3640 Inwood Drive, 77019; 2136 Brentwood Drive, 77019; 2911 Ella Lee Lane, 77019; and 2514 Brentwood Drive, 77019, which meet the relevant eligibility requirements of Section 44-5 of the Code of Ordinances.

**Amount of Funding:** No funding required

**Finance Budget:**

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

**SPECIFIC EXPLANATION:**

Section 44-5 of the Code of Ordinances provides an incentive for historic preservation in the form of a tax exemption for Historic Landmarks. Prior City Council designation of the property as an Historic Landmark is a prerequisite to granting an historic site tax exemption. The property owner must then demonstrate to the Director of Finance that restoration and preservation expenditures were made in an amount equal to at least 50% of appraised value of the improvements and within the time frames prescribed in the Ordinance. The tax exemption amount is then calculated based on the amount spent on restoration, up to 100% of ad valorem taxes that would be owed the following year on the appraised value of improvements only (not land). **The exemption is for a 15-year period, but is capped each year at the exemption amount calculated for year one.**

The owners of the following Historic Landmarks submitted sworn affidavits that meet the criteria set out in the Code of Ordinances. The table below shows the base value of improvement (pre-restoration), the amount of the restoration investment made by the property owner, the approximate dollar amount of the taxes that will be foregone for the first year, based on HCAD's 2010 property valuation and the City's current property tax rate, and the maximum amount that would be exempt over 15 years:

| Historic Landmarks   | Building                             | Base Value of Improvement | Restoration Investment | Estimated Year One Exemption | Maximum Exemption over 15 years |
|----------------------|--------------------------------------|---------------------------|------------------------|------------------------------|---------------------------------|
| 1508 Kirby Drive     | Cox-Ewing House                      | \$ 165,200                | \$ 192,957             | \$ 1,545                     | \$ 23,175                       |
| 3640 Inwood Drive    | Dr. Conway & Bessie Blume House      | \$ 876,516                | \$1,033,091            | \$ 12,088                    | \$181,320                       |
| 2136 Brentwood Drive | Dr. Mavis P. Kelsey, Sr. House       | \$ 109,115                | \$ 271,615             | \$ 1,549                     | \$ 23,235                       |
| 2911 Ella Lee Lane   | William Fairchild House              | \$ 193,811                | \$ 325,175             | \$ 3,098                     | \$ 46,470                       |
| 2514 Brentwood Drive | Maurice & Virginia Brown Angly House | \$ 143,420                | \$ 269,048             | \$ 1,467                     | \$ 22,005                       |

Since the properties have been designated as Historic Landmarks, and meet all other criteria, it is recommended that City Council grant each of the properties the exemption from ad valorem taxation provided under Section 44-5 of the Code of Ordinances.

cc: Marty Stein, Agenda Director  
Anna Russell, City Secretary  
David Feldman, City Attorney

**REQUIRED AUTHORIZATION**

**Finance Director:**



**Other Authorization:**



**Other Authorization:**



## 2514 Brentwood Drive

### HISTORIC SITE TAX EXEMPTION 15 YEAR ANALYSIS

| Initial Exemption Criteria |           |                              |             |           |
|----------------------------|-----------|------------------------------|-------------|-----------|
| 2008 Values<br>(base year) |           | Preservation<br>Expenditures | 2010 Values |           |
| Land                       | Structure |                              | Land        | Structure |
| \$1,144,080                | \$143,420 | \$269,048                    | \$1,144,080 | \$229,620 |

Expenditures as % of Base Value

188%

Maximum Exemption on Structure/Improvement will be equal to TY2011 value (not yet available)\*

| Projected Annual Tax Revenue<br>(Based upon 100% of Improvements) |          |  |   |
|---|----------|--|---|
| Year  | Tax Year | Revenue<br><i>to be received</i><br>(Land) | Revenue<br><i>exempt</i><br>(Structure) |
| 1   | 2011     | \$7,308                                    | \$1,467                                 |
| 2   | 2012     | \$7,600                                    | \$1,467                                 |
| 3   | 2013     | \$7,904                                    | \$1,467                                 |
| 4   | 2014     | \$8,220                                    | \$1,467                                 |
| 5   | 2015     | \$8,549                                    | \$1,467                                 |
| 6   | 2016     | \$8,891                                    | \$1,467                                 |
| 7   | 2017     | \$9,247                                    | \$1,467                                 |
| 8   | 2018     | \$9,617                                    | \$1,467                                 |
| 9   | 2019     | \$10,001                                   | \$1,467                                 |
| 10  | 2020     | \$10,401                                   | \$1,467                                 |
| 11  | 2021     | \$10,817                                   | \$1,467                                 |
| 12  | 2022     | \$11,250                                   | \$1,467                                 |
| 13  | 2023     | \$11,700                                   | \$1,467                                 |
| 14  | 2024     | \$12,168                                   | \$1,467                                 |
| 15  | 2025     | \$12,655                                   | \$1,467                                 |
| <b>Total</b>  |          | <b>\$146,329</b>                           | <b>\$22,005</b>                         |

Projection based on latest rate (Tax Year 2010): \$.63875 per \$100 of taxable value

Assumes a 4% increase in land value each year.

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

The tax revenue may change relative to the tax rate.

2514 BRENTWOOD DRIVE

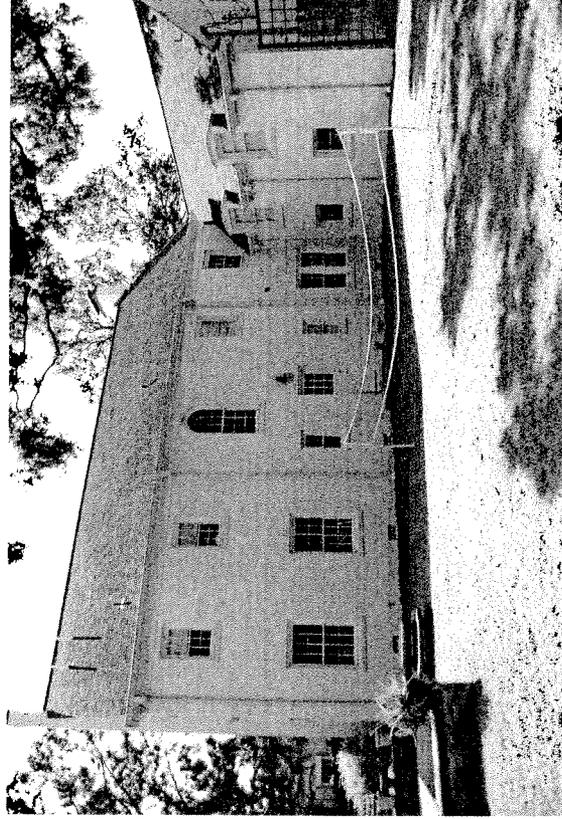
HISTORIC LANDMARK



BEFORE

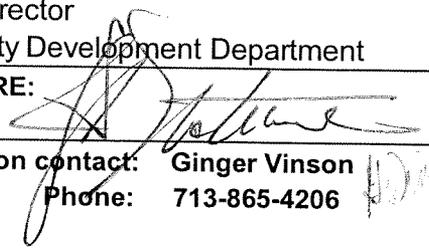


AFTER



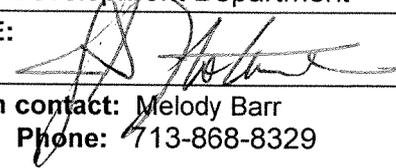
TO: Mayor via City Secretary **REQUEST FOR COUNCIL ACTION**

HCD 10-153

|  |  |  |                                   |
|--|--|--|-----------------------------------|
| <b>SUBJECT:</b> The Housing and Community Development Department recommends City Council's approval of an Ordinance approving the third of five scheduled installments for repayment of HUD grants and appropriating TIRZ Affordable Housing Funds for such third installment in the amount of \$3,101,439.  |  | Page<br>1 of 1   | Agenda Item<br>#<br><br>26        |
| <b>FROM (Department or other point of origin):</b><br>James D. Noteware, Director<br>Housing and Community Development Department  |  | <b>Origination Date</b><br>October 26, 2010  | <b>Agenda Date</b><br>NOV 17 2010 |
| <b>DIRECTOR'S SIGNATURE:</b><br>  |  | <b>Council District affected:</b>  |                                   |
| <b>For additional information contact:</b> Ginger Vinson<br>Phone: 713-865-4206  |  | <b>Date and identification of prior authorizing Council action:</b> Ordinance 2008-1048 dated November 19, 2008, Ordinance 2009-1129 dated November 17, 2009 |                                   |
| <b>RECOMMENDATION: (Summary)</b><br>The Housing and Community Development Department recommends City Council's approval of an Ordinance approving the third of five scheduled installments for repayment of HUD grants and appropriating TIRZ Affordable Housing Funds for such third installment in the amount of \$3,101,439.  |  |  |                                   |
| <b>Amount of Funding:</b><br>\$3,101,439   |  | <b>Finance Budget:</b>   |                                   |
| <b>SOURCE OF FUNDING</b> <input type="checkbox"/> General Fund <input type="checkbox"/> Grant Fund <input type="checkbox"/> Enterprise Fund  |  |  |                                   |
| <input checked="" type="checkbox"/> Other (Specify)      TIRZ Affordable Housing Fund 2409   |  |  |                                   |
| <b>SPECIFIC EXPLANATION:</b><br>The Mayor was authorized by Ordinance No. 2008-1048, passed November 19, 2008, to execute all necessary documents related thereto. The third payment to HUD is coming due on December 1, 2010. Therefore, the third of five installments is being submitted for approval to transfer from TIRZ funds in the amount of \$3,101,439 to be appropriated for such transfer of funds to the City's HUD account for HOME, HOPWA, and CDBG to be completed on or before December 1, 2010 in compliance with a prior agreed upon schedule.<br><br>The Housing and Community Development Department has management responsibility for ensuring that HUD grants awarded to the City are used in compliance with appropriate federal regulations and statutes. The City annually receives grant funds primarily for four different HUD programs: Community Development Block Grant (CDBG), Housing Opportunities for Persons with AIDS (HOPWA), Emergency Shelter Grant (ESG), and HOME Investment Partnerships. HUD continuously monitors the grant recipients to assess compliance with its highly complex regulations and to ensure that the funds are being used for eligible purposes.<br><br>HUD's monitoring of 2004 and 2005 program activities found non-compliance with HUD program regulations and disallowed certain expenditures made with HOME, HOPWA, and CDBG funds. The City worked with HUD for more than a year to resolve the findings. Through negotiations and corrective action, the City's total exposure was reduced considerably, resulting in the City's obligation to effectuate repayment of same by transferring City (TIRZ Affordable Housing) funds into its HUD CDBG, HOME, and HOPWA accounts in the total amount of \$15,507,194 over a five-year period, or to face reduced grant awards in the future. |  |  |                                   |
| <b>REQUIRED AUTHORIZATION</b>  |  |  |                                   |
| <b>Finance Director:</b>   |  | <b>Other Authorization:</b>  | <b>Other Authorization:</b>       |

|   |   |                       |                                |
|---|---|-----------------------|--------------------------------|
| <b>SUBJECT:</b> An ordinance approving and authorizing a \$133,883 contract between the City of Houston and SEARCH, Inc. using General Funds to assist in the Administration and Operations of the Emergency Mobile Outreach Program. | <b>Category #</b>   | <b>Page</b><br>1 of 2 | <b>Agenda Item #</b><br><br>27 |
|   | (Empty space for category, page, and agenda item details) |                       |                                |

|   |                                     |                                    |
|---|-------------------------------------|------------------------------------|
| <b>FROM (Department or other point of origin):</b><br>James D. Noteware, Director<br>Housing and Community Development Department | <b>Origination Date:</b><br>9/22/10 | <b>Agenda Date:</b><br>NOV 17 2010 |
|---|-------------------------------------|------------------------------------|

|   |  |
|---|--|
| <b>DIRECTOR'S SIGNATURE:</b><br> | <b>Council District affected:</b><br>All Districts |
|---|--|

|   |  |
|---|--|
| <b>For additional information contact:</b> Melody Barr<br>Phone: 713-868-8329 | <b>Date and identification of prior authorizing Council action:</b> None |
|---|--|

**RECOMMENDATION: (Summary)**  
 The Department recommends approval of an ordinance authorizing a \$133,883 contract between the City of Houston and SEARCH, Inc., providing up to \$133,883 in General Funds to assist in the Administration and Operations of the Emergency Mobile Outreach Program.

|                                     |                        |
|-------------------------------------|------------------------|
| <b>Amount of Funding:</b> \$133,883 | <b>Finance Budget:</b> |
|-------------------------------------|------------------------|

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

\$133,883 General Fund (1000)

**SPECIFIC EXPLANATION:**

The applicant of the City's General Funds is SEARCH, Inc. (SEARCH), a private, nonprofit organization dedicated to helping homeless men, women and children get off the streets and into jobs and affordable housing.

SEARCH, Inc. has received funding through prior contracts with the City for its Mobile Outreach Program, which provided emergency assistance to individuals among Houston's homeless population living on the streets. Services provided have included the provision of bus tokens, lunches, clothing, blankets, Gold Cards, and medical and dental assistance. Other services rendered have consisted of substance abuse counseling, HIV education and testing, job training, and transportation to appointments.

The agency now desires to continue its collaboration with the City, through a new contract providing up to \$133,883 for twelve (12) months of funding beginning October 1, 2010 and ending June 30, 2011, with pre-contract services beginning July 1, 2010 through September 30, 2010 in the amount not to exceed \$27,336. This agreement will provide General Funds for SEARCH's program, which provides for the Mobile Outreach unit, the Resource Center and other services to homeless persons and their families using a flexible work schedule of seven hours a day and five days/week.

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

|                        |   |   |                                     |
|------------------------|---|---|-------------------------------------|
| <b>Date</b><br>9/22/10 | <b>Subject:</b> An ordinance approving and authorizing a \$133,883 contract between the City of Houston and SEARCH, INC. using General Funds to assist in the Administration and Operations of the Emergency Mobile Outreach Program. | <b>Originator's Initials</b><br> | <b>Page</b><br><u>2</u> of <u>2</u> |
|------------------------|---|---|-------------------------------------|

**Sources of Funds:**

City of Houston: \$133,883

Number of Persons to be Served: 2,000

Category of Persons to be Served: Homeless Individuals and Families

| <b>Service Category</b>                          | <b>Total Contract Amounts</b> | <b>Percent</b> |
|--|-------------------------------|----------------|
| Program Administration                           | 0                             | 0%             |
| Mobile Outreach Program – Services and Operating | \$33,285.00                   | 25%            |
| Resource Center – Services and Operating         | \$100,598.00                  | 75%            |
| <b>Total</b>                                     | <b>\$133,883.00</b>           |                |

The Department recommends approval of an ordinance approving and authorizing a \$133,883 contract between the City of Houston and SEARCH, Inc. using General Funds to assist in the Administration and Operations of the Emergency Mobile Outreach Program. The contract term will commence on October 1, 2010 and end on June 30, 2011, with pre-contract service agreement from July 1, 2010 to September 30, 2010. This project went before the Housing Committee on August 23<sup>d</sup>, 2010; no vote was taken due to lack of quorum.

JN:BB:mb

Cc: Mayor's Office  
City Secretary  
Legal Department  
City Controller

|  |  |                       |                            |
|--|--|-----------------------|----------------------------|
| <b>SUBJECT:</b><br>FY2011 Temporary Employee Services and Information Technology Staffing Resources Contract Program |  | <b>Page</b><br>1 of 2 | <b>Agenda Item #</b><br>28 |
|--|--|-----------------------|----------------------------|

|  |   |                                   |
|--|---|-----------------------------------|
| <b>FROM (Department or other point of origin):</b><br>Human Resources Department | <b>Origination Date</b><br>October 28, 2010 | <b>Agenda Date</b><br>NOV 17 2010 |
|--|---|-----------------------------------|

|   |  |
|---|--|
| <b>DIRECTOR'S SIGNATURE:</b><br><i>Omar C. Reid</i> | <b>Council District affected:</b><br>ALL |
|---|--|

|   |   |
|---|---|
| <b>For additional information contact:</b><br>Omar C. Reid 713-837-9330<br>Ramiro Cano 713-837-9350 | <b>Date and identification of prior authorizing Council action:</b><br>November 5, 2008 Ord.#2008-980 |
|---|---|

**RECOMMENDATION: (Summary)**  
Approve and authorize 14 contracts with Temporary Employee Services and Information Technology Staffing Agencies.

**Amount and Source of Funding:**  
Maximum Contract Authority \$38,000,000 (1 year plus two 1-year options)  
Central Services Revolving Fund (1002)  
FY2011 Allocation - \$9,000,000

**SPECIFIC EXPLANATION:**  
The Human Resources (HR) Department is recommending City Council award 14 temporary employee and information technology staffing agencies' contracts and approve \$38,000,000 in contract authority to cover (3) one-year terms (which includes two option years). Included in this request is \$5,000,000 for contingencies such as new grant funding and/or calamities such as Hurricane Ike. The current contracts expire November 30, 2010. Contracts will be effective December 1, 2010 for the duration of 11 months and may be renewed for two (2) successive one-year terms under the same terms and conditions.

A Request For Proposals (RFP) process was conducted for the purpose of obtaining temporary employees for City departments on an as-needed basis. HR received 54 RFP proposals from temporary employee and information technology staffing agencies.

All 54 proposals were evaluated under a comprehensive set of parameters. The FY11 process selected agencies providing set payrolling and regular agency personnel markups.

The recommended agencies allow the city to continue to utilize the best value pricing and the best low cost bill rate and payrolling percentage within the markup parameters. If the agency can supply our demand, then the city obtains the best low cost. If the agency cannot meet our demands, the next agency with the lowest cost is used. The FY11 evaluation process continues to focus on cost, quality personnel, and processing improvements.

Temporary employee services is a vital component of departments' staffing strategy with expected fiscal year utilization of \$11,000,000 each year which is less than 1 % of total city salary expense.

**Background:** The HR Department has had responsibility for the temporary employee services program since the early 1980s. HR's Temporary Employee Services (HRTES) section assists customer city departments with the acquisition of temporary employees and information technology staffing resources. HRTES performs all acquisition and ongoing contract administration tasks, which allows city departments to focus on their project tasks and deadlines.

**REQUIRED AUTHORIZATION**

|   |                             |                             |
|---|-----------------------------|-----------------------------|
| <b>Other Authorization:</b><br><i>Michelle Mitchell</i> | <b>Other Authorization:</b> | <b>Other Authorization:</b> |
|---|-----------------------------|-----------------------------|

|                           |  |                              |                       |
|---------------------------|--|------------------------------|-----------------------|
| <b>DATE</b><br>10-28-2010 | <b>Subject:</b><br>FY2011 Temporary Employee Services and Information Technology Staffing Resources Contract Program | <b>Originator's Initials</b> | <b>Page</b><br>2 of 2 |
|---------------------------|--|------------------------------|-----------------------|

Historical and estimated temporary utilization are included to illustrate comparative data:

|               | <b>FY2008</b> | <b>FY2009</b> | <b>FY2010</b> | <b>FY2011 Budget</b>         |
|---------------|---------------|---------------|---------------|------------------------------|
| <b>Budget</b> | \$ 14,500,000 | \$ 15,000,000 | \$ 15,000,000 | \$ 15,000,000                |
| <b>Actual</b> | \$ 14,020,043 | \$ 14,653,242 | \$ 12,909,842 | \$ 3,078,932 (as of 9/30/10) |

**Recommendation:** The vendor recommendations for FY2011 continue to give the city the best value with quality temporary personnel.

The evaluation of all proposals submitted by interested agencies resulted in the following recommendation by the HR Department that the City of Houston contract with the following administrative/industrial temporary and information technology staffing agencies.

| <b>Administrative / Industrial (1-7)</b> |                                      |       | <b>Information Technology (8-14)</b> |                                |       |
|--|--------------------------------------|-------|--------------------------------------|--------------------------------|-------|
| 1  | A-1 Personnel of Houston, Inc.       | WBE   | 8                                    | A-1 Personnel of Houston, Inc. | WBE   |
| 2  | Also Temps, Inc.                     | W/DBE | 9                                    | ExecuTeam Staffing, L.P.       | *     |
| 3  | Bergaila & Associates, Inc.          | *     | 10                                   | Bergaila & Associates, Inc.    | *     |
| 4  | ExecuTeam Staffing, L.P.             | *     | 11                                   | Logan / Britton, Inc.          |       |
| 5  | Lane Staffing, Inc. **               | W/DBE | 12                                   | ObjectWin Technology, Inc.     |       |
| 6  | Silver & Associates Consulting, Inc. | M/DBE | 13                                   | Precision Task Group, Inc. **  | M/DBE |
| 7  | Topp Knotch Personnel, Inc.          | W/DBE | 14                                   | S&R Professionals, L.P. **     | WBE   |

The MW/DBEs (57%) designated agencies are certified by the Affirmative Action Division. \*indicates that these vendors are "graduates" of the city's MWDBE program. \*\*indicates that these vendors are new to the citywide temporary employee services program.

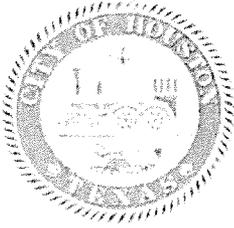
All charges for temporaries are billed back to the departments requesting temporaries. Strict monitoring and reporting procedures are in effect to control normal and ordinary utilization of temporary employees.

The proposed mix of recommended agencies provides a comprehensive set of temporary employee services. Other considerations include:

1. Budget neutral as departments must have budget adequacy to utilize contract authority
2. No operational disruptions to the department
3. Continuity of existing projects
4. Risk management and disaster planning considerations
5. A better socio-economic situation when factors such as employee and agency retention are taken into consideration

Mayor and Council review and approval is requested.

c: Lloyd Waguespack, Chief Administrative Officer  
Marty Stein, Agenda Director



# CITY OF HOUSTON

Human Resources  
Department

## Interoffice

Correspondence

To: Council Member Anne Clutterbuck  
Fiscal Affairs Committee Chair

From: Omar C. Reid  
Human Resources Director

Date: November 9, 2010

Subject: **BUDGET & FISCAL AFFAIRS (BFA)  
PRESENTATION; TEMPORARY  
EMPLOYEE SERVICES**

**The purpose** of this memorandum is to transmit the temporary employees count by department.

**Background:** At the BFA meeting of November 8, 2010, a request was made to obtain the number of temporaries by department.

**Summary:** As of September 30, 2010 the City had 307 temporary employees. Please note:

- **Health Department – 151**

Most of these temporary assignments are grant funded and require specialized skills. Included positions are Counselors, LVN's, Chief Nurse, Epidemiologists, Microbiologists, Public Health Nurses and Site Surveillance Investigators. It should be noted that the H1N1 Preparedness Health Emergency Response project continues to be supported by temporary employees before, during and after the 2009 pandemic event.

- **Houston Emergency Center – 18**

Most of these temporary assignments are the CO-OP Program students working as Police Telecommunicators answering non-emergency calls in the call center.

- **Information Technology – 16**

Highly specialized temporary employees are assigned to technical projects such as Radio Communications Project and CSMART – Municipal Courts Project.

- **Administration and Regulatory Affairs – 14**

These positions are assigned to BARC and are considered difficult to fill. Included positions are Kennel Attendants, Animal Care Technicians and a Staff Veterinarian position which allows the facility to remain open to citizens 7 days a week.

- **Solid Waste Department – 11**

These positions are difficult to fill as they are specialized mechanics, refuse truck drivers, and other semi-skilled workers.

**Conclusion:** Temporary employees augment city personnel and provide services allowing city departments to meet peak load demands, utilize special skills for short term duration situations, and respond to urgent and catastrophic events.

We ask for your favorable consideration.

**Questions** concerning this memorandum may be referred to Omar C. Reid at 713-837-9330

City of Houston  
 Temporary Employee Services Analysis for FY2011  
 for the Period Ended September 30, 2010 (Departments)

| Fund                      | FundName     | BusArea | Business Name                       | Total     |
|---------------------------|--------------|---------|-------------------------------------|-----------|
| <b>General Fund</b>       |              |         |                                     |           |
| 1000                      | General Fund | 1000    | Police Department                   | 0         |
| 1000                      | General Fund | 1200    | Fire Department                     | 0         |
| 1000                      | General Fund | 1600    | Municipal Court Administration      | 18        |
| 1000                      | General Fund | 1700    | Municipal Court - Justice           | 0         |
| 1000                      | General Fund | 2000    | Public Works & Engineering          | 1         |
| 1000                      | General Fund | 2100    | Solid Waste Management              | 11        |
| 1000                      | General Fund | 2500    | General Services                    | 1         |
| 1000                      | General Fund | 3400    | Library                             | 0         |
| 1000                      | General Fund | 3600    | Parks and Recreation                | 16        |
| 1000                      | General Fund | 3800    | Health and Human Services           | 11        |
| 1000                      | General Fund | 5000    | Mayor's Office                      | 0         |
| 1000                      | General Fund | 5100    | Affirmative Action                  | 1         |
| 1000                      | General Fund | 5500    | City Council                        | 0         |
| 1000                      | General Fund | 6000    | Controller's Office                 | 0         |
| 1000                      | General Fund | 6400    | Finance                             | 1         |
| 1000                      | General Fund | 6500    | Administration & Regulatory Affairs | 14        |
| 1000                      | General Fund | 6800    | Information Technology              | 7         |
| 1000                      | General Fund | 7000    | Planning                            | 0         |
| 1000                      | General Fund | 8000    | Human Resources                     | 0         |
| <b>Total General Fund</b> |              |         |                                     | <b>81</b> |

| <b>Enterprise, Grants, and Other Special Funds</b> |  |      |                                     |            |
|--|--|------|-------------------------------------|------------|
|  |  | 1000 | Police Department                   | 15         |
|  |  | 1500 | Houston Emergency Center            | 18         |
|  |  | 1600 | Municipal Court Administration      | 0          |
|  |  | 2000 | Public Works & Engineering          | 9          |
|  |  | 2500 | General Services                    | 0          |
|  |  | 2800 | Houston Airport System              | 11         |
|  |  | 3200 | Housing & Community Development     | 0          |
|  |  | 3400 | Library                             | 2          |
|  |  | 3600 | Parks and Recreation                | 0          |
|  |  | 3800 | Health and Human Services           | 140        |
|  |  | 4200 | Convention & Entertainment          | 5          |
|  |  | 5000 | Mayor's Office                      | 8          |
|  |  | 6500 | Administration & Regulatory Affairs | 1          |
|  |  | 6800 | Information Technology              | 16         |
|  |  | 7000 | Planning                            | 0          |
|  |  | 8000 | Human Resources                     | 1          |
| <b>Total Enterprise/Grants/Other Special Funds</b> |  |      |                                     | <b>226</b> |

|                              |  |  |  |            |
|------------------------------|--|--|--|------------|
| <b>Total All Departments</b> |  |  |  | <b>307</b> |
|------------------------------|--|--|--|------------|

**REQUEST FOR COUNCIL ACTION**

**TO:** Mayor via City Secretary

**RCA#**

|   |                   |                    |  |
|---|-------------------|--------------------|--|
| <b>Subject:</b><br>Ordinance authorizing a contract between the city and Metropolitan Transit Authority of Harris County, Texas for purchase of Employee Transit Fare Media | <b>Category #</b> | <b>Page 1 of 2</b> | <b>Agenda Item</b><br><br><div style="text-align: right; font-size: 2em; font-family: cursive;">29</div> |
|---|-------------------|--------------------|--|

|   |                                      |                                   |
|---|--------------------------------------|-----------------------------------|
| <b>FROM (Department or other point of origin):</b><br>Human Resources | <b>Origination Date</b><br>11-4-2010 | <b>Agenda Date</b><br>NOV 17 2010 |
|---|--------------------------------------|-----------------------------------|

MS

|                                 |  |
|---------------------------------|--|
| <b>DIRECTOR'S SIGNATURE</b><br> | <b>Council District(s) affected</b><br>All |
|---------------------------------|--|

|  |   |   |
|--|---|---|
| <b>For additional information contact:</b><br>Candy Clarke Aldridge<br>Gerri Walker <i>GCW</i> | <b>Phone:</b><br>(713) 837-9333<br>(713) 837-9360 | <b>Date and Identification of prior authorizing Council Action:</b><br>November 4, 2009 (2009-1066) |
|--|---|---|

**RECOMMENDATION: (Summary)**  
Approve an ordinance authorizing the City to execute a one-year contract with Metropolitan Transit Authority of Harris County, Texas (METRO) to continue providing transit fare media for city employees.

|  |                       |
|--|-----------------------|
| <b>Amount of Funding: \$1,120,000 (Spending Authority)</b> | <b>Finance Budget</b> |
|--|-----------------------|

|                                 |                                       |                                     |  |
|---------------------------------|---------------------------------------|-------------------------------------|--|
| <b>SOURCE OF FUNDING:</b>       | <input type="checkbox"/> General Fund | <input type="checkbox"/> Grant Fund | <input type="checkbox"/> Enterprise Fund |
| <b>X Other (Specify)</b>        |                                       |                                     |  |
| FY11 -- General Fund \$ 440,716 | Other Funds \$ 212,619                |                                     |  |
| FY12 -- General Fund \$ 314,799 | Other Funds \$ 151,866                |                                     |  |
| (see details on page 2)         |                                       |                                     |  |

**SPECIFIC EXPLANATION:**

As a successful component of the city's Air Pollution Solutions since 1998, the Downtown Employee Transit Program provides city-sponsored "mass transit" alternatives to cars in the Houston Metropolitan areas commuting to downtown city work locations. Employees park their vehicles at METRO's parking lots, and take METRO Park & Ride buses or METRO Rail close to their work locations. METRO-sponsored vanpools are also included in this program. The Downtown Employee Transit Program is a key contributor to the City's Emissions Reductions Plan to comply with federal standards. By actively promoting shared-ride options and reducing the number of cars on the road, the program:

- reduces polluting vehicle emissions
- decreases traffic congestion
- improves air quality levels
- reduces wear and tear on roads and associated repair costs
- provides an additional benefit to the city by reducing the demand for parking
- creates an opportunity for employees to save money on gas, tolls and car maintenance

With the addition of a rail line and increasing gas prices, the number of employees opting to join the program has grown consistently. METRO implemented an electronic "Q Card" system in March 2008, for which the City is charged for actual trips taken that has resulted in better accountability and cost-effectiveness.

Participation in the Program is dependent on employees assigned to work at designated downtown worksites and who elect to receive this benefit. The Program has assumed an overall 40 percent increase in participation since its inception, from an average 800 employees in 1998 to the current 1,325 participants. Program cost for the upcoming plan year, November 2010 to November 2011, is projected at \$1,120,000, 8 percent less than the current year. According to METRO, the current fares will remain effective during the new plan year. Audits are conducted on the Employee Transit Program to validate and document financial efficiency, ensure employees' compliance with established guidelines, and to remedy operational deficiencies as necessary.

To encourage consistent mass transit travel, the Program includes the following incentives:

- If an employee experiences a mid-day emergency when METRO does not have off-peak hour transit to a Park and Ride lot, METRO will arrange transportation for the employee to the lot. Employees may receive this service 12 times before incurring any cost.
- If an employee occasionally needs to drive a vehicle to work to conduct city or personal business, the employee may park in a city-owned parking lot at no charge.
- The Loyalty Rider Program credits five free rides for each 50 rides an employee takes, a 10% discount.

**REQUIRED AUTHORIZATION**

|                   |                      |                      |
|-------------------|----------------------|----------------------|
| Finance Director: | Other Authorization: | Other Authorization: |
|-------------------|----------------------|----------------------|

|                  |  |                          |             |
|------------------|--|--------------------------|-------------|
| Date:<br>11-4-10 | Subject:<br>Ordinance authorizing a contract between the city and Metropolitan Transit Authority of Harris County, Texas for purchase of Employee Transit Fare Media | Originator's<br>Initials | Page 2 of 2 |
|------------------|--|--------------------------|-------------|

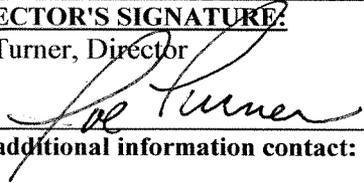
**CONTRACT ALLOCATION BY FUND**

| FUND  | FUND NAME                                  | FY2011             | FY2012                       |
|-------|--|--------------------|------------------------------|
| 1000  | GENERAL FUND                               | \$ 440,716         | \$ 314,799                   |
| 1001  | CIP Salary Recovery                        | 73,348             | 52,391                       |
| 1002  | Central Service Revolving Fund             | 6,870              | 4,906                        |
| 1004  | Property & Casualty                        | 638                | 455                          |
| 1005  | Fleet Management                           | 785                | 561                          |
| 1011  | Workers Compensation                       | 5,495              | 3,925                        |
| 2200  | Auto Dealers                               | 1,766              | 1,262                        |
| 2201  | Police Special Svcs                        | 1,374              | 981                          |
| 2206  | Municipal Crt Security                     | 1,276              | 911                          |
| 2207  | Municipal Crt Technology                   | 1,472              | 1,051                        |
| 2212  | Digital Automated Red Light Enforc Program | 638                | 455                          |
| 2301  | Building Inspection                        | 14,866             | 10,618                       |
| 2302  | Storm Water Fund                           | 1,766              | 1,262                        |
| 2402  | Greater Houston TranStar & Emer Center     | 1,619              | 1,156                        |
| 7556  | H.A.L.A.N. Fund                            | 1,766              | 1,262                        |
| 8001  | HAS-Revenue                                | 1,619              | 1,156                        |
| 8300  | Wtr & Swr Syst Operating                   | 81,619             | 58,299                       |
| 8601  | C&E Facility Rev                           | 6,281              | 4,486                        |
| 8700  | Parking Management                         | 1,227              | 876                          |
| 9000  | Health Benefits Fund                       | 8,194              | 5,853                        |
|       | TOTAL OTHER FUNDS                          | \$ 212,619         | \$ 151,866                   |
|       | AMOUNT OF FUNDING                          | \$ 653,335         | \$ 466,665                   |
| <hr/> |  |                    |                              |
|       | <b>TOTAL AMOUNT</b>                        | <b>\$1,120,000</b> | (general fund + other funds) |

**Approved Downtown Work Locations**

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

**REQUEST FOR COUNCIL ACTION (draft)**

|  |                             |  |                                   |
|--|-----------------------------|--|-----------------------------------|
| <b>To:</b> Mayor via City Secretary  |                             |  |                                   |
| <b>Subject:</b> Ordinance accepting sculpture "Standing Vase With Five Flowers" by artist James Surls into the City Art Collection   |                             | <b>Category #</b>  | <b>Page 1 of 1</b>                |
|  |                             |  | <b>Agenda Item</b><br><i>30</i>   |
| <b>FROM (Department or other point of origin):</b><br>Houston Parks and Recreation Department  |                             | <b>Origination Date:</b><br>11/8/10  | <b>Agenda Date</b><br>NOV 17 2010 |
| <b>DIRECTOR'S SIGNATURE:</b><br>Joe Turner, Director<br>  |                             | <b>Council District(s) affected:</b><br>1  |                                   |
| <b>For additional information contact:</b> Minnette Boesel, 832-393-1097<br>Dan Pederson, 832-395-7062   |                             | <b>Date and Identification of prior authorizing Council Action:</b><br>Motion 2010-0617, 8/18/10 |                                   |
| <b>RECOMMENDATION:</b> Adopt an Ordinance approving the acceptance of "Standing Vase With Five Flowers", a bronze and stainless steel sculpture to be sited at the historic Gragg Park Complex and headquarters of the Houston Parks and Recreation Department located at 2999 South Wayside Drive.  |                             |  |                                   |
| <b>Amount of Funding:</b><br><br><b>No Funding Required</b>  |                             | <b>Finance Budget:</b>   |                                   |
| <b>SPECIFIC EXPLANATION:</b><br><br>Houston Parks and Recreation Department (HPARD) recommends that City Council accept the artwork titled "Standing Vase with Five Flowers," a 15 foot sculpture created by noted Texas artist James Surls. The sculpture will be located in the north courtyard of the historic Gragg building facing Wheeler Street. HPARD selected this piece from Surl's "the Magnificent Seven", which was recently on exhibit at Rice University.<br><br>City Council approved the purchase of this piece on August 18, 2010.<br><br>James Surls is an internationally acclaimed artist and native Texas with deep roots in the Houston arts community. His work has been exhibited in numerous galleries across the Country. This piece will be added to the City's permanent art collection and is a great addition to the historic Gragg Park complex for all citizens to enjoy. |                             |  |                                   |
| <b>REQUIRED AUTHORIZATION</b>  |                             |  |                                   |
| <b>Finance Director:</b>   | <b>Other Authorization:</b> | <b>Other Authorization:</b>  |                                   |

MOTION NO. 2010 0617

MOTION by Council Member Lovell that the recommendation of the Interim Director of the General Services Department, relative to payment for Administration Services and Installation of Civic Art, for the Parks and Recreation Department, WBS No, F-000422-0002-4, be adopted, and authority is hereby given for the issuance of purchase order to the Houston Arts Alliance, in the amount of \$360,500.00 for the purchase of and installation of the artwork entitled "Standing Vase with Five Flowers", created by James Surls, to be located in the North courtyard of the Gragg Building.

Seconded by Council Member Gonzalez and carried.

Mayor Parker, Council Members Stardig, Johnson, Clutterbuck, Adams, Hoang, Pennington, Gonzalez, Rodriguez, Costello, Lovell and Bradford voting aye  
Council Members Sullivan and Noriega voting no

Council Member Jones absent

PASSED AND ADOPTED this 18th day of August, 2010.

Pursuant to Article VI, Section 6 of the City Charter, the effective date of the foregoing motion is August 24, 2010.

  
City Secretary



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# Standing Vase With Five Flowers

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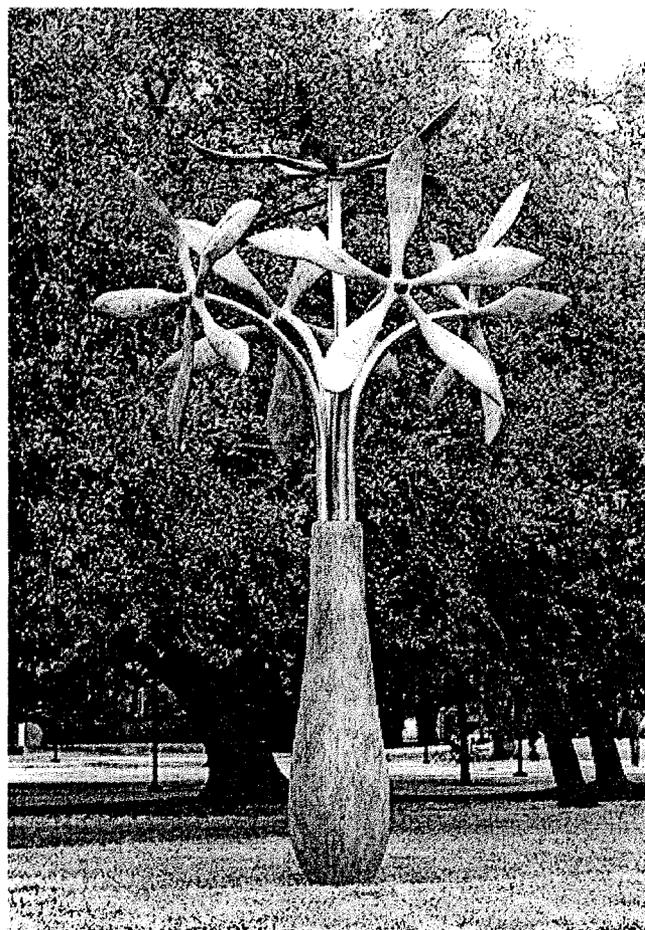
### Tags

- [Surfs](#)
- [Rice University](#)
- [Art](#)
- [Sculpture](#)
- [Magnificent Seven](#)

### Additional Information

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- Taken with a Nikon [More properties]
- Taken on March 9, 2005
- Viewed 12 times



2005  
Bronze and stainless steel  
15x7x7 feet

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

|  |  |  |                        |                                   |
|--|--|--|------------------------|-----------------------------------|
| <b>SUBJECT:</b> Ordinance designating all improved single-family residential lots in the Houston Country Club Place Subdivision, Sections 1 & 2 as a Prohibited Yard Parking Requirement Area  |  | <b>Category #</b>  | <b>Page 1 of</b> _____ | <b>Agenda Item #</b><br><i>31</i> |
| <b>FROM (Department or other point of origin):</b><br>Marlene L. Gafrick, Director<br>Planning and Development Department  |  | <b>Origination Date</b><br>November 1, 2010  |                        | <b>Agenda Date</b><br>NOV 17 2010 |
| <b>DIRECTOR'S SIGNATURE:</b><br>  |  | <b>Council District affected:</b><br><b>I</b>  |                        |                                   |
| <b>For additional information contact:</b> Kevin Calfee<br>Phone: 713.837.7768   |  | <b>Date and identification of prior authorizing Council action:</b> 2009-0059, 1-28-09 |                        |                                   |
| <b>RECOMMENDATION: (Summary)</b> Approval of an ordinance designating all improved single-family residential lots in the Houston Country Club Place Subdivision, Sections 1 & 2 as a Prohibited Yard Parking Requirement Area, pursuant to Chapter 28 of the Code of Ordinances, restricting parking on the front and side yard of single-family residential property.   |  |  |                        |                                   |
| <b>Amount and Source of Funding:</b> NA  |  |  | <b>Finance Budget:</b> |                                   |
| <p><b>SPECIFIC EXPLANATION:</b> In accordance with Section 28-303 of the Code of Ordinances, the Houston Country Club Place Civic Club initiated an application for the designation of a Prohibited Yard Parking Requirement Area. The application includes a letter of support from the president of the Houston Country Club Place Civic Club. Notification was mailed to 168 property owners indicating that the prohibited yard parking requirement area application had been made. The notification further stated that written protest could be filed with the Planning and Development Department within twenty days of mailing. One (1) protest was timely filed with the Planning and Development Department. The Hearing Official held a public hearing on September 22, 2010 and recommended establishing the Prohibited Yard Parking Requirement Area.</p> <p>Attachments:<br/> Decision of the Hearing Official<br/> Prohibited Yard Parking Requirement Area Application<br/> Letter of Support<br/> Map of the proposed requirement area / land use</p> <p>xc:    Marty Stein, Agenda Director<br/> Anna Russell, City Secretary<br/> David M. Feldman, City Attorney<br/> Don Cheatham, Senior Assistant City Attorney<br/> Chief C. A. McClelland, HPD<br/> Alfred Moran, ARA</p> |  |  |                        |                                   |
| <b>REQUIRED AUTHORIZATION</b>  |  |  |                        |                                   |
| <b>Finance Director:</b>   |  | <b>Other Authorization:</b>  |                        | <b>Other Authorization:</b>       |

# Prohibited Yard Parking Requirement Area No. P100701

## Hearing Official's Approval

Hearing Official Evaluation:

| Satisfies | Does Not Satisfy | Criteria  |
|-----------|------------------|---|
| X         |                  | <p><i>PYPRA includes five contiguous block faces;</i></p> <p><b>The application area contains at least five contiguous block faces.</b></p>   |
| X         |                  | <p><i>More than 60% of the proposed PYPRA is developed as single-family residential lots;</i></p> <p><b>94.6% of the proposed application area is developed as single-family residential.</b></p>   |
| X         |                  | <p><i>The application is authorized by the board of an active homeowners association or civic club that encompasses the residential area described in the application;</i></p> <p><b>The president of the Houston Country Club Place Civic Club has signed a letter of support.</b></p>   |
| X         |                  | <p><i>Available parking is sufficient to accommodate the typical parking needs for the residential area;</i></p> <p><b>The curbside parking spaces or areas within the residential subdivision available to owners for the parking of vehicles or equipment are sufficient to accommodate the number of vehicles or equipment typically parked within the area.</b></p> |

**The Prohibited Yard Parking Requirement Area meets the criteria.**


10-26-10  
 Nicole Smothers, Date  
 Hearing Official, Presiding

\_\_\_\_\_  
 Randall Stuewer, Date  
 Hearing Official, Presiding

# P100701

## Houston Country Club Place Civic Club



|  |                       |                            |
|--|-----------------------|----------------------------|
| <b>SUBJECT:</b> Ordinance approving a contract with Milam Partners, Ltd. to lease parking spaces at the Market Square Garage to the Houston Police Department. | <b>Page</b><br>1 of 2 | <b>Agenda Item #</b><br>32 |
|--|-----------------------|----------------------------|

|  |                                      |                                    |
|--|--------------------------------------|------------------------------------|
| <b>FROM: (Department or other point of origin):</b><br>Houston Police Department | <b>Origination Date:</b><br>11-10-11 | <b>Agenda Date:</b><br>NOV 17 2010 |
|--|--------------------------------------|------------------------------------|

|   |  |
|---|--|
| <b>DIRECTOR'S SIGNATURE:</b><br><br>C. A. McClelland, Jr., Chief of Police | <b>Council District affected:</b><br>All |
|---|--|

|   |   |
|---|---|
| <b>For additional information contact:</b><br>Joseph A. Fenninger <i>JAF 11/1/10</i><br>CFO and Deputy Director Phone: 713-308-1770 | <b>Date and identification of prior authorizing Council action:</b> |
|---|---|

**RECOMMENDATION: (Summary)** Adopt an ordinance approving a contract with Milam Partners, Ltd. to lease 425 parking spaces at the Market Square Garage to the Houston Police Department and funding for the initial term.

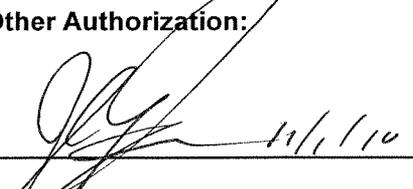
**Amount and Source of Funding:** \$1,806,563 – General Fund, Fund 1000  
(FY11 - \$148,750; Out Years - \$1,657,813)

**Specific Explanation:**

The Chief of Police recommends that City Council adopt an ordinance approving a contract with Milam Partners, Ltd. to provide parking spaces to the Houston Police Department and approving funding for the initial term of the agreement. The contract requires that Milam Partners, Ltd., make available 425 spaces (expandable up to 550, if available) at their parking garage located at 300 Milam Street (Market Square Garage) on a 24/7, 365 days per year basis at a cost of \$70 per space per month for an initial term of five years, with one additional five-year option. The price holds firm for the first 36 months then, for each of the succeeding 12-month periods of the original contract and, if exercised, the optional term, the price is increased by any increase in the Consumer Price Index for Houston Urban Consumers as measured two months prior to the beginning of each 12-month period (not to be less than 1% nor greater than 3%). The contract may be terminated by the City upon 120 days notice and must commence not later than March 1, 2011.

The Houston Police Department has experienced a shortfall in available parking at 1200 Travis and at the Riesner Complex. At the same time, the Meet & Confer agreement requires that classified personnel be provided parking when reporting to work at their primary duty assignment. Local parking resources have been optimized by re-striping and re-paving parking lots, moving salvage vehicle storage to satellite facilities, and improving alternative transportation (car pools, bus passes). However, the shortfall of available parking remained and it became necessary for the Houston Police Department to examine the local market for a facility that could meet the requirements of (1) a minimum of 425 parking spaces, (2) accessibility for three shifts, 24/7, (3) a secure facility and (4) proximity to 1200 Travis and the Riesner Complex.

A survey of potential options revealed three possible selections: (1) parking under the Pierce Elevated along with parking at City-owned Lot H, (2) parking at the Toyota Center, and (3) parking at the Market Square Garage. Parking at the Pierce Elevated/Lot C option was available at a cost of \$45 and \$44 per space per month, respectively. However, additional shuttle drivers and routes would be required that raised the annual cost to \$1,052 per space. Parking at the Toyota Center was available at a cost of \$30 per space per month, but again additional shuttle routes would be required that would raise the annual cost to \$879 per space. Additionally, the parking spaces are only available from 8:00 AM until 5:00 PM, thus failing the mandatory 24/7 access needs of the Department. The best available option was found to be the Market Square Garage at a cost of \$70 per space per month (\$840 per space on an annualized basis). The Market Square Garage is on existing shuttle routes between 1200 Travis and the Riesner

|                               |   |                             |
|-------------------------------|---|-----------------------------|
| <b>REQUIRED AUTHORIZATION</b> |   | <b>10JAF010</b>             |
| <b>Finance:</b>               | <b>Other Authorization:</b><br><br>11/1/10 | <b>Other Authorization:</b> |

|             |  |                              |                    |
|-------------|--|------------------------------|--------------------|
| <b>Date</b> | <b>Subject:</b> Ordinance approving a contract with Milam Partners, Ltd. to lease parking spaces at the Market Square Garage to the Houston Police Department. | <b>Originator's Initials</b> | <b>Page 2 of 2</b> |
|-------------|--|------------------------------|--------------------|

Complex, thus obviating the need for additional shuttle routes. Further, it meets all of the above-listed requirements.

The lease of parking spaces was presented to a joint meeting of the Public Safety & Homeland Security Committee and the Budget & Fiscal Affairs Committee on September 15, 2010. No action was taken by the Committees due to a lack of a quorum.

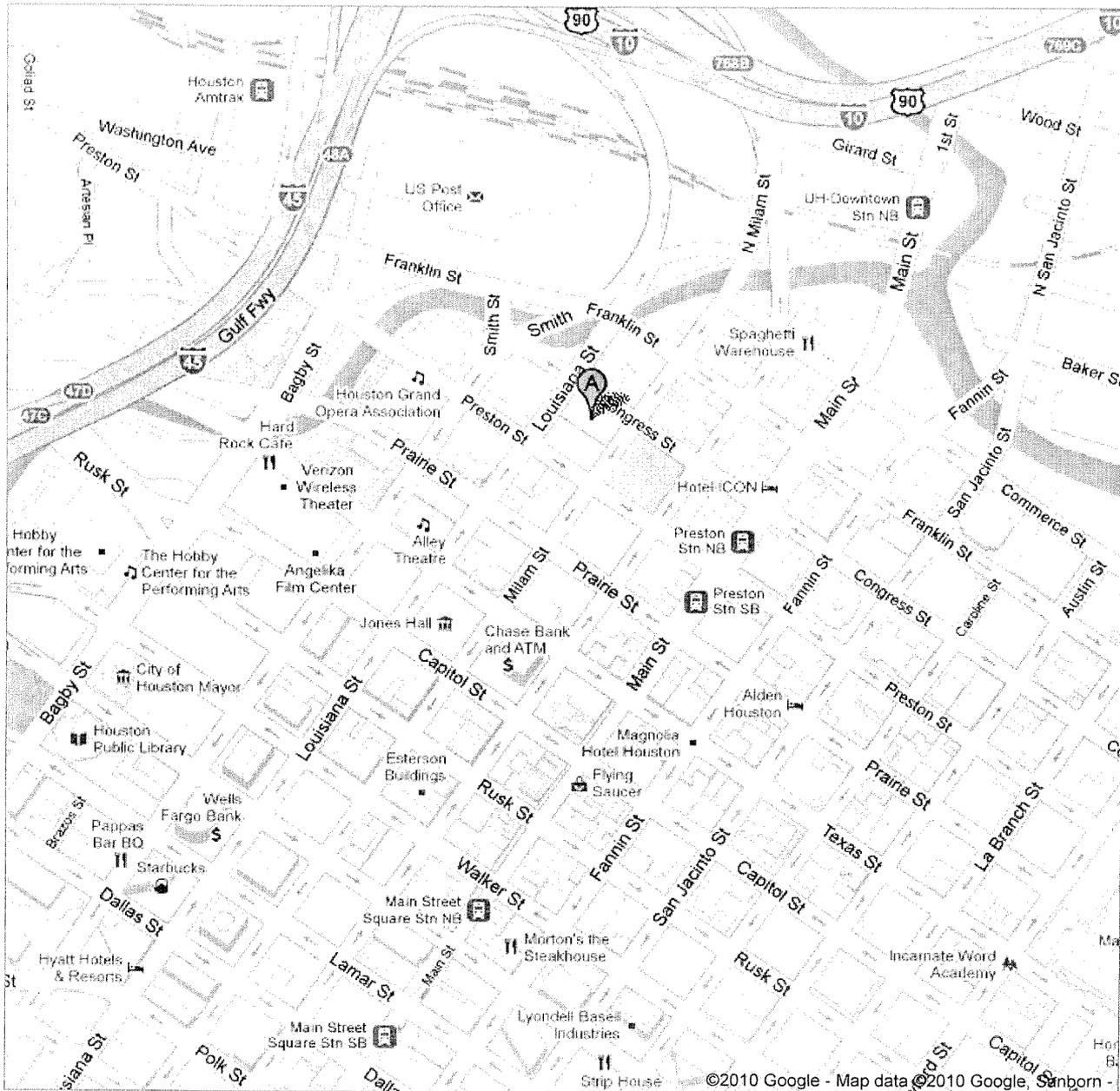
| Calculation of Out Year Costs with Assumed 2% CPI Increase |                    |                 |                |              |            |                |
|--|--------------------|-----------------|----------------|--------------|------------|----------------|
| Milam Partners, Ltd. Market Square Garage                  | Spaces             | Price per month | Cost per month | Yearly Costs | FY11 Costs | Out Year Costs |
|  | 425                | \$70            | \$29,750       | \$357,000    | \$148,750  | \$1,657,813    |
|  |                    |                 |                |              |            |                |
| 1st Year   | \$357,000          |                 |                |              |            |                |
| 2nd Year   | \$357,000          |                 |                |              |            |                |
| 3rd Year   | \$357,000          |                 |                |              |            |                |
| 4th Year - 2% CPI  | \$364,140          |                 |                |              |            |                |
| 5th Year - 2% CPI  | \$371,423          |                 |                |              |            |                |
| <b>Total Cost</b>  | <b>\$1,806,563</b> |                 |                |              |            |                |

Print

Google maps

Address **300 Milam St**  
**Houston, TX 77002**

Notes



TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

|   |                       |                            |
|---|-----------------------|----------------------------|
| <b>SUBJECT:</b> Ordinance approving a contract with Polytech, Inc. dba PTI, Inc. to provide professional structural engineering services to the Neighborhood Protection Corps of the Houston Police Department. | <b>Page</b><br>1 of 1 | <b>Agenda Item #</b><br>33 |
|---|-----------------------|----------------------------|

|  |                                      |                                    |
|--|--------------------------------------|------------------------------------|
| <b>FROM: (Department or other point of origin):</b><br>Houston Police Department | <b>Origination Date:</b><br>10-14-10 | <b>Agenda Date:</b><br>NOV 17 2010 |
|--|--------------------------------------|------------------------------------|

|  |  |
|--|--|
| <b>DIRECTOR'S SIGNATURE:</b><br><br>Charles A. McClelland, Jr., Chief of Police | <b>Council District affected:</b><br>All |
|--|--|

|   |   |
|---|---|
| <b>For additional information contact:</b><br>Joseph A. Fenninger  10/15/10<br>CFO and Deputy Director Phone: 713-308-1770 | <b>Date and identification of prior authorizing Council action:</b> |
|---|---|

**RECOMMENDATION: (Summary)** Adopt an ordinance approving a contract with Polytech, Inc. dba PTI, Inc. to provide professional structural engineering services to the Neighborhood Protection Corps of the Houston Police Department.

**Amount and Source of Funding:** \$400,000 – Dangerous Building Consolidated Fund (Fund 1801)  
(FY11 - \$100,000; Out Years - \$300,000)

**Specific Explanation:**

The Chief of Police recommends that City Council approve a contract with Polytech, Inc. dba PTI, Inc. to provide professional structural engineering services to the Neighborhood Protection Corps of the Houston Police Department. The contract establishes that the services will be provided on a work-order basis for a term of two years with two additional one-year options.

The Neighborhood Protection Corps requires structural assessments of commercial and multi-family buildings/structures that have been subject to a dangerous building order. Structural assessments are performed when the building(s) has been recommended for City demolition after the owner has failed to comply with a dangerous building order. Residential structures may also be assessed on an as-needed basis. Structural assessments may also be required for buildings that are not subject to a dangerous building order, but constitute an immediate danger to public health and safety. A lien is filed against any property where the City has incurred structural assessment costs.

**Pay or Play:**

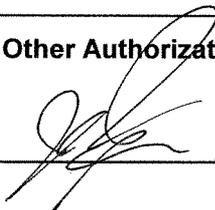
The proposed contract requires compliance with the City's 'Pay or Play' ordinance regarding health benefits for employees of City contractors. In this case, the contractor provides benefits for some employees but will pay into the Contractor Responsibility Fund for others, in compliance with City policy.

**M/WBE:**

The M/WBE goal for this contract is established at 24%. The consultant has proposed the following program to achieve this goal:

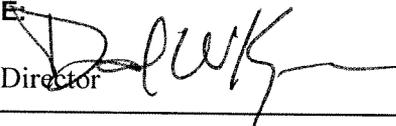
| Firm Name       | Services                                  | Amount   | Percent of Contract |
|-----------------|---|----------|---------------------|
| ASA Dally, Inc. | Structural Engineering Assessment Support | \$96,000 | 24%                 |

**REQUIRED AUTHORIZATION** 10TRC006A 

|                 |   |                             |
|-----------------|---|-----------------------------|
| <b>Finance:</b> | <b>Other Authorization:</b><br> 10/15/10 | <b>Other Authorization:</b> |
|-----------------|---|-----------------------------|

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

|  |  |   |                                   |
|--|--|---|-----------------------------------|
| <b>SUBJECT:</b> An ordinance to adopt a Municipal Setting Designation prohibiting the use of designated groundwater for Lone Star Terminal, LLC., for the site located at 8901 Manchester Street, Houston, TX 77012. (MSD # 2010-029-LSR)  |  | <b>Page</b><br>1 of 1   | <b>Agenda Item</b><br># 34        |
| <b>FROM (Department or other point of origin):</b><br>Department of Public Works and Engineering   |  | <b>Origination Date</b><br>11-10-11                                 | <b>Agenda Date</b><br>NOV 17 2010 |
| <b>DIRECTOR'S SIGNATURE:</b><br>Daniel W. Krueger, P.E., Director   |  | <b>Council District affected:</b><br>1 east                         |                                   |
| <b>For additional information contact:</b><br>Carol Ellinger Haddock, P.E.  Senior Assistant Director (832) 395-2686<br>Richard J. Chapin  Sr. Project Manager (832) 395-2689  |  | <b>Date and identification of prior authorizing Council action:</b> |                                   |
| <b>RECOMMENDATION: (Summary)</b><br>It is recommended that City Council adopt a Municipal Setting Designation (MSD) ordinance prohibiting the use of designated groundwater at the Lone Star Terminal site located at 8901 Manchester Street, Houston, TX 77012, and support issuance of an MSD by the Texas Commission on Environmental Quality (TCEQ). (MSD # 2010-029-LSR)  |  |   |                                   |
| <b>Amount and Source of Funding:</b> N/A   |  |   |                                   |
| <b>BACKGROUND:</b> In 2003, the Texas Legislature authorized the creation of Municipal Setting Designations (MSD), which designates an area in which the use of contaminated groundwater is prohibited for use as potable water. The law is administered by the Texas Commission on Environmental Quality (TCEQ) and requires local City support to designate an MSD. The intent of the legislation is to encourage redevelopment of vacant or abandoned properties while protecting public health. On August 22, 2007, City Council approved an ordinance amending Chapter 47 of the Code of Ordinances by adding Article XIII relating to groundwater, which provides a process to support or not support an MSD application to the State (ordinance amended 7/14/2010). This ordinance requires a written public notice to be mailed to property owners within one-half mile of a proposed MSD site and owners/operators of potable water wells within 5-miles of a proposed MSD site. In addition, a public meeting and a public hearing are required to be held prior to City Council's consideration of an ordinance of support. |  |   |                                   |
| <b>LONE STAR TERMINAL LLC APPLICATION:</b> Lone Star Terminal, LLC. is seeking a Municipal Setting Designation (MSD) for 24.1-acres of land located at 8901 Manchester Street, Houston, TX 77012. The contamination consists of Arsenic, Benzene and total petroleum hydrocarbons (TPH). Oil refinery operations were conducted on the property between 1918 and 1968. Since then several additional industrial facilities have occupied the site. Today some of the property is used as pipe lay-down yards and the rest of the property is vacant. The site is enrolled in the State's voluntary clean-up program. In 2007, approximately 350,000 cubic yards of affected soil was excavated, treated and reused on site, and a barrier wall and groundwater collection system along the north property line was installed. The groundwater monitoring data indicates that the area of contamination is stable or decreasing.  |  |   |                                   |
| Lone Star Terminal, LLC., is seeking an MSD for this property to restrict access to groundwater to protect the public against exposure to the contaminants. There is a public drinking water supply system that meets state requirements that supplies or is capable of supplying drinking water to the MSD property and all properties within one-half mile of the MSD property. In addition, a public meeting was held on 10/13/2010 during the community, and a public hearing was held on 10/28/2010 in the Council Committee on Development and Regulatory Affairs which are necessary steps prior to City Council's consideration of support.  |  |   |                                   |
| <b>RECOMMENDATIONS:</b> It is recommended that City Council adopt a Municipal Setting Designation (MSD) ordinance prohibiting the use of designated groundwater at the Lone Star Terminal site located at 8901 Manchester Street, Houston, TX 77012, and support issuance of an MSD by the Texas Commission on Environmental Quality.  |  |   |                                   |
| DWK:MLL:CEH<br>P:\PLANNING BRANCH\MSD\DATABASE\GENERIC RCA - ORDINANCE SUPPORT.DOC<br>C: Marty Stein, Ceil Price   |  |   |                                   |
| <b>REQUIRED AUTHORIZATION</b>  |  | <b>CUIC ID# 20CAE108</b>  |                                   |
| <b>Other Authorization:</b>  | <b>Authorization:</b><br><br>Mark L. Loethen, P.E., CFM, PTOE<br>Acting Deputy Director<br>Planning & Development Services Division | <b>Other Authorization:</b>   |                                   |

|   |  |   |                                   |
|---|--|---|-----------------------------------|
| <b>SUBJECT:</b> An ordinance to adopt a Municipal Setting Designation prohibiting the use of designated groundwater for Hoerbiger Corporation of America, Inc. for the site located at 1212 Milby Street and 3503-3719 Polk Street, Houston, TX 77023. (MSD # 2009-016-Milby) |  | Page<br>1 of 1  | Agenda Item<br># 35               |
| <b>FROM (Department or other point of origin):</b><br>Department of Public Works and Engineering  |  | <b>Origination Date</b><br>11-10-11                                 | <b>Agenda Date</b><br>NOV 17 2010 |
| <b>DIRECTOR'S SIGNATURE:</b><br>Daniel W. Krueger, P.E., Director   |  | <b>Council District affected:</b><br>1<br>cent                      |                                   |
| <b>For additional information contact:</b><br>Carol Ellinger Haddock, P.E. Senior Assistant Director (832) 395-2686<br>Richard J. Chapin RJC Senior Project Manager (832) 395-2689  |  | <b>Date and identification of prior authorizing Council action:</b> |                                   |

**RECOMMENDATION: (Summary)**

It is recommended that City Council adopt a Municipal Setting Designation (MSD) ordinance prohibiting the use of designated groundwater at the Hoerbiger Corporation of America, Inc. site located at 1212 Milby Street and 3503-3719 Polk Street, Houston, TX 77023, and support issuance of an MSD by the Texas Commission on Environmental Quality (TCEQ). (MSD # 2009-016-Milby)

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

**BACKGROUND:** In 2003, the Texas Legislature authorized the creation of Municipal Setting Designations (MSD), which designates an area in which the use of contaminated groundwater is prohibited for use as potable water. The law is administered by the Texas Commission on Environmental Quality (TCEQ) and requires local City support to designate an MSD. The intent of the legislation is to encourage redevelopment of vacant or abandoned properties while protecting public health. On August 22, 2007, City Council approved an ordinance amending Chapter 47 of the Code of Ordinances by adding Article XIII relating to groundwater, which provides a process to support or not support an MSD application to the State (ordinance amended 7/14/2010). This ordinance requires a written public notice to be mailed to property owners within one-half mile of a proposed MSD site and owners/operators of potable water wells within 5-miles of a proposed MSD site. In addition, a public meeting and a public hearing are required to be held prior to City Council's consideration of an ordinance of support.

**HOERBIGER CORPORATION OF AMERICA, INC. APPLICATION:** Hoerbiger Corporation of America, Inc. is seeking a Municipal Setting Designation (MSD) for 5.8-acres of land located at 1212 Milby Street and 3503-3719 Polk Street, Houston, TX 77023. The contamination consists of tetrachloroethene (PCE), trichloroethene (TCE), 1-1-dichloroethene (1,1-DCE), cis-1-2-dichloroethene (cis-1,2-DCE), and vinyl chloride (VC). This facility has been operating as a compressor parts manufacturer since 1981. Environmental investigation activities have identified chlorinated solvents in the groundwater resulting from historical activities at the site. The site is enrolled in the State's voluntary clean-up program. Groundwater monitoring data collected during the last two and a half years indicate that the area of contamination is stable and in most cases diminishing.

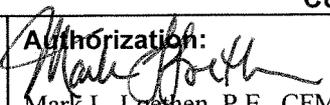
Hoerbiger Corporation of America, Inc. is seeking an MSD for this property to restrict access to groundwater to protect the public against exposure to the contaminants. There is a public drinking water supply system that meets state requirements that supplies or is capable of supplying drinking water to the MSD property and all properties within one-half mile of the MSD property. In addition, a public meeting was held on 9/21/2010 in the community, and a public hearing was held on 10/28/2010 during the Council Committee on Development and Regulatory Affairs which are necessary steps prior to City Council's consideration of support.

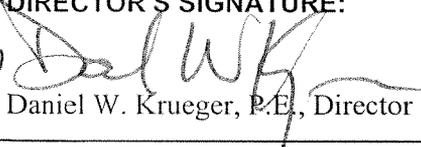
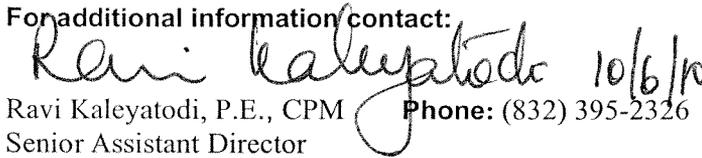
**RECOMMENDATIONS:** It is recommended that City Council adopt a Municipal Setting Designation (MSD) ordinance prohibiting the use of designated groundwater at the Hoerbiger Corporation of America, Inc. site located at 1212 Milby Street and 3503-3719 Polk Street, Houston, TX 77023, and support issuance of an MSD by the Texas Commission on Environmental Quality.

DWK:MLL:CEH  
P:\PLANNING BRANCH\MSD\DATABASE\GENERIC RCA - ORDINANCE SUPPORT.DOC  
C: Marty Stein, Ceil Price

**REQUIRED AUTHORIZATION**

CUIC ID# 20CAE53

|                             |  |                             |
|-----------------------------|--|-----------------------------|
| <b>Other Authorization:</b> | <b>Authorization:</b><br><br>Mark L. Loethen, P.E., CFM, PTOE<br>Acting Deputy Director<br>Planning & Development Services Division | <b>Other Authorization:</b> |
|-----------------------------|--|-----------------------------|

|  |                             |  |                                   |
|--|-----------------------------|--|-----------------------------------|
| <b>SUBJECT:</b> Advance Funding Agreement between the City of Houston and Texas Department of Transportation for the Reconstruction of Broadway Street from IH-45 to Airport Boulevard; WBS No. N-000573-0001-3.   |                             | <b>Page</b><br>1 of 2  | <b>Agenda Item #</b><br>36        |
| <b>FROM (Department or other point of origin):</b><br>Department of Public Works and Engineering   |                             | <b>Origination Date</b><br>11-10-10  | <b>Agenda Date</b><br>NOV 17 2010 |
| <b>DIRECTOR'S SIGNATURE:</b><br><br>Daniel W. Krueger, P.E., Director  |                             | <b>Council District affected:</b><br>I   |                                   |
| <b>For additional information contact:</b><br><br>Ravi Kaleyatodi, P.E., CPM Phone: (832) 395-2326<br>Senior Assistant Director  |                             | <b>Date and identification of prior authorizing Council action:</b><br>N/A   |                                   |
| <b>RECOMMENDATION: (Summary)</b><br>Adopt an ordinance approving and authorizing an Advance Funding Agreement between the City of Houston and Texas Department of Transportation and appropriating funds.  |                             |  |                                   |
| <b>Amount and Source of Funding:</b> \$35,000.00 from the Street & Bridge Consolidated Construction Fund 4506, <i>W.P. 10/11/2010</i>  |                             |  |                                   |
| <b>PROJECT NOTICE/JUSTIFICATION:</b> This project is a part of the Street & Traffic Capital Improvement Project (CIP). Transportation Code, Chapters 201, 221, 227, and 361, authorized Texas Department of Transportation (TxDOT) to lay out, construct, and operate a system of streets, roads, and highways that comprise the State Highway System. TxDOT and City of Houston (City) both agreed that the proposed improvements to Broadway Street from IH-45 to Airport Boulevard should be in the best interest of the citizens of the State and improve traffic. Texas Transportation Commission also passed Minute Order Number 85094 authorizing TxDOT to enter into the necessary agreements with the City to make such improvements.   |                             |  |                                   |
| <b>DESCRIPTION/SCOPE:</b> This project consists of the reconstruction of dual 24-foot wide concrete roadways with raised medians, curbs, sidewalks, streetlights and necessary underground utilities.  |                             |  |                                   |
| <b>LOCATION:</b> The project is located on Broadway Street from IH-45 to Airport Boulevard and is located on Key Map grids 535 P, T, X and 575 B.  |                             |  |                                   |
| <b>SCOPE OF THIS AGREEMENT:</b> The City and TxDOT desire to make improvements to Broadway Street from IH-45 to Airport Boulevard. Presently, there is no Federal or State funding available for the project. In order to make this project a more viable candidate for future Federal funding, the City desires to enter into an Advance Funding Agreement with TxDOT. Under the terms of the Agreement, the City shall be responsible for the design of the project. TxDOT will review the design and attempt to secure the Federal funding for the project. The City shall be responsible for the direct costs incurred for the review and approval services performed by TxDOT which are currently estimated to be \$35,000.00. TxDOT and the City agree that completion of the project design and the approval of such design by TxDOT do not guarantee selection of the project for Federal funding in the future. Therefore, it is necessary to appropriate funds in the amount of \$35,000.00 for the City's cost participation. |                             |  |                                   |
| <b>REQUIRED AUTHORIZATION</b>  |                             | <b>CUIC ID #20TAA56</b>  |                                   |
| <b>Finance Department:</b>   | <b>Other Authorization:</b> | <b>Other Authorization:</b><br><br>Daniel R. Menendez, P.E., Deputy Director<br>Engineering and Construction Division |                                   |

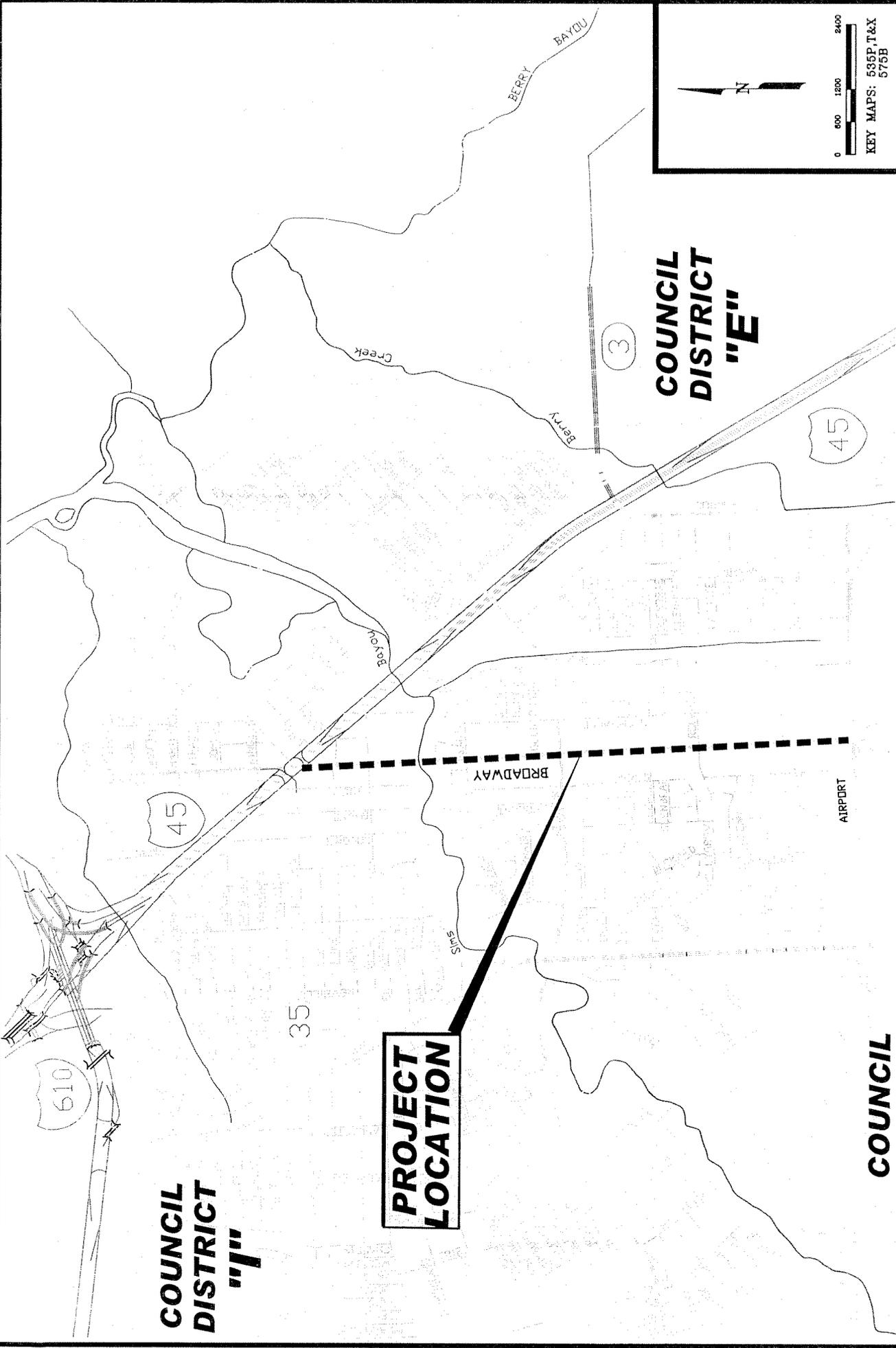
|      |   |  |                        |
|------|---|--|------------------------|
| Date | <b>SUBJECT:</b> Advance Funding Agreement between the City of Houston and Texas Department of Transportation for the Reconstruction of Broadway Street from IH-45 to Airport Boulevard;<br>WBS No. N-000573-0001-3. | <b>Originator's<br/>Initials<br/>TAA</b> | <b>Page<br/>2 of 2</b> |
|------|---|--|------------------------|

**ACTION RECOMMENDED:** It is recommended that City Council adopt an ordinance approving and authorizing an Advance Funding Agreement and appropriate \$35,000.00 for the City's cost participation.

*RPK*  
DWK:DRM:RK:TAA:PKC:MS

Z:\constr\A-SB-DIV\Interagency\TxDOT Projects\0912-70-064 Broadway from IH45 to Airport Blvd\Agreement - RCA\20TAA56.doc

- c: Marty Stein
- Susan Bandy
- Velma Laws
- Craig Foster
- File: TxDOT – Broadway Street from IH-45 to Airport.



**COUNCIL DISTRICT "E"**

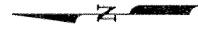
**COUNCIL DISTRICT "E"**

**LEGEND:**

- PROJECT LOCATION
- COUNCIL DISTRICT

CITY OF HOUSTON

WBS No. N-000573-0001-3  
 TXDOT: BROADWAY STREET RECONSTRUCTION PROJECT  
 FROM: IH-45 TO AIRPORT BOULEVARD  
 COUNCIL DISTRICT "I"



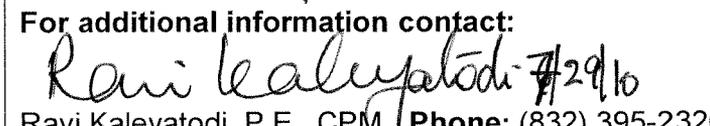
|   |                      |   |                                |
|---|----------------------|---|--------------------------------|
| SUBJECT: Adopt an Ordinance authorizing a Ground Lease with the Houston Amateur Sports Park LGC, Inc. for the 87.74 acre site to build and operate a sports park that provides playing fields and support facilities with minimal financial support from the City of Houston.   |                      | Page<br>1 of 1  | Agenda Item #<br><br>37        |
| FROM (Department or other point of origin):<br><br>Andrew F. Icken , Chief Development Officer  |                      | Origination Date<br><br>11/15/10  | Agenda Date<br><br>NOV 17 2010 |
| DIRECTOR'S SIGNATURE:<br><br>  |                      | Council District affected:<br><br>D   |                                |
| For additional information contact:<br><br>Andy Icken, 832-393-1064   |                      | Date and identification of prior authorizing Council action: Ord. 2008-65 (01/23/08), Ord. 2008-298 (04/09/08), Ord. 2009-257 (03/25/09) and Res. 2010-58 (11/9/10) |                                |
| <p><b>RECOMMENDATION:</b> Adopt an Ordinance authorizing a Ground Lease with the Houston Amateur Sports Park LGC, Inc. for the 87.74 acre site to build and operate a sports park that provides playing fields and support facilities. The Ground Lease shall authorize the LGC to sub-lease space for a training and medical building to be constructed and to contract for the operation and maintenance of the sports park site.</p>   |                      |   |                                |
| <p>Amount and Source of Funding: No City Funding</p>  |                      |   |                                |
| <p><b>SPECIFIC EXPLANATION:</b><br/>City Council, by Resolution 2010-58 (November 9, 2010), authorized the creation of the Houston Amateur Sports Park LGC, Inc. (the "LGC") to manage, operate and improve, including contracting for such functions, the Sports Park Land as a recreational sports field and training facility for public and community use.</p> <p>This Ordinance authorizes a ground lease for the 87.74 acres site with the LGC, as tenant, in a form to be negotiated and approved by the Chief Development Officer and the City Attorney. The ground lease will authorize the LGC to enter into a sub-ground lease with training and medical building and to contract for the operation and maintenance of the park site's fields and support facilities. The operation and maintenance agreement shall obligate the contractor to offer a specific number of hours the fields shall be available at no cost to the public. All other times when the park is open, the operations and maintenance contractor may charge field user fees in order to operate and maintain the park.</p> <p>The sub-ground lease for a training and medical building shall specify that the only tenant types allowed are those that support the park and amateur sports. All lease payments received by the LGC shall be used to improve or maintain the Sports Park Land. The training and medical building shall provide restroom facilities for use by the public whenever the park is open.</p> <p>The goal of the ground lease shall be for the LGC to enter into agreements to serve the public while providing sufficient earnings to pay for the operation and maintenance of the park. Regardless of the earnings the minimal free play time shall be provided. It is not anticipated that City funds will be needed for normal park operation, however any such expenditures would require subsequent Council approval if they exceed the threshold established by the City Charter.</p> <p>The LGC shall manage the Sports Park Land to meet all obligations of the City regarding the agreements with Houston Community College related their adjoining property. As the LGC is an agent of the city and to minimize operating cost all legal services shall be provided by the City of Houston's Legal Department.</p> |                      |   |                                |
| <p><b>REQUIRED AUTHORIZATION</b></p>  |                      |   |                                |
| Other Authorization:  | Other Authorization: | Other Authorization:  |                                |

|   |                             |  |                                   |
|---|-----------------------------|--|-----------------------------------|
| <b>SUBJECT:</b> An ordinance amending Ordinance 2009-570 to increase the maximum contract for a legal services contract with Rogers, Morris & Grover, L.L.P. to represent the City in George Rodriguez v. City of Houston; C.A. H-06-2560   |                             | <b>Page</b><br>1 of 1  | <b>Agenda Item</b><br>#<br>38     |
| <b>FROM (Department or other point of origin):</b><br>David M. Feldman, City Attorney<br>Legal Department   |                             | <b>Origination Date</b><br>11/10/10  | <b>Agenda Date</b><br>NOV 17 2010 |
| <b>DIRECTOR'S SIGNATURE:</b><br>   |                             | <b>Council District affected:</b><br><br>ALL   |                                   |
| <b>For additional information contact:</b><br>Robert L. Cambrice Phone: 832.393.6476<br>Donald Fleming Phone: 832.393.6309  |                             | <b>Date and identification of prior authorizing Council action:</b> June 17, 2009 – Ordinance No. 2009-570 |                                   |
| <b>RECOMMENDATION: (Summary)</b><br>That Council approve and authorize an ordinance amending Ordinance 2009-570 to increase the maximum contract amount by <del>\$75,000</del> to <u>\$275,000</u> for legal services between the City of Houston and Rogers, Morris & Grover, L.L.P. for representation of the City in George Rodriguez v. City of Houston.<br><u>\$40,000 to \$240,000</u>  |                             |  |                                   |
| <b>Amount and Source of Funding:</b><br><del>\$75,000</del> Additional Funding: <u>\$40,000</u><br>Revised Maximum Contract Amount: <del>\$275,000</del> <u>\$240,000</u><br>Property and Casualty Fund (1004)  |                             |  |                                   |
| <b>SPECIFIC EXPLANATION:</b><br>In October 1987, George Rodriguez was convicted of aggravated kidnapping and aggravated sexual assault and he was sentenced to 40 years in prison. He was released in 2004 after a review of DNA testing exonerated him and related trial testimony. In 2006 he sued the City, HPD officers involved in the investigation and prosecution, Crime Lab personnel, and the prosecutors from the Harris County District Attorney's office, pursuant to 42 U.S.C. Section 1983, for wrongful conviction.<br><br>As the case proceeded to trial in the summer of 2009, Plaintiff had voluntarily dismissed all Defendants except the City, and the focus of the suit was on the perjured testimony of a former Chief Serologist regarding interpretation of the DNA testing that had been performed. The City and Plaintiff went to mediation just prior to trial but Plaintiff would not accept less than \$14,000,000 to settle the case. At that point, the firm of Feldman & Rogers was consulted regarding such a settlement. After reviewing the file, the current City Attorney, then in private practice, advised that while the City would likely suffer an adverse judgment because of the emotion of the case, it was highly doubtful that it would be for the amount demanded in the settlement, and that any such judgment could very well be subject to reversal based on legal issues involved in the case that were favorable to the City.<br><br>The case then went to trial in June 2009 and Feldman Rogers; L.L.P. assisted in the trial. The jury found for the Plaintiff and awarded him \$5,000,000, although he asked for \$32,000,000. The Court then subsequently awarded \$4,004,030.85 in costs and attorney's fees which was approximately \$1.2 million less than Plaintiff's counsel was seeking. The total judgment of \$9,004,030.85 was then appealed by the City to the United States Court of Appeals for the Fifth Circuit. The City believes that it has a meritorious appeal.<br><br><del>Rogers, Morris &amp; Grover, L.L.P. is the successor firm to Feldman &amp; Rogers. The firm has substantial expertise in Section 1983 litigation. This expertise is needed for this appeal. Fees and costs for continued representation before the Fifth Circuit, and if necessary, preparing a petition for certiorari to the U.S. Supreme Court or responding to such a petition will not exceed \$75,000. The Legal Department recommends increasing the maximum contract amount by \$75,000 to \$275,000.</del> |                             |  |                                   |
| <b>REQUIRED AUTHORIZATION</b>   |                             |  |                                   |
| <b>Other Authorization:</b>   | <b>Other Authorization:</b> | <b>Other Authorization:</b>  |                                   |

|  |                       |   |
|--|-----------------------|---|
| <b>SUBJECT:</b> Professional Engineering Services Contract between the City of Houston and DAB Engineering and Testing, LLC for Safe Sidewalk Program. W.B.S. No. N-00610A-0111-3. | <b>Page</b><br>1 of 2 | <b>Agenda Item #</b><br><span style="font-size: 2em; font-family: cursive;">39</span> |
|--|-----------------------|---|

|   |                                   |                                   |
|---|-----------------------------------|-----------------------------------|
| <b>From: (Department or other point of origin):</b><br>Department of Public Works and Engineering | <b>Origination Date</b><br>8/4/10 | <b>Agenda Date</b><br>NOV 17 2010 |
|---|-----------------------------------|-----------------------------------|

|   |   |
|---|---|
| <b>Director's Signature:</b><br><br>Daniel W. Krueger, P.E. | <b>Council District affected:</b> D <span style="font-family: cursive;">SW</span> |
|---|---|

|   |  |
|---|--|
| <b>For additional information contact:</b><br><br>Ravi Kaleyatodi, P.E., CPM Phone: (832) 395-2326<br>Senior Assistant Director | <b>Date and identification of prior authorizing Council action:</b><br>7/29/10 |
|---|--|

**Recommendation: (Summary)** Adopt an ordinance approving a Professional Engineering Services Contract with DAB Engineering and Testing, LLC and appropriate funds.

**Amount and Source of Funding:** \$400,000.00 from Street and Bridge Consolidated Construction Fund No. 4506. N.P. 7/29/10

**PROJECT NOTICE/JUSTIFICATION:** This project will be constructed by the City of Houston under the Safe Sidewalk Program. This is a Congestion Mitigation and Air Quality Improvement Program project with 80% federal funds and 20% of local match from the City of Houston. This project will be managed by the Texas Department of Transportation in conjunction with the City of Houston to construct sidewalks in District D. The project provides for the design of approximately 32,389 linear feet of sidewalks.

**SCOPE OF CONTRACT AND FEE:** Under the terms of the Contract, the Consultant will perform Phases I and II Final Design, Phase III Construction Services and Additional Services. The consultant will prepare layouts and drawings, conduct feasibility analysis, develop detailed cost estimates for construction, and prepare final plans and specifications for construction. The Basic Services Fee for this project is computed by lump sum per foot of sidewalk designed. Negotiations with the Consultant have resulted in an estimated total Basic Design Fee of \$32,389.00 for Phase I; \$90,689.20 for Phase II Final Design and \$29,826.00 for Phase III Construction Services. The total Additional Services Fee is \$180,429.11. The Additional Services Fee comprise the bulk of the funds and include surveying, environmental mitigation, storm water pollution prevention plans and traffic control plans.

The total cost of the project is \$400,000.00 to be appropriated as follows: \$333,333.31 for contract services and \$66,666.69 for project management.

**LOCATION:** This project is located in Council District D. The project is located in various Key Map Grids.

**PLAY 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.

|                               |                             |   |
|-------------------------------|-----------------------------|---|
| <b>REQUIRED AUTHORIZATION</b> |                             | <b>CUIC ID #20SIK28 A</b>   |
| <b>Finance Department:</b>    | <b>Other Authorization:</b> | <b>Other Authorization:</b><br><br>Daniel R. Menendez, P.E., Deputy Director<br>Engineering and Construction Division |

**SUBJECT:** Professional Engineering Services Contract between the City of Houston and DAB Engineering and Testing, LLC for Safe Sidewalk Program. W.B.S. No. N-00610A-0111-3.

**Originator's  
Initials**

*SM*

**Page  
2 of 2**

**M/WBE INFORMATION:** The M/WBE goal established for this project is 24%. The Consultant proposes the following plan to meet the M/WBE goal:

|    | <u>Name of Firms</u>        | <u>Work Description</u> | <u>Amount</u>       | <u>% of Total Contract</u> |
|----|-----------------------------|-------------------------|---------------------|----------------------------|
| 1. | Quadrant Consultants Inc.   | Environmental           | \$69,208.39         | 20.76%                     |
| 2. | United Engineers, Inc.      | Land Surveying          | \$45,344.60         | 13.60%                     |
| 3. | M2L Associates, Inc.        | Landscape Architecture  | \$15,000.00         | 4.50%                      |
| 4. | B & E Reprographics, Inc.   | Reprographics / Mylars  | \$ 3,096.00         | 0.93%                      |
| 5. | Accessible Design Solutions | Plan Review/Inspection  | \$ 865.00           | 0.26%                      |
|    |                             | <b>TOTAL</b>            | <b>\$133,513.99</b> | <b>40.05%</b>              |

  
DWK:DRM:RK:MW:SK

Z:\design\A-NP-DIV\Sidewalks\N-00610A-0111-3\N-00610A-0111-3\1.0 Design Contract\1.2 RCA\Design RCA.doc

C: Marty Stein  
Velma Laws  
Susan Bandy  
Craig Foster  
File No. N-00610A-0111-3

TO: Mayor via City Secretary REQUEST FOR COUNCIL ACTION

|   |                       |                          |
|---|-----------------------|--------------------------|
| <b>SUBJECT:</b> Award Construction Contract<br>The Gonzalez Group, LP<br>Townwood Park<br>WBS No. F-000701-0001-4 | <b>Page</b><br>1 of 2 | <b>Agenda Item</b><br>40 |
|---|-----------------------|--------------------------|

|   |                                     |                                   |
|---|-------------------------------------|-----------------------------------|
| <b>FROM (Department or other point of origin):</b><br>General Services Department | <b>Origination Date</b><br>11-10-10 | <b>Agenda Date</b><br>NOV 17 2010 |
|---|-------------------------------------|-----------------------------------|

|   |   |
|---|---|
| <b>DIRECTOR'S SIGNATURE:</b><br>Forest R. Christy, Jr., Interim Director<br><i>Forest R. Christy, Jr.</i><br>10/28/10 | <b>Council District(s) affected:</b><br>D |
|---|---|

|   |   |
|---|---|
| <b>For additional information contact:</b><br>Jacquelyn L. Nisby<br><i>JLN</i><br>Phone: 832-393-8023 | <b>Date and identification of prior authorizing Council action:</b> |
|---|---|

**RECOMMENDATION:** Award construction contract and appropriate/allocate funds for the project.

| <b>Amount and Source of Funding:</b>  | <b>Finance Budget:</b> |
|---|------------------------|
| \$ 760,127.50 Parks Consolidated Construction Fund (4502)                     |                        |
| \$ 797,127.50 State – Grant Funded (5010) Texas Parks and Wildlife Department |                        |
| \$ 37,000.00 Federal Government-Grants Fund (5000) EDI Funds                  |                        |
| <b>\$1,594,255.00 Total Funding</b>   |                        |

**SPECIFIC EXPLANATION:** The General Services Department (GSD) recommends that City Council award a construction contract to The Gonzalez Group, LP on the proposal amount of \$1,426,000.00 to provide construction services for Townwood Park for the Houston Parks and Recreation Department.

**PROJECT LOCATION:** 3403 Simsbrook (572P)

**PROJECT DESCRIPTION:** The scope of work includes construction of pool, pool building and shade structures; expansion of the parking lot; additional concrete walkways and asphalt trail; grading and drainage; electrical utility work; installation of a new pavilion; site furnishings; landscaping and irrigation; site detention; trails and landscaping.

The contract duration for this project is 150 days. Clark Condon Associates is the design consultant and construction manager for this project.

**PROPOSALS:** The Gonzalez Group, LP was selected through a two step process. The Townwood Park project was advertised in accordance with the requirements of Chapter 271 - Subchapter H of the Texas Local Government Code and contained selection criteria that ranked the respondents on pool construction experience, references, contractor representatives, subcontractors and suppliers, safety, and claim history. Seven firms responded. A selection committee comprised of GSD project management ranked the respondents. All seven firms received sufficient points and were requested to submit proposals. Six of the seven firms submitted proposals. The Gonzalez Group, LP submitted the lowest proposal.

**REQUIRED AUTHORIZATION** CUIC ID # 25PARK119 *MDT*

**General Services Department:**

*[Signature]*

Richard A. Vella  
Chief of Design & Construction Division

**Parks and Recreation Department:**

*[Signature]*

Joe Turner  
Director

**PROPOSALS CONT:** The six firms are ranked as follows:

| <u>PROPOSER</u>                      | <u>PRICE</u>   |
|--------------------------------------|----------------|
| 1 The Gonzalez Group, LP             | \$1,426,000.00 |
| 2 Carrera Construction, Inc.         | \$1,448,100.00 |
| 3 SpawGlass Civil Construction, Inc. | \$1,508,500.00 |
| 4 Times Construction, Inc.           | \$1,624,000.00 |
| 5 Millis Development & Construction  | \$1,633,612.00 |
| 6 Resicom, Inc.                      | \$1,768,400.00 |

**AWARD:** It is recommended that City Council award the construction contract to The Gonzalez Group, LP and appropriate/allocate funds for the project, including an additional \$40,000.00 for construction management services under the existing contract with Clark Condon Associates and \$32,000.00 for engineering and materials testing services under the existing contract with Coastal Testing Laboratories, Inc.

**FUNDING SUMMARY:**

|                        |                                |
|------------------------|--------------------------------|
| \$ 1,426,000.00        | Construction Contract Services |
| \$ 71,300.00           | 5% Contingency                 |
| <b>\$ 1,497,300.00</b> | <b>Total Contract Services</b> |
| \$ 40,000.00           | Construction Management        |
| \$ 24,955.00           | Civic Art (1.75%)              |
| \$ 32,000.00           | Engineering Testing            |
| <b>\$ 1,594,255.00</b> | <b>Total Funding</b>           |

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

**CONSTRUCTION GOALS:** A 5% MBE goal and 5% SBE goal have been established for this contract. The contractor has submitted the following certified firms to achieve the goals:

| <u>FIRM (MBE)</u> | <u>SCOPE</u> | <u>AMOUNT</u>        | <u>% OF CONTRACT</u> |
|-------------------|--------------|----------------------|----------------------|
| Land Pro          | Landscape    | \$ 45,778.00         | 3.20%                |
| TAG Electric      | Electrical   | \$ 160,000.00        | 11.20%               |
|                   | <b>TOTAL</b> | <b>\$ 205,778.00</b> | <b>14.40%</b>        |

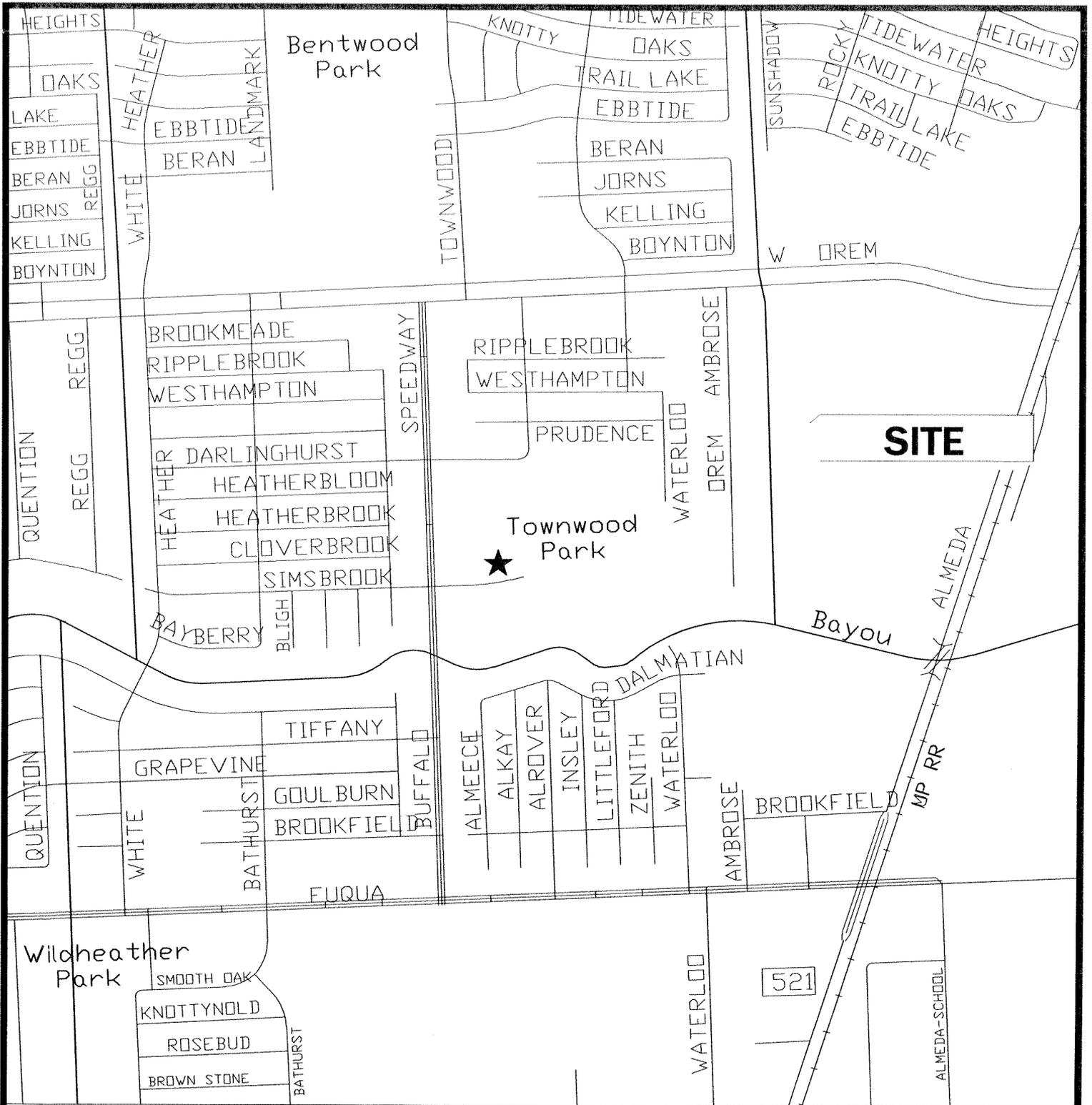
  

| <u>FIRM (SBE)</u>    | <u>SCOPE</u> | <u>AMOUNT</u>        | <u>% OF CONTRACT</u> |
|----------------------|--------------|----------------------|----------------------|
| Environmental Allies | SWPPP        | \$ 6,000.00          | 0.40%                |
| Burts Construction   | Earthwork    | \$ 82,500.00         | 5.80%                |
| Integrus Roofing     | Roofing      | \$ 17,200.00         | 1.20%                |
| A&L Services         | Plumbing     | \$ 36,100.00         | 2.50%                |
| Ideal Finishes       | Painting     | \$ 3,570.00          | 0.30%                |
|                      |              | <b>\$ 145,370.00</b> | <b>10.20%</b>        |

FRC:JLN:RAV:LJ:DE:de

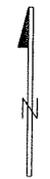
c: Marty Stein, Jacquelyn L. Nisby, Mark Ross, Dan Pederson, Calvin Curtis, Morris Scott, Gabriel Mussio, Chris Gonzales, Martha Leyva, File 712

M5



# Townwood Park

## 3403 Simsbrook - Houston, Tx 77045



N.T.S

COUNCIL DISTRICT "D"

**SITE MAP**

KEY MAP NO. 525P

**REQUEST FOR COUNCIL ACTION**

**TO:** Mayor via City Secretary

**RCA #**

**SUBJECT:**  
Ordinance granting a Commercial Solid Waste Operator Franchise

**Category #**

**Page 1 of 1**

**Agenda Item#**

*2nd Reading*

*41*

*23*

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

Alfred J. Moran, Director  
Administration & Regulatory Affairs

**Origination Date**  
10/27/10

**Agenda Date**  
~~NOV 09 2010~~

**DIRECTOR'S SIGNATURE:**



**Council Districts affected:**

ALL

NOV 17 2010

**For additional information contact:**

Juan Olguin *JFO* 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 an ordinance granting a Commercial Solid Waste Operator Franchise

**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 an ordinance granting a Commercial Solid Waste Operator Franchise to the following solid waste operator pursuant to Article VI, Chapter 39. The proposed Franchisee is:

1. Texas Water Management, LLC

The proposed ordinance grants the Franchisee 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, the 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 Commercial Solid Waste Operator Franchise.

**REQUIRED AUTHORIZATION**

**Finance Director:**

42

NOV 17 2010

MOTION NO. 2010 0813

MOTION by Council Member Noriega that nominations for Position 7 on the Port of Houston Authority of Harris County, for a two year term, be closed.

Seconded by Council Member Lovell and carried.

Vice Mayor Pro Tem Gonzalez, Council Members Stardig, Clutterbuck, Adams, Sullivan, Rodriguez, Costello, Lovell, Noriega and Jones voting aye

Nays none

Council Members Johnson, Hoang, Pennington and Bradford absent

Mayor Parker absent on City business

Vice Mayor Pro Tem Gonzalez presiding

PASSED AND ADOPTED this 10th day of November 2010.

Pursuant to Article VI, Section 6 of the City Charter, the effective date of the foregoing motion is November 16, 2010.

City Secretary

Ms. Janiece M. Longoria was nominated by Council Member Clutterbuck.

Mr. Dean Corgey was nominated by Council Member Costello.

143

NOV 17 2010

MOTION NO. 2010 0789

MOTION by Council Member Adams that the following item be postponed for two weeks:

Item 18 - Ordinance Amending Chapter 43 of the Code of Ordinances, Houston, Texas, relating to regulation of swimming pools and spas; containing findings and other provisions relating to the foregoing subject; declaring certain conduct to be unlawful and providing a penalty therefor; containing a savings clause; providing for severability

Seconded by Council Member Jones and carried.

Mayor Parker, Council Members Stardig, Johnson, Clutterbuck, Adams, Sullivan, Hoang, Pennington, Gonzalez, Rodriguez, Costello, Noriega, Bradford and Jones voting aye  
Nays none

Council Member Lovell absent on personal business

PASSED AND ADOPTED this 3rd day of November 2010.

Pursuant to Article VI, Section 6 of the City Charter, the effective date of the foregoing motion is November 9, 2010.

City Secretary

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

|   |              |             |                        |
|---|--------------|-------------|------------------------|
| SUBJECT: An Ordinance Amending Chapter 43 of the Code of Ordinances Relating to Pool and Spa Safety | Category # 9 | Page 1 of 2 | Agenda Item # 143 / 78 |
|---|--------------|-------------|------------------------|

|  |                              |  |
|--|------------------------------|--|
| FROM (Department or other point of origin):<br>Houston Department of Health and Human Services | Origination Date<br>11/29/10 | Agenda Date<br><del>November 3, 2010</del> |
|--|------------------------------|--|

|  |                                   |
|--|-----------------------------------|
| DIRECTOR'S SIGNATURE:  FIRSLY | Council District affected:<br>ALL |
|--|-----------------------------------|

|   |  |
|---|--|
| For additional information contact: Kathy Barton<br>Telephone: 832-393-5045; 713-826-5801 | Date and identification of prior authorizing Council action: |
|---|--|

**RECOMMENDATION: (Summary)**  
That City Council adopt an ordinance amending Chapter 43 of the Code of Ordinances relating to pool and spa safety

|                        |                     |
|------------------------|---------------------|
| Amount of Funding: N/A | Finance Department: |
|------------------------|---------------------|

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

**SPECIFIC EXPLANATION:**  
The Houston Department of Health and Human Services (HDHHS) requests City Council approval of an ordinance amending Chapter 43 of the Houston Code of Ordinances relating to pool and spa safety. The amended Chapter 43 enhances local regulation of pools and spas by incorporating state and federal pool and spa safety standards and providing HDHHS with the authority to enforce local and state pool and spa safety standards.

State and federal pool and safety standards apply to all pools and spas serving more than two dwellings; in accordance with these requirements, the amended Chapter 43 requires the operators of pools and spas at apartment or condominium projects to obtain permits and to comply with the requisite standards. On the other hand, the operators of residential pools and spas at single-family homes and duplexes are not required to obtain permits, and the minimum standards for operation of those pools and spas remain essentially unchanged.

The amended Chapter 43 also addresses Public Interactive Water Features (PIWFs), which are public indoor or outdoor water sprays, dancing water jets, waterfalls, etc. that are not currently regulated.

The new ordinance allows HDHHS the authority to suspend or revoke a permit if the operator of a pool or spa has violated the applicable requirements. In addition, HDHHS has the authority to close a pool or spa that poses a hazard to the public health.

The proposed ordinance specifically provides the following:

**Article I**

- Sections 43-1 – 43-4 provide the general policy of the HDHHS with respect to pool and spa safety, establish definitions for the chapter, outline the responsibilities of operators and establish to whom the chapter is applicable.
- Section 43-5 establishes the minimum standards for residential pools and spas.
- Section 43-6 establishes the minimum standards for non-residential pools, spas and PIWFs (defined collectively as "facilities").

cc: Finance Department  
Legal Department  
Agenda Director

REQUIRED AUTHORIZATION

|                    |                      |                      |
|--------------------|----------------------|----------------------|
| Finance Department | Other Authorization: | Other Authorization: |
|--------------------|----------------------|----------------------|

|                        |   |   |                       |
|------------------------|---|---|-----------------------|
| <b>Date</b><br>9/29/10 | <b>Subject:</b> An Ordinance Amending Chapter 43 of the Code of Ordinances<br>Relating to Pool and Spa Safety | <b>Originator's<br/> Initials</b><br>MA | <b>Page</b><br>2 of 2 |
|------------------------|---|---|-----------------------|

- Section 43-7 establishes the availability of a variance from permit requirements under special circumstances.
- Section 43-8 provides HDHHS with authority to develop rules and regulations related to pool and spa safety.
- Section 43-9 establishes the process for approval of pool and spa plans and specifications.
- Section 43-10 confirms that that this chapter does not alter the terms of any lease or other agreement between landlord and tenant.

**Article II**

- Section 43-31 establishes the permit requirements for non-residential pool, spa and PIWF operators and the operators' duty to notify HDHHS of ownership and or management changes associated with the permit.
- Section 43-32 provides the compliance, inspection and investigation standards for the annual inspection of non-residential pools, spas and PIWFs.
- Sections 43-33 establishes the enclosure standards for pools, spas and PIWFs.
- Section 43-34 outlines the process by which the HDHHS can remedy violations of minimum standards for pools, spas and PIWFs.
- Sections 43-35 – 43-37 outline the enforcement and closure standards for violations of pool and spa safety standards and establish a process for the suspension or revocation of an operating permit.
- Section 43-38 provides for approval of a fee schedule by city council and requires the fees collected pursuant to Chapter 43 to be placed in a special fund and used for the purposes of activities related to permitting, inspecting, monitoring, abating, controlling educating and the enforcement of Chapter 43.
- Section 43-39 allows the city, through the city attorney, to file an action to enjoin a violation of Chapter 43,, recover civil penalties for violations, or recover damages from the owner of property on which a violation has occurred.

**Sec. 10-155. Habitability standards.**

In addition to the habitability standards established by article V and by divisions 3 and 4 of article IX of chapter 10 of this Code:

- (1) An owner of an MFRB violates this article if the MFRB does not comply with:
  - a. All applicable provisions of the Fire Code;
  - b. Sections L102 through L108 of appendix L of the Building Code (which provisions are part of the Building Code's "Life Safety Appendix");
  - c. Sections 10-211 through 10-215 of this Code (which provisions pertain to the numbering of buildings);
  - d. The provisions of Chapter 43 ~~Sections 43-18 through 43-20 and section 43-23~~ of this Code (which provisions pertain to swimming pools); and
  - e. Sections 92.153 through 92.162 of the Texas Property Code (which provisions pertain to security devices).

City of Houston, Texas, Ordinance No. 2010-\_\_\_\_\_

**AN ORDINANCE AMENDING CHAPTER 43 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS, RELATING TO REGULATION OF SWIMMING POOLS AND SPAS; CONTAINING FINDINGS AND OTHER PROVISIONS RELATING TO THE FOREGOING SUBJECT; DECLARING CERTAIN CONDUCT TO BE UNLAWFUL AND PROVIDING A PENALTY THEREFOR; CONTAINING A SAVINGS CLAUSE; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.**

\* \* \* \* \*

**WHEREAS**, the Department of Health and Human Services has recommended the revision of the City's pool and spa ordinance in order to strengthen local safety regulations and to adopt pool and spa safety standards that are consistent with state and federal pool and spa safety standards; and

**WHEREAS**, Section 122.006 of the Texas Health and Safety Code vests the City with authority to adopt rules to protect the health of its citizens; and

**WHEREAS**, Section 54.001 of the Texas Local Government Code vests the City with authority to enforce its ordinances and to punish violations of its ordinances; and

**WHEREAS**, Section 214.101 of the Texas Local Government Code vests the City with authority to establish minimum standards for pool fences and enclosures and to remedy violations of those standards through criminal penalties and through remediation, including assessing the expenses incurred in the remediation process against the property and obtaining a lien against the property; and

**WHEREAS**, Chapter 342 of the Texas Health and Safety Code vests the City with authority to remediate water quality issues, to assess the expenses incurred in the remediation process against the property, and to obtain a lien against the property; and

**WHEREAS**, the City Council of the City finds that the proposed amendments to Chapter 43 are in the best interests of the City, from a public health and safety standpoint; **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 Chapter 43 of the Code of Ordinances, Houston, Texas, is hereby amended in its entirety to read as set forth in Exhibit A, which is attached hereto and incorporated herein.

**Section 3.** That Subsection (1)(d) of Section 10-155 of the Code of Ordinances, Houston, Texas, is hereby amended to read as follows:

“d. The provisions of Chapter 43 of this Code (which provisions pertain to swimming pools); and”

**Section 4.** That the various former ordinance provisions that are amended in **Section 2** of this Ordinance are saved from repeal for the limited purpose of their continuing application to any violation committed before the effective date of this Ordinance, as applicable. For this purpose, a violation is deemed to have been committed before the effective date of this Ordinance, as applicable, if any element of the offense was committed prior to the effective date of this Ordinance, as applicable.

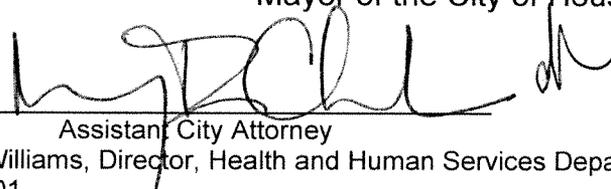
**Section 5.** That, if any provision, section, subsection, sentence, clause, or phrase of this Ordinance, or the application of same to any person or set of circumstances, is for any reason held to be unconstitutional, void or invalid, the validity of the remaining portions of this Ordinance or their application to other persons or sets of circumstances shall not be affected thereby, it being the intent of the City Council in adopting this Ordinance that no portion hereof or provision or regulation contained herein shall become inoperative or fail by reason of any unconstitutionality, voidness or invalidity of any other portion hereof, and all provisions of this Ordinance are declared to be severable for that purpose.

**Section 6.** That this Ordinance shall take effect on January 1, 2011.

**Section 7.** 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 6, above.

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

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



Prepared by Legal Dept.  
MFC:asw 10/29/2010  
Assistant City Attorney  
Requested by Stephen L. Williams, Director, Health and Human Services Department  
L.D. File No. 0381000007001



# **EXHIBIT A**

## Chapter 43

### Pool and Spa Safety

#### ARTICLE I. GENERALLY

##### **Sec. 43-1. General policy.**

It shall be the general policy of the City of Houston Health and Human Services Department to enforce the most stringent pool safety standards permitted by law. The health officer may refer those matters involving state or federal laws, rules or regulations that the city is not authorized to enforce to the state or federal office or agency having jurisdiction.

##### **Sec. 43-2. Definitions.**

The following words and terms when used in this chapter shall have the following meanings unless the context clearly indicates otherwise.

*Abate* means to remove or demolish and shall include filling an aquatic structure to the surface with earth, bank sand or other similar material approved by the health officer.

*Approved drain cover* means a suction outlet drain cover that meets the requirements of the VGBA.

*Aquatic structure* means a pool, spa, PIWF or residential pool or spa.

*Department* means the health and human services department.

*Facility* means a pool, spa or PIWF and the restrooms, dressing rooms, equipment rooms, deck, enclosure, and other appurtenances directly serving the pool, spa or PIWF.

*Health officer* means the director of the department or the director's designee.

*Inactive aquatic structure* means an aquatic structure that is not functioning, operating, or in use, or that has been abandoned but not abated.

*Operator* means the owner of the property upon which an aquatic structure is located, or any business manager, complex manager, manager of a property owners association, rental agent or other individual

who is in charge of the day-to-day operation or maintenance of an aquatic structure or the property on which it is located.

*Permit* means an operating permit for a facility issued by the department pursuant to this chapter.

*Person in charge* means an individual who is i) actually present or available at a facility at a given moment and is in immediate charge of the day-to-day operation or maintenance of the facility, ii) the supervisor of the facility at the time, or iii) the operator.

*Pool* means any man-made permanently installed or non-portable structure, basin, chamber, or tank containing or designed to contain a body of water to be used for human swimming, diving, aquatic sports, or other aquatic activity, including any pool that is categorized as a Class A, Class B, Class C or Class D pool pursuant to Section 265.182(99) of Title 25 of the Texas Administrative Code, regardless of whether a fee is charged for use, and regardless of whether its use has been abandoned or discontinued; provided, however, that this term does not include a residential pool or spa or a pool that has been abated.

*PIWF (public interactive water feature and fountain)* means any indoor or outdoor water installation maintained for public recreational use, including but not limited to water sprays, dancing water jets, waterfalls, dumping buckets, or shooting water cannons in various arrays.

*Property owners association* means an association of property owners as defined in Section 204.004 of the Texas Property Code.

*Remodeled or remodeling* means modification of the design, configuration, capacity or components of an aquatic structure, including, but not limited to, reconfiguration of a pool or the addition of new plumbing and filtration pipes to an aquatic structure; provided, however, that this term does not include minor alterations, such as removal of a pool lip, replacing a pump, or replastering the inside of such structure.

*Residential pool or spa* means any man-made structure, basin, chamber, or tank containing or designed to contain a body of water to be used for human swimming, diving, aquatic sports, or other aquatic activity and that is located at a single-family home or a duplex.

*Spa* means a constructed permanent or portable structure that contains or is designed to contain hot or cold water and (i) is two feet or more in depth, (ii) has a surface area of 250 square feet or less or a volume of 3,250 gallons or less, (iii) is intended to be used for bathing or other recreational uses by human beings, (iv) is not drained and refilled

after each use, and (v) includes such elements as hydrojet circulation, mineral baths, air induction bubbles, or any combination thereof; regardless of whether its use has been abandoned or discontinued; provided, however, that this term does not include a residential pool or spa or a spa that has been abated.

VGBA means the Virginia Graeme Baker Pool and Spa Safety Act, 15 U.S.C. Section 8001 *et seq.*

**Sec. 43-3. Responsibilities of operator.**

(a) It shall be the responsibility of an operator to ensure that an aquatic structure is in full compliance with the applicable provisions of this chapter and the terms and conditions of any permit issued under this chapter.

(b) Each operator of a facility shall ensure that a person in charge is available during all hours of operation. The responsibilities of the operator under this subsection shall also apply to any other person having possession or control of the operation of the facility.

**Sec. 43-4. Applicability of chapter; inspection and compliance; penalty for violation.**

(a) Unless a variance is granted pursuant to section 43-7 of this Code, all provisions of this chapter shall apply to aquatic structures. No aquatic structure shall be operated within the city unless it conforms to the requirements of this chapter.

(b) The operator of a facility shall maintain on site a water quality testing device or kit capable of accurately testing for and measuring pH and disinfectant levels within certain chemical ranges in accordance with section 43-6 of this Code. Operational records of testing results and maintenance activities, including documentation of approved drain covers, shall be retained on site at a facility for not less than two years. However, to the extent that state or federal law requires a more lengthy record retention period, the records shall be retained for the entirety of the state or federally-mandated period.

(c) The health officer may inspect all aquatic structures to protect the public health and to ensure compliance with the provisions of this chapter; provided that in any case in which permission to inspect is denied, the health officer shall obtain an administrative search warrant.

(d) Except as provided in subsection (e), any person who violates any provision of this chapter, any rule or regulation promulgated by the health officer or any applicable state law, rule or regulation regarding pool safety shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not

less than \$250.00 nor more than \$2,000.00 for the first conviction. For any succeeding conviction, such person shall be fined not less than \$500.00 nor more than \$2,000.00. Each day that a violation continues shall constitute a separate offense.

(e) Notwithstanding any other provision of this chapter, the penalty for a violation of section 43-33(b) of this Code shall not exceed \$1,000.

**Sec. 43-5. Residential pool or spa: minimum standards.**

No permit is required to operate a residential pool or spa. Notwithstanding the foregoing, the operator of a residential pool or spa shall:

- (1) Maintain the water clarity standards so that an eight-inch black disk on the residential pool or spa floor at its deepest point can be clearly seen by an observer standing on the deck at a point closest to the disk;
- (2) Maintain the water so as to prevent the breeding or harborage of insects;
- (3) Maintain the water free of any odor that is foul or offensive to a person of reasonable sensibilities;
- (4) Keep the water free of algae; and
- (5) Maintain and operate the residential pool or spa in a manner that ensures no danger to human health or welfare or hazard to the public health.

**Sec. 43-6. Facilities: minimum standards.**

(a) Except as provided in subsection (b), the City adopts minimum standards for facilities that are identical to those pool safety standards contained in the following state and federal laws, all of which are incorporated herein:

- (1) The VGBA;
- (2) Chapter 757 of the Texas Health and Safety Code; and
- (3) Subchapters L and M of Chapter 265 of Title 25 of the Texas Administrative Code.

(b) The provisions of Section 265.208 of Title 25 of the Texas Administrative Code shall not apply to enforcement of this chapter.

(c) The operator of a facility shall maintain the facility in accordance with the pool safety standards adopted by the City pursuant to subsection (a).

**Sec. 43-7. Variances.**

(a) A person may request a variance from one or more requirements of this chapter by submitting to the health officer documentation of the proposed variance, including citations to the applicable chapter provisions and an explanation of how the potential public health hazard will be alternatively addressed by the proposal.

(b) The health officer may consider and grant variances from the provisions of this chapter when the health officer determines that the following conditions exist:

- (1) The imposition of the terms or standards of this chapter would deprive the applicant of the reasonable use of the aquatic structure;
- (2) The circumstances cited in support of the variance are not the result of a hardship imposed or created by the applicant;
- (3) The alterations proposed in the variance request will ensure that the general purposes of this chapter are observed and maintained; and
- (4) The granting of a variance will not be injurious to the public health, safety or welfare.

(c) Any variance granted under this section will apply only to the specific property and use requested by the applicant. All variances shall i) be in writing, ii) contain the findings upon which the variance was approved, iii) be signed by the health officer and iv) be maintained as a permanent record of the department.

(d) This section shall not be construed in any way to excuse any operator from compliance with state or federal laws, rules or regulations regarding pool safety or to limit the enforcement authority of state or federal officials with respect to state or federal laws, rules or regulations regarding pool safety or protection of the public health, safety or welfare.

**Sec. 43-8. Rules and regulations.**

The health officer shall promulgate rules and regulations necessary to protect the health, safety and welfare of the public relating to the design, construction and installation of all aquatic structures. The rules and regulations shall conform to the applicable provisions of this Code and the Construction Code. In the event of a conflict between this Code and the Construction Code,

the most restrictive provision shall control. A copy of the rules and regulations shall be provided to any person upon request.

**Sec. 43-9. Approval of plans and specifications.**

(a) No aquatic structure shall be constructed, remodeled, or altered except in accordance with plans and specifications approved by the health officer. An applicant shall submit two sets of properly prepared plans and specifications for the construction, remodeling, or alteration of an aquatic structure, along with a nonrefundable plan review fee, to the health officer for approval before the construction, remodeling, or alteration is begun. The health officer shall approve the plans and specifications if they meet the applicable requirements. If the plans and specifications do not meet all applicable requirements, the health officer shall reject the plans and provide the applicant a written explanation of the discrepancies between the applicable requirements and the existing plans and specifications. An applicant whose plans and specifications have been rejected may resubmit a revised set of plans and specifications for review.

(b) The plans and specifications shall comply with this chapter and all other applicable laws, rules and regulations, including the Construction Code. The plans and specifications shall include, at a minimum, such elements as the proposed layout, arrangement, and construction materials of an aquatic structure and its components. One set of the approved plans and specifications shall be given to the owner or contractor responsible for the construction of the aquatic structure. A second set of approved plans and specifications shall remain on file with the health officer.

(c) Any proposed change to the proposed layout, arrangement, and construction materials of an aquatic structure and its components after the first set of plans and specifications have been approved by the health officer shall be shown on revised plans and specifications which shall be submitted to and reviewed by the health officer. Upon approval prior to any work related to such elements, the approved changes shall be added to the original plans and specifications.

(d) An aquatic structure may not be constructed so as to discharge its wastes into a sanitary sewer or other public drainage system unless such discharge is approved in writing by the health officer and the utility official.

(e) All portions of the water distribution system of an aquatic structure shall be protected against backflow from the water into the city's water supply system. The fill line used to introduce water to the aquatic structure shall have a backflow device on the discharge side of the last gate valve or a six-inch air gap at the end of the fill line. The fill line shall not be connected directly to any of the

pipng or equipment of the circulation system. A fill line from the water supply to prime the pump shall not be allowed.

(f) A pool or spa shall be equipped with approved drain covers.

(g) The health officer shall inspect an aquatic structure that has been constructed, remodeled or altered prior to its operation to determine compliance with the approved plans and specifications and with all other applicable requirements. A preoperational inspection fee will be assessed in conjunction with the inspection of a facility. An aquatic structure that fails to pass this inspection may not be operated or used.

(h) No permit shall be issued to or renewed for any facility for which outstanding fees are owed to the city.

#### **Sec. 43-10. Landlord/tenant.**

The terms of this chapter shall not be construed to alter the terms of any lease or other agreement between landlord and tenant relating to property that is subject to this chapter; provided, however, that no lease or other agreement between landlord and tenant relating to property that is subject to this chapter shall be construed to excuse compliance by any person with this chapter or any applicable state or federal law, rule or regulation regarding pool safety.

#### **Secs. 43-11—43-30. Reserved.**

### ARTICLE II. PERMITS, INSPECTIONS, ENFORCEMENT, ETC.

#### **Sec. 43-31. Permitting requirement.**

(a) No person shall operate a facility without a permit issued by the health officer. An application for a permit shall be made on forms provided by the health officer and shall be accompanied by payment of the applicable permit fee. The information provided in the application shall include, at a minimum: i) the applicant's full name and post office address; ii) whether the applicant is an individual, firm, corporation or other type of entity, and, if a partnership, the names of the partners, together with their addresses; and iii) the location and type of proposed facility. If the health officer determines that the requirements of this chapter have been satisfied, a permit shall be issued to the applicant.

A permit shall be valid only for the location specified and may not be transferred to another location or to another owner of the property on which the facility is located. A copy of the permit shall be posted in view of the public, shall be valid for one year from the date of issuance and shall be renewed on or before the date of its expiration. A fee shall be imposed for reissuing a lost permit.

(b) If a permit renewal application is not received in the offices of the department in completed form and accompanied by the permit fee on or before the next business day after the date of expiration of the permit to be renewed, no renewal permit shall be issued prior to payment of a fee to defray the additional administrative costs associated with the permit renewal.

(c) The holder of a permit shall have a continuing duty to apply for an amended permit within thirty days after the occurrence of an event that causes a change in any information for which a representation or response was made in the original permit application. Failure to timely submit an application for an amendment shall cause the permit to become void. Applications for permit amendments shall be processed and amended permits shall be issued in accordance with the same criteria as original applications.

**Sec. 43-32. Compliance, inspections and investigations.**

(a) The health officer shall inspect each facility within the city at least once every 12 months and shall make as many additional inspections as are necessary for the enforcement of this chapter, taking into consideration all public health risks posed by the facility, consumer complaints, reports of illness outbreaks or the facility's past compliance history. Upon request, the operator shall provide the health officer with all records pertaining to the servicing, maintenance, and operation of the facility.

(b) The findings related to a facility inspection shall be recorded on an inspection report form, a copy of which report shall be provided for the person in charge of the facility. A copy of the inspection report shall be kept at the facility and may not be removed by any person except the health officer. The health officer shall maintain a copy of the inspection report in the departmental records.

(c) The inspection report form shall specify a specific time by which each violation must be corrected. The operator may be subject to criminal or civil penalties for a violation.

(d) Upon request of the operator of a facility, the health officer may allow an extension of the time in which to correct a violation. In determining whether to allow an extension and the length of the extension, the health officer shall consider the degree of risk, if any, posed by the violation and the time reasonably required to correct it. No extension shall be granted if the health officer determines that a significant risk is posed to the public.

(e) If the health officer determines that a reinspection is necessary to ascertain that the conditions responsible for a violation no longer exist, the operator shall be assessed a reinspection fee in conjunction with that reinspection.

(f) A facility that is required to or agrees to cease operations under the provisions of this section shall not resume operations until a reinspection by the health officer determines that the conditions responsible for the requirement to cease operations no longer exist.

(g) The health officer shall conduct all reinspections required under this section within a reasonable period of time. A permit shall not be renewed until all outstanding fees assessed under this chapter have been paid.

**Sec. 43-33. Enclosure of aquatic structures.**

(a) The operator of a residential pool or spa shall at all times maintain an enclosure that consists of a man-made, permanently installed fence, wall or barrier completely surrounding and enclosing the residential pool or spa. A building or existing wall may be used as part of an enclosure constructed as required herein. The enclosure shall:

- (1) Measure not less than four feet in height, with no openings, holes, or gaps larger than four inches as measured in any direction, except that such openings for a picket fence or a picket-type fence (one composed primarily of vertical members) shall be measured in a horizontal direction between members; and
- (2) Include self-closing and self-latching devices on the upper quarter of all gates and doors opening directly into the enclosure, so that the doors or gates remain securely closed at all times when not in actual use, except that the door of any residential dwelling that forms any part of the enclosure need not be so equipped.

(b) The operator of a facility that is regulated by Chapter 757 of the Texas Health and Safety Code shall at all times maintain an enclosure that complies with those provisions of that chapter adopted by reference in section 43-6(a) of this Code, and the city may remedy violations of this subsection in accordance with the provisions of Section 214.101 of the Local Government Code, including the placement of a lien against the property to recover expenses incurred pursuant to remediation.

(c) The operator of a facility that is regulated by Subchapter L of Chapter 265 of Title 25 of the Texas Administrative Code shall at all times maintain upon such property an enclosure that complies with the requirements of Section 265.200 of that subchapter adopted by reference in section 43-6(a) of this Code.

(d) It shall be unlawful for the operator of an aquatic structure to fail to comply with this section. Each day that a violation continues shall constitute a separate offense. A violation of this section is also a violation of article IX of chapter 10 of this Code.

(e) Any person may advise the appropriate enforcement officer regarding an enclosure that is damaged, deteriorated, substandard, dilapidated or otherwise in a state that poses a hazard to the public health, safety and welfare.

**Sec. 43-34. Violation of minimum standards for aquatic structures.**

(a) In the event of a violation of the minimum standards established by this chapter, the health officer shall provide written notice to the operator to abate, remove or otherwise remedy the violation immediately. The notice shall be given:

- (1) By personal hand delivery to the operator;
- (2) By letter addressed to the operator at the operator's post office address and sent by certified mail, return receipt requested; or
- (3) If personal service cannot be obtained or the operator's post office address is unknown:
  - a. By posting the notice on or near the front door of each building on the property to which the violation relates; or
  - b. By posting the notice on a placard attached to a stake driven into the ground on the property to which the violation relates, if the property contains no buildings.

(b) If the operator does not abate, remove or remedy the violation within ten days of service or posting of a notice under this section, the health officer may enter the property where the violation is occurring and perform any work necessary to protect the public health, safety and welfare.

(c) Notwithstanding the notice provisions of this section, upon any determination that the immediate abatement of a violation is necessary to protect the public health, safety or welfare, the health officer may enter the property where the violation is occurring and perform or cause to be performed any work necessary to protect the public health, safety and welfare.

(d) Pursuant to the authority granted by Chapter 342 of the Texas Health and Safety Code, the city may charge all costs incurred by the city under this section in remediating water quality issues, including the cost of providing notice as required, to the owner of the property. The city may assess the expenses against the property where the work was performed and obtain a lien against the property in accordance with the procedure established in Chapter 342 of the Texas Health and Safety Code.

(e) The remedy provided by this section is in addition to all other remedies available under this chapter or as otherwise provided by the Code or state or federal law.

**Sec. 43-35. Enforcement and closures.**

(a) The health officer is authorized to issue citations charging the violation of any of the provisions of this chapter and, to the extent authorized or permitted by law, any applicable state laws, rules or regulations regarding pool safety. In addition, the health officer may order a facility closed if the health officer determines:

- (1) That it is being operated without a valid permit; or
- (2) That the continued operation of the facility will constitute a hazard to the health or safety of persons using the facility or those in close proximity to the facility.

(b) Upon closure of a facility pursuant to this section, the person in charge of the facility shall immediately:

- (1) Properly post and maintain signs at all entrances to the facility that state: "CLOSED UNTIL FURTHER NOTICE"; and
- (2) Lock all doorways and gates that form a part of the facility enclosure, so that the facility is only accessible to maintenance or authorized personnel for repairs.

Signs required to be posted under this section shall be a minimum size of eight and one-half inches by eleven inches. The lettering shall be of a contrasting color to the background and not less than one inch in height. Signs shall be positioned so that they are readily visible to a person seeking entry to the facility.

(c) If the person in charge of the facility is absent, or fails or refuses to comply with the requirements of subsection (b), the health officer may post signs and secure the premises in accordance with this section.

(d) A person commits an offense under this section if the person:

- (1) Removes, defaces, alters, covers or renders unreadable a closure sign posted by the health officer; or
- (2) Uses a facility subject to a closure order for swimming, diving or bathing; or

- (3) Is a person in charge of a facility subject to a closure order and knowingly allows persons to use the facility for swimming, diving or bathing; or
- (4) Is a person in charge of a facility subject to a closure order and fails to comply with the requirements of this section.

(e) An operator may appeal a closure order within three days after the issuance of the order by filing a written statement with the health officer setting forth the reasons why the closure order should be rescinded. The filing of an appeal does not stay the closure order.

(f) A facility closed by the health officer shall not resume operation until a reinspection by the health officer establishes that the facility is in compliance with this chapter and all applicable state or federal laws and rules and regulations regarding pool safety.

#### **Sec. 43-36. Permit suspension.**

(a) The health officer may, upon notice to the permit holder, suspend a permit if the operator of a facility does not comply with the requirements of this chapter, or if the operation of the facility otherwise constitutes a hazard to public health. Suspension is effective upon service of the notice required by subsection (b) below. Upon issuance of a permit suspension, active pool operations shall immediately cease, and the permit shall be removed from the facility by the health officer and retained at the department until the suspension has terminated.

(b) Written notice of a permit suspension shall be provided to the operator of a facility by personal hand delivery or by certified mail, return receipt requested. The notice shall set forth:

- (1) The specific conditions at the facility that are in violation of this chapter, in violation of federal or state laws, rules or regulations regarding pool safety or constitute a hazard to public health;
- (2) That a hearing will be held before a hearing officer;
- (3) The date, time and place of the hearing; and
- (4) That the operator may appear in person, may be represented by counsel, and may present testimony and cross-examine all witnesses. The hearing shall be held not later than ten days after the date the permit is suspended.

(c) All hearings shall be conducted by a person designated by the director, who shall be referred to as the hearing officer. The director shall not

designate any person to perform the duties of hearing officer under this section who has participated in the inspection of the facility, or has prior knowledge of the allegations or circumstances discovered in the inspection or inspections, except that the person designated as hearing officer may, prior to the hearing, receive a copy of the notice given to the operator.

(d) All hearings shall be conducted under rules consistent with the informal nature of the proceedings; provided, however, the following rules shall apply:

- (1) Each party shall have the right to representation by a licensed attorney, although an attorney is not required.
- (2) Each party may present witnesses on his own behalf.
- (3) Each party has the right to cross-examine all witnesses.
- (4) The hearing officer may consider only the evidence presented at the hearing in rendering the order.

(e) If the operator fails to appear at the hearing at the time, place, and date specified, the health officer shall present sufficient evidence to establish a prima facie case showing violation of this chapter or conditions constituting a hazard to public health that formed the basis of the suspension of the permit.

(f) If the hearing officer determines that the facility was operated in violation of this chapter or constituted a hazard to public health, the hearing officer shall make written findings of fact and shall affirm the permit suspension until all violations of this chapter are corrected and any conditions constituting a hazard to public health are eliminated. If the hearing officer finds that the public interest will be adequately protected by a warning or other penalties authorized under this chapter, he may order the permit to be reinstated and impose such penalties. A copy of the findings and order of the hearing officer shall be sent by certified mail, return receipt requested, to the operator.

(g) Whenever the reason for a suspension no longer exists, the operator shall notify the health officer that the conditions under which the permit was suspended have been corrected and request a reinspection. The reinspection shall be conducted as soon as possible after the request is received and in any event no later than three regular working days after the receipt of the request.

**Section 43-37. Permit revocation.**

(a) A permit may be revoked for up to 180 days if:

- (1) The person in charge or his agents or employees fail or refuse to permit an inspection of the facility by a health officer; or
- (2) The department has found three or more violations of the applicable portions of this chapter or of federal or state laws, rules or regulations regarding pool safety within the preceding twelve-month period.

(b) Prior to the revocation of a permit, written notice shall be provided to the operator by personal hand delivery or by certified mail, return receipt requested. The notice shall set forth:

- (1) The grounds on which the city will seek revocation of the permit, including the specific violations of this chapter or of federal or state laws regulating pool safety on which the city will rely in seeking revocation of the permit;
- (2) That a hearing will be held before a hearing officer;
- (3) The date, time and location of the hearing; and
- (4) That the operator may appear in person, may be represented by counsel and may present testimony and cross-examine all witnesses. The hearing shall be held not later than ten days after the date the permit revocation notice is received.

(c) A permit revocation hearing under this section shall be held in accordance with the procedures set forth in section 43-36 of this Code.

(d) If the hearing officer determines that there are grounds for revocation of the permit, the hearing officer shall make written findings of fact and shall order the revocation of the permit for a period of not more than 180 days. A copy of the findings and order of the hearing officer shall be sent by certified mail, return receipt requested, to the operator.

(e) All operation of a facility shall cease immediately upon receipt of service of written notice that the permit for that facility has been revoked pursuant to subsection (d), and the health officer shall physically remove the permit from the premises.

(f) Reinstatement of a permit that has been revoked shall require application and payment of a permit fee as if it were an initial application. No new

permit application shall be considered for a facility where the permit has been revoked until the expiration of the revocation period.

**Sec. 43-38. Fees.**

(a) The health officer shall, from time to time, prepare and submit for approval by motion of the city council a schedule of fees that shall be paid pursuant to this chapter. The health officer may not charge any fee without obtaining the prior approval of the city council.

(b) All fees collected pursuant to this chapter shall be deposited in the swimming pool safety fund account established by the city council. Funds from this account may be expended only for the costs of activities related to the chapter such as permitting, inspection, monitoring, abating, controlling, education and enforcement.

**Sec. 43-39. Additional legal remedies.**

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

- (1) Enjoin any person from violating or threatening to violate the terms, conditions and restrictions of any permit issued under this chapter;
- (2) Enjoin the violation or threatened violation of the provisions of this chapter or of applicable state laws, rules or regulations regarding pool safety, to the extent permitted by law;
- (3) Recover civil penalties for violation of the terms, conditions and restrictions of any permit authorized under this chapter; or
- (4) Recover damages from the owner of property on which a violation has occurred in an amount adequate for the city to undertake any construction or other activity necessary to bring about compliance with this chapter.

(b) The city, acting through the city attorney or any other attorney representing the city, is hereby authorized to enter into agreements in lieu of litigation to achieve compliance with the terms, conditions and restrictions of any permit authorized under the provisions of this chapter.

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NOV 17 2010

MOTION NO. 2010

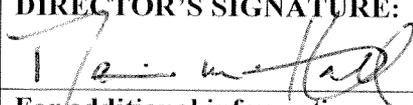
MOTION by Council Member Lovell that the recommendation of the Director of the Mayor's Office of Intergovernmental Relations, for approval of City of Houston Legislative Principles for the 82nd Session of the Texas Legislature, be adopted, and the attached Legislative Principles for the 82nd Session of the Texas Legislature are hereby approved by the City Council.

Seconded by Council Member Noriega

Council Members Johnson, Pennington, Hoang, Gonzalez and Bradford absent

On 11/9/10 the above motion was tagged by Council Member Jones.

cr

|   |  |   |                        |   |
|---|--|---|------------------------|---|
| <b>SUBJECT:</b><br>City of Houston Legislative Principles   |  | <b>Category #</b>   | <b>Page 1 of</b>       | <b>Agenda Item</b><br>44 #                                  |
| <b>FROM (Department or other point of origin):</b><br>Darrin Hall, Director<br>Mayor's Office of Intergovernmental Relations  |  | <b>Origination Date</b>   |                        | <b>Agenda Date</b><br><del>Nov 09 2010</del><br>NOV 17 2010 |
| <b>DIRECTOR'S SIGNATURE:</b><br>  |  | <b>Council District affected:</b><br>All                            |                        |   |
| <b>For additional information contact:</b> Darrin Hall, Director<br>Phone: 832-393-0833   |  | <b>Date and identification of prior authorizing Council action:</b> |                        |   |
| <b>RECOMMENDATION: (Summary)</b><br>Approve a motion adopting the City of Houston Legislative Principles for the 82nd Session of the Texas Legislature.   |  |   |                        |   |
| <b>Amount and Source of Funding:</b><br>None  |  |   | <b>Finance Budget:</b> |   |
| <b>SPECIFIC EXPLANATION:</b><br><br>The Administration recommends that the City Council adopt the City of Houston Legislative Principles for the 82nd Session of the Texas Legislature. The Principles will serve as the guiding document to instruct the City of Houston Government Affairs staff and lobby team in Austin. The City will only work on priority legislation that falls within the Principles.<br><br>The Principles document gives the City the necessary flexibility to work within the fast pace of the Texas Legislature while remaining within the approved priorities of the City of Houston. The City Council will receive regular updates and reports throughout the session from the Intergovernmental Relations Director on action taken pursuant to the Principles.<br><br>The adoption of Legislative Principles prior to previous sessions has been very successful in focusing the legislative efforts of the City.<br><br>The Legislative Principles were presented to the Council Committee on Budget and Fiscal Affairs on October 5, 2010. No vote taken due to lack of quorum. |  |   |                        |   |
| <b>REQUIRED AUTHORIZATION</b>   |  |   |                        |   |
| <b>Finance Director:</b>  |  | <b>Other Authorization:</b>   |                        | <b>Other Authorization:</b>                                 |



## **CITY OF HOUSTON LEGISLATIVE PRINCIPLES FOR THE 82<sup>nd</sup> SESSION OF THE TEXAS LEGISLATURE**

### **City of Houston Mission Statement**

The City of Houston will focus its proactive legislative efforts on the enhancement of the quality of life in Houston through emphasis on public safety and criminal justice initiatives; economic development and increasing jobs; strengthening neighborhoods; decreasing congestion; creating sustainable communities; addressing the challenges of regional air quality; making needed investments in drainage mitigation and upgrades; providing affordable housing opportunities; and making the government more efficient, responsive, and transparent.

All of this must be pursued with a focus on regional cooperation, while preserving local control and ending unfunded state mandates.

### **Regional Cooperation/General Government**

Oppose all unfunded state mandates that negatively affect the operations of the City of Houston either monetarily, by requiring state micro-management of local programs, or by limiting the City's local authority in employee relations and benefits, public safety, revenue collection, city operations or other local programs.

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

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

### **Public Safety/Criminal Justice**

Support improvements in the ability to train, deploy, and fund emergency operations and public safety personnel. Support legislative and administrative efforts to assist the City of Houston in preparation for and prevention of acts of

terrorism and emergencies, including the equitable, threat-based distribution of Homeland Security funds.

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

Support flexibility in uses for the juvenile case fund; increases in technology and security at municipal courts.

### **Neighborhood Improvement and Quality of Life**

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

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

Support legislation which reduces unnecessary regulatory burdens for removing dangerous buildings and urban blight.

### **Economic Development**

Support legislation enhancing economic development and fostering job creation in regional growth areas. Support legislative efforts to promote inner city redevelopment including the creation and maintenance of affordable housing. Support legislative and administrative initiatives to improve the economic viability of the Port and Houston Airport System, including the maintenance of a military component.

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

Support legislation that gives cities and local governments the ability to place a preference for local firms providing services or products to the City of Houston.

### **Environment & Public Utilities**

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

Support legislation promoting energy efficiency and the authority of local governments, the Public Utility Commission, Railroad Commission and the TCEQ

to have sufficient regulatory authority over industry participants to protect consumer interests and make the delivery systems more reliable and resilient.

Support Legislation which protects adequate compensation for the use of City of Houston property and public rights-of-way.

### **Mobility**

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

### **Other**

Support, where possible, other local governments, school districts, local colleges, universities and medical institutions, health care providers, non-profits, and film, arts and tourism.

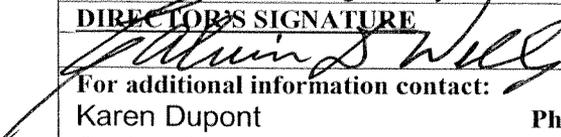
**REQUEST FOR COUNCIL ACTION**

**TO:** Mayor via City Secretary

**RCA# 8816**

|   |   |             |  |
|---|---|-------------|--|
| <b>Subject:</b> Formal Bids Received for Medical Equipment Supplies for the Fire Department<br>S21-S23496<br><br><i>motion made</i> | Category #<br>4   | Page 1 of 3 | Agenda Item<br><div style="border: 1px solid black; padding: 5px; display: inline-block;">                     45                 </div> ♀ |
|   | FROM (Department or other point of origin):<br>Calvin D. Wells<br>City Purchasing Agent<br>Administration & Regulatory Affairs Department |             |  |

|  |   |   |
|--|---|---|
| <b>FROM (Department or other point of origin):</b><br>Calvin D. Wells<br>City Purchasing Agent<br>Administration & Regulatory Affairs Department | <b>Origination Date</b><br>October 13, 2010 | <b>Agenda Date</b><br>NOV 17 2010<br><del>NOV 09 2010</del> |
|--|---|---|

|   |   |
|---|---|
| <b>DIRECTOR'S SIGNATURE</b><br>         | <b>Council District(s) affected</b><br>All                          |
| <b>For additional information contact:</b><br>Karen Dupont Phone: (713) 859-4934<br>Desiree Heath Phone: (832) 393-8742 | <b>Date and Identification of prior authorizing Council Action:</b> |

**RECOMMENDATION: (Summary)**  
 Approve various awards, as shown below, in an amount not to exceed \$8,495,029.34 for medical equipment supplies for the Fire Department.

|  |                       |
|--|-----------------------|
| Estimated Spending Authority: \$8,495,029.34 | <b>Finance Budget</b> |
| \$8,495,029.34 - General Fund (1000)         |                       |

**SPECIFIC EXPLANATION:**  
 The City Purchasing Agent recommends that City Council approve various awards, as shown below, in an amount not to exceed \$8,495,029.34 for medical equipment supplies for the Fire Department. It is further requested that authorization be given to make purchases, as needed, for a 60-month period. These new awards will consist of line items encompassing miscellaneous drugs, intravenous solutions, pharmaceuticals, emergency vehicle equipment, blood collection kits, infection control supplies, thermometers, biohazard bags, 2-ply bandages, stretcher sheets, blood pressure gauges, oxygen delivery cannulas, pro-splints, penlights, clipboards and safety glasses to be used by the Fire Department in emergency medical vehicles while transporting patients to medical facilities citywide.

This project was advertised in accordance with the requirements of the State of Texas bid laws. Twenty-nine prospective bidders downloaded the solicitation document from SPD's e-bidding website, and twenty nine bids were received as detailed in the attached support documentation.

✓ **Cardinal Health 200:** Award on its low bid for Group XX, Item Nos. 1 and 2 (safety catheters); Group XXII, Item Nos. 1 and 2 (tube holders); Group XXIII, Item Nos. 1 and 2 (alcohol and peroxide); Pharmaceuticals Section, Item Nos. 4, 5, 12, 16, 17, 19, 25 - 27 and 30 (lidocaine, hydrochloride, reteplase, midazolam; sodium chloride 50 ml. and 1000 ml. bags, albuterol sulfate inhalers, atrophine sulfate injections; benadryl and dextrose solution 5%); EMS Supplies Section, Item Nos. 3, 7, 9, 10, 22, and 42 (access IV bag devices, disposable tourniquets, alcohol preparation pads, hand cleaners, mercury free thermometers, and suction canisters); on its low complete bid meeting specifications for Group XIX, Item Nos. 1, 2 and 3 (syringes) and on its low bid meeting specifications for Group XXVIII, Item Nos. 1 and 2 (personal infection control gowns) in an amount not to exceed \$1,120,918.44.

✓ **Medical Products Supply, Inc.:** Award on its low complete bid for Group XXI, Item Nos. 1 thru 6 (safety catheters) in an amount not to exceed \$1,147,300.00.

✓ **Bound Tree Medical, LLC., Bid No. 2:** Award on its low bid for Group VIII, Item Nos. 1 thru 9 (laryngoscope disposable parts); Group IX, Item Nos. 1 thru 4 (oxygen ventilators); and EMS Supplies Section, Item No. 4

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

|                     |   |                                |             |
|---------------------|---|--------------------------------|-------------|
| Date:<br>10/13/2010 | Subject: Formal Bids Received for Medical Equipment Supplies for<br>the Fire Department<br>S21-S23496 | Originator's<br>Initials<br>LM | Page 2 of 3 |
|---------------------|---|--------------------------------|-------------|

(intraosseous needles) and on its low bid meeting specifications for Group XIII, Item Nos. 1 thru 4 (suction units and accessories); Pharmaceuticals Section, Item No. 2 (epinephrine injections 1:10,000); EMS Supplies Section, Item Nos. 1 and 24 (hypodermic needles 18 gauge and oxygen regulators) in an amount not to exceed \$1,113,696.64.

✓ **Kentron Health Care, Inc., Bid No. 1:** Award on its low bid for Group IV, Item Nos. 1 and 2 (oxygen delivery nebulizers); Group VII, Item Nos. 1 thru 10 (laryngoscope non-disposable parts); Group XI, Item Nos. 1 and 2 (disposable suction accessories); Group XXIV, Item Nos. 1 and 2 (forceps); EMS Supplies Section, Item Nos. 28, 29, 35, 45 - 47, 49, 50, 52, 54 and 58 (shears, stethoscopes, bandages, baby bunting, trauma dressings, surgical tape, splint arm boards, and isothermal rescue blankets) and on its low bid meeting specifications for EMS Supplies Section, Item No. 11 (hand wipes) in an amount not to exceed \$960,871.63.

✓ **SZY Holdings LLC dba Ever Ready First Aid and Medical Supply:** Award on its low bid for Group XIV, Item Nos. 1 and 2 (conforming bandages); Group XXVII, Item Nos. 1 and 2 (safety glasses); EMS Supplies Section, Item Nos. 27, 48, 53 and 57 (penlights, occlusive dressing, small splint arm boards and burn dressings) and on its low bid meeting specifications for Pharmaceuticals Section, Item No.1 (epinephrine injections 1:1000); and EMS Supplies Section, Item Nos. 15 and 37 (disposable bags and sanitary pads) in an amount not to exceed \$624,486.00.

✓ **Midwest Medical Supply Co., LLC :** Award on its low bid for Group III, Item Nos. 1 and 2 (oxygen delivery masks); Group XVI, Item Nos. 1 and 2 (cardiac diagnostic accessories); EMS Supplies Section, Item Nos. 21, 40 and 56 (blood pressure gauge, lubricating jelly, 2-ply bandages and stretcher sheets) and on its low bid meeting specifications for Group II, Item Nos. 1 and 2 (oxygen delivery cannulas); Group VI, Item Nos. 1 thru 9 (endotracheal cuffed tubes); Group X, Item Nos. 1 thru 5 (soft tip suction catheters), and EMS Supplies Section, Item Nos. 2 (endotracheal tubes) in an amount not to exceed \$1,515,513.90.

✓ **Moore Medical LLC.:** Award on its low bid for Pharmaceuticals Section, Item No. 20 (eye solutions); and EMS Supplies Section, Item Nos. 8, 25, 38 and 39 (buffered eyewash, mucosal atomization devices, professional clipboard and bite sticks) and on its low bid meeting specifications for Group XXV, Item Nos. 1 and 2 (thermometers); and Pharmaceuticals Section, Item No. 21 (baby aspirin) in an amount not to exceed \$166,875.60.

✓ **SWA International Company, LLC:** Award on its low bid for Group XII, Item Nos. 1 thru 5 (hand held suction and accessories) and on its low bid meeting specifications for Group I, Item Nos. 1 thru 5 (oral airways) in an amount not to exceed \$111,671.04.

✓ **Quadmed, Inc. :** Award on its on its low bid for EMS Supplies Section, Item No. 26 (ring cutters) and on its low bid meeting specifications for EMS Supplies Section, Item No. 51 (sterile 4" x 4" dressing) in an amount not to exceed \$361,320.00.

✓ **Emergency Medical Products:** Award on its low complete bid for Group XXVI, Item Nos. 1 thru 6 (rescue equipment supplies) and on its low bid meeting specifications for EMS Supplies Section, Item No. 59 (medical duct tape 2" x 60 yards) in an amount not to exceed \$291,526.14.

✓ **Henry Schein Matrix Medical:** Award on its low complete bid for Group XV, Item Nos. 1 thru 8 (pro-splints); Group XVII, Item Nos. 1 and 2 (pharmaceuticals); on its low bid for Pharmaceuticals Section, Item Nos. 6, 10, 11, 14, 18, 23 and 29 (magnesium sulfate, diazepam, vasopressin, dextrose preparations, sodium chloride 250 ml., adenosine adenocard, and calcium chloride 10%); and EMS Supplies Section, Item No. 12 (disinfectants) and on its low bid meeting specifications for Pharmaceuticals Section, Item Nos. 9 and 13 (nitroglycerin tablets and heparin) in an amount not to exceed \$1,019,529.95.

|                     |   |                                |             |
|---------------------|---|--------------------------------|-------------|
| Date:<br>10/13/2010 | Subject: Formal Bids Received for Medical Equipment Supplies for<br>the Fire Department<br>S21-S23496 | Originator's<br>Initials<br>LM | Page 3 of 3 |
|---------------------|---|--------------------------------|-------------|

**Ambu, Inc. (Bid No.1) :** Award on its low bid for EMS Supplies Section, Item No. 55 (electrodes) in an amount not to exceed \$61,320.00.

A bid was received from Bound Tree Medical LLC but was not considered due to a material defect as previously determined by the Legal Department. Specifically, Bound Tree Medical LLC (Bid No. 1) submitted its bid without an original signature.

Atlas Medical Supply, Inc. requested to have their bid withdrawn without prejudice due to the closing of their business.

Group XXIX, Personal Infection Control Gloves and Pharmaceuticals Section, Item Nos. 3, 7, 15 and 28 and EMS Supplies Section, Item Nos. 5, 6, 13, 16, 18 - 20, 23, 30 thru 34, 36, 41, 43 and 44 are not being awarded. These items will be purchase on an as needed basis.

Purchase orders will be issued to the low bidders for EMS Supplies Section, Item Nos. 14 and 17 as the award is less than \$50,000.00.

**MWBE Subcontracting:**

This bid was issued with a 3% goal for MWBE participation. **Cardinal Health, 200** has designated the below-named as its certified MWBE subcontractor:

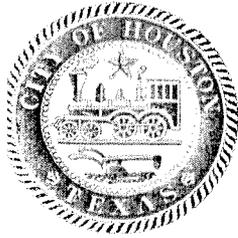
| <u>NAME</u>   | <u>TYPE OF SERVICE</u> | <u>AMOUNT</u> |
|---|------------------------|---------------|
| Jackson and Associates<br>dba Deal Medical and Safety<br>Supply | Medical Supplies       | \$33,627.55   |

Buyer: L. Marquez

Attachment: MWBE zero-percentage goal document approved by the Affirmative Action Division for Medical Products Supply, Inc., Bound Tree Medical, LLC, Kentron Health Care, Inc., SZY Holdings LLC dba Ever Ready First Aid and Medical Supply, Midwest Medical Supply Co., LLC, Moore Medical LLC, SWA International Company, LLC, Quadmed, Inc. Emergency Medical Products and Henry Schein Matrix Medical.

**Estimated Spending Authority**

| <u>DEPARTMENT</u> | <u>FY 2011</u> | <u>OUT YEARS</u> | <u>TOTAL</u>   |
|-------------------|----------------|------------------|----------------|
| Fire              | \$1,142,241.40 | \$7,352,787.94   | \$8,495,029.34 |



# CITY OF HOUSTON

# Interoffice

Administration & Regulatory Affairs Department  
Strategic Purchasing Division (SPD)

Correspondence

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

From: Laura A. Marquez

Date: 09/27/2010

Subject: MWBE Participation Form

I am requesting a waiver of the MWBE Goal: Yes  No  Type of Solicitation: Bid  Proposal

I am requesting a MWBE goal below 11% (To be completed by SPD, and prior to advertisement): Yes  No

I am requesting a revision of the MWBE Goal: Yes  No  Original Goal: 3% New Goal: 0% *PDG*

If requesting a revision, how many solicitations were received: 31

Solicitation Number: S21-S23496 Estimated Dollar Amount: \$7,808,503.3 *9/28/10*

Anticipated Advertisement Date: 12/14/2009 Solicitation Due Date: 2/4/2010

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

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

Name and Intent of this Solicitation:  
Medical Equipment Supplies for Fire Department.

*X.3% to DEAL MEDICAL  
AWARDED BY  
Cardinal Health  
ROG*

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

Medical equipment supplies ordered by the department from Medical Products Supply, Inc., Bound Tree Medical, LLC, Kentron Healthcare, Inc., Ever Ready First Aid and Medical Supply, Midwest Medical Supply, Moore Medical, LLC., SWA International Company, Quadmed, Emergency Medical Products, Inc., and Henry Schein Matrix Medical will be dropped shipped directly to the City by UPS/FED EX. The prospective bidders are out of town and not able to meet the 3% MWBE goal. However, Cardinal Health, 200 has designated Deal Medical as their subcontractor with a 3% goal.

Concurrence:

SPD Initiator

Division Manager

Robert Gallegos, Deputy Assistant Director  
\*Affirmative Action

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

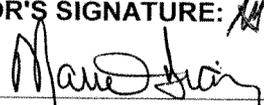
\* Signature is required, if the request is for zero percent MWBE participation, or to revise the MWBE goal.

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

|   |                     |                    |   |
|---|---------------------|--------------------|---|
| <b>SUBJECT:</b> Agreement for Professional Engineering Services with A&S Engineers, Inc. for Engineering Design Services for the Horsepen Bayou Drainage Improvements at Ellington Airport (EFD), Project No. 671 (WBS # A- 000593-0001-3-01) | <b>Category # 9</b> | <b>Page 1 of 2</b> | <b>Agenda Item #</b><br><div style="font-size: 2em; text-align: center;">46</div> <div style="font-size: 2em; text-align: center;">20</div> |
|---|---------------------|--------------------|---|

|  |   |   |
|--|---|---|
| <b>FROM (Department or other point of origin):</b><br>Houston Airport System | <b>Origination Date</b><br>September 15, 2010 | <b>Agenda Date</b><br>NOV 17 2010<br><del>NOV 08 2010</del> |
|--|---|---|

|   |  |
|---|--|
| <b>DIRECTOR'S SIGNATURE:</b><br> | <b>Council District affected:</b><br>E |
|---|--|

|  |  |
|--|--|
| <b>For additional information contact:</b><br>Eric R. Potts <i>ERP</i> Phone: 281-233-1999<br>Robert Bielek <i>RB</i> 281-233-1941 | <b>Date and identification of prior authorizing Council action:</b><br>N/A |
|--|--|

|   |                                     |
|---|-------------------------------------|
| <b>AMOUNT &amp; SOURCE OF FUNDING:</b><br>CIP No. A-0593.01 \$700,000.00 Arprt Improvemnt Fd (8011)<br><i>INW</i> | <b>Prior appropriations:</b><br>N/A |
|---|-------------------------------------|

**RECOMMENDATION: (Summary)**  
 Enact an Ordinance to approve an agreement for Professional Engineering Services with A&S Engineers, Inc. and appropriate the necessary funds to finance the cost of these services.

**PROJECT LOCATION:** Ellington Airport (EFD)

**SPECIFIC EXPLANATION:** The Houston Airport System (HAS) solicited a Request for Qualifications (RFQ) for a firm to provide engineering design services for Horsepen Bayou drainage improvements at Ellington Airport (EFD). Twelve firms responded to the RFQ. A six member selection committee evaluated the proposals and interviewed the six shortlisted firms. Based on the selection criteria (firm/team characteristics, assigned personnel, project experience, project organization and management, project schedule, presentation and interviews), the committee recommended that a contract be awarded to A&S Engineers, Inc.

Services to be provided include data collection for all existing utilities, topographic surveying, geotechnical investigation, wetlands delineation and environmental investigation. Also, A&S Engineers, Inc. will conduct a study and prepare preliminary engineering reports for detention pond site alternatives, pipelines and utility issues, and a multi-purpose recreational and detention pond plan for Sylvan Rodriguez Park.

- A&S Engineers, Inc. will prepare design and construction documents (plan and specifications) for the following:
- Widen Horsepen Bayou channel from Runway 17R-35L to the confluence with a channel
  - Provide storage volume at a location on the southeast side of EFD
  - Perform hydraulic analysis for modeling the overflow weirs at the detention pond
  - Expand the existing box culverts under Runway 17R-35L with headwalls on both ends
  - Modify the Runway 17R-35L threshold for a shorter version with pavement striping and temporary lighting system
  - Prepare Storm Water Pollution Prevention Plans for erosion control
  - Submit the design plans and construction cost estimates at 30%, 65% and 95%
  - Prepare and submit the final design drawings

**REQUIRED AUTHORIZATION**

|                            |                             |                             |
|----------------------------|-----------------------------|-----------------------------|
| <b>Finance Department:</b> | <b>Other Authorization:</b> | <b>Other Authorization:</b> |
|----------------------------|-----------------------------|-----------------------------|

|                                   |   |                                    |                              |
|-----------------------------------|---|------------------------------------|------------------------------|
| <b>Date</b><br>September 15, 2010 | <b>Subject:</b> Agreement for Professional Engineering Services with A&S Engineers, Inc. for Engineering Design Services for the Horsepen Bayou Drainage Improvements at Ellington Airport (EFD), Project No. 671 (WBS # A- 000593-0001-3-01) | <b>Originator's Initials</b><br>BS | <b>Page</b><br><b>2 of 2</b> |
|-----------------------------------|---|------------------------------------|------------------------------|

All design, such as electrical, pavement, marking, drainage, etc., must adhere to the latest applicable FAA Circulars as of the date of the construction bid package.

The contract term for the design phase is 8 months.

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

**PROJECT COST:** The total amount to be appropriated for this agreement is \$700,000.00.

**M/WBE PARTICIPATION:** The Minority Women Business Enterprise (M/WBE) goal for this agreement is twenty point twenty-eight percent (20.28%) and will be met by the following certified firms:

| Firms                               | Type of Work                                     | Amount        | %       |
|-------------------------------------|--|---------------|---------|
| Grounds Anderson, LLC               | Hydrology & Hydraulic Model Analysis             | \$ 70,000.00  | 10.00 % |
| Landtech Consultants, Inc.          | Survey Services                                  | \$ 96,000.00  | 13.71 % |
| HVJ Associates, Inc.                | Geotechnical Investigation                       | \$ 84,555.00  | 12.08 % |
| Separation System Consultants, Inc. | Environmental Assessment & Nationwide Permitting | \$ 35,000.00  | 5.00 %  |
|                                     | Total  | \$ 285,555.00 | 40.79 % |

R

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

|  |                   |                       |                      |
|--|-------------------|-----------------------|----------------------|
| <b>SUBJECT:</b> Construction Contract with United Restoration and Preservation, Inc. for the Repair of Parking Structures at William P. Hobby Airport (HOU) Project No. 592; (WBS # A-000310-003-4-01) | <b>Category #</b> | <b>Page</b><br>1 of 2 | <b>Agenda Item #</b> |
|  |                   | 47                    | 27                   |

|  |   |   |
|--|---|---|
| <b>FROM (Department or other point of origin):</b><br>Houston Airport System | <b>Origination Date</b><br>October 26, 2010 | <b>Agenda Date</b><br><del>                    </del> |
|--|---|---|

|  |  |
|--|--|
| <b>DIRECTOR'S SIGNATURE:</b> <i>Kae</i><br><br><i>Martin</i> | <b>Council District affected:</b> NOV 17 2010<br><br>I |
|--|--|

|   |  |
|---|--|
| <b>For additional information contact:</b><br>Eric R. Potts <i>ERP</i> Phone: 281-233-1999<br>Robert Bielek <i>RBK</i> 281-233-1941 | <b>Date and identification of prior authorizing Council action:</b><br>N/A |
|---|--|

|  |                                     |
|--|-------------------------------------|
| <b>AMOUNT &amp; SOURCE OF FUNDING:</b><br>CIP No. A-0310.05 \$10,143,717.72 Arprt Improvemnt Fd (8011)<br>CIP No. A-0422.94 \$ 155,714.97 Arprt Improvemnt Fd (8011)<br>Total <i>JB</i> <i>INW</i> \$10,299,432.69 | <b>Prior appropriations:</b><br>N/A |
|--|-------------------------------------|

**RECOMMENDATION: (Summary)**  
Enact an Ordinance to award a construction contract to United Restoration and Preservation, Inc. and appropriate necessary funds to finance the cost of these services.

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

**SPECIFIC EXPLANATION:** This project consists of repair, rehabilitation and reconstruction of deteriorated areas within the primary parking garage at HOU. The work includes replacement of twelve (12) bridges connecting the helix ramps with the garage, crack and spall repairs in the concrete decks, replacement of expansion joints, surface leveling and replacement of the wearing surface, repair and replacement of the post-tensioning tendons and anchorages, construction of ADA compliant ramps and markings, installation of an epoxy traffic surface, repair of concrete delamination, and marking of the parking decks and ramps.

The contract term is 730 days. The project is planned in eight stages to minimize the impact of construction on the capacity and operation of the garage. Design and preparation of contract documents was done by Whitlock, Dalrymple, Poston and Associates, Inc.

**BID DATE:** Bids received on July 8, 2010 were as follows:

- 1. United Restoration and Preservation, Inc. \$8,897,998.00
- 2. Gibson & Associates, Inc. \$9,148,880.00
- 3. SCR Construction Co., Inc. \$9,305,614.00

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 benefits to eligible employees in compliance with City policy.

REQUIRED AUTHORIZATION

|                            |                             |                             |
|----------------------------|-----------------------------|-----------------------------|
| <b>Finance Department:</b> | <b>Other Authorization:</b> | <b>Other Authorization:</b> |
|----------------------------|-----------------------------|-----------------------------|

October 26, 2010

**Subject:** Construction Contract with United Restoration and Preservation, Inc. for the Repair of Parking Structures at William P. Hobby Airport (HOU) Project No. 592; (WBS # A-000310-003-4-01)

RV

Page  
2 of 2

**ENGINEERING SERVICES TESTING CONTRACT:** Engineering and testing services for this contract will be provided by Fugro under Contract No. 73356.

**PROJECT COST:** The total amount to be appropriated for this contract is as follows:

|                        |                                       |
|------------------------|---------------------------------------|
| \$ 8,897,998.00        | Construction Services                 |
| \$ 889,799.80          | Construction Contingency (10%)        |
| \$ 355,919.92          | Engineering and Testing Services (4%) |
| \$ 155,714.97          | Civic Art (1.75%)                     |
| <u>\$10,299,432.69</u> | TOTAL APPROPRIATION                   |

**M/WBE PARTICIPATION:** This contract has a five percent (5%) MBE and a ten percent (10%) SBE participation goal, which comprises a total M/SBE goal of fifteen percent (15%). The goal will be met by the following certified firms:

| <u>Firms</u>                                 | <u>Type of Work</u> | <u>Amount</u>  | <u>%</u> |
|--|---------------------|----------------|----------|
| Medisco Imaging, Inc. (SBE)                  | Concrete Repairs    | \$ 92,578.00   | 1.04%    |
| Baseline Paving and Construction, Inc. (SBE) | Concrete            | \$ 304,780.00  | 3.42%    |
| Sandco Plumbing Signature Services (MBE)     | Plumbing            | \$ 450,000.00  | 5.05%    |
| TAG Electric Company L.P. (SBE)              | Electrical          | \$ 435,600.00  | 4.90%    |
| Integris Roofing Services, LLC (SBE)         | Roofing             | \$ 57,600.00   | 0.64%    |
|  | TOTAL               | \$1,340,558.00 | 15.05%   |

This participation plan has been reviewed and approved by HAS Small Business and Contract Compliance Office.



ANNISE D. PARKER  
MAYOR

OFFICE OF THE MAYOR  
CITY OF HOUSTON  
TEXAS

48  
NOV 17 2010

November 12, 2010

The Honorable City Council  
Houston, Texas

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

Dear Council Members:

I appoint the following individual as Full-Time Municipal Court Judge, subject to Council confirmation. The Judge shall serve a two-year term beginning immediately upon Council confirmation.

| Names    | Position |
|----------|----------|
| MiHoa Vo | 3        |

The résumé of the nominee is attached for your review.

Sincerely,

Annise D. Parker  
Mayor

AP:JC:jsk

Attachments

cc: The Honorable Barbara E. Hartle, Presiding Judge of Municipal Courts  
Marty Stein, Agenda Director, Mayor's Office  
Jenn Char, Director, Boards and Commissions