

AGENDA - COUNCIL MEETING - WEDNESDAY - JANUARY 5, 2011 - 9:00 A. M.
COUNCIL CHAMBER - SECOND FLOOR - CITY HALL
901 BAGBY - HOUSTON, TEXAS

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

PRAYER AND PLEDGE OF ALLEGIANCE - Council Member Adams

9:00 A. M. - ROLL CALL

ADOPT MINUTES OF PREVIOUS MEETING

9:30 A. M. - PUBLIC SPEAKERS - Pursuant to City Council Rule 8, City Council will hear from members of the public; the names and subject matters of persons who had requested to speak at the time of posting of this Agenda are attached; the names and subject matters of persons who subsequently request to speak may be obtained in the City Secretary's Office

MAYOR'S REPORT - Human Resources Department

CONSENT AGENDA NUMBERS 1 through 40

MISCELLANEOUS - NUMBERS 1 and 2

1. CONFIRMATION of the appointment of **MS. ANN COLLUM** to Position 10 of the **HOUSTON ARCHAEOLOGICAL AND HISTORICAL COMMISSION BOARD OF DIRECTORS**, for a two year term that will end March 1, 2012
2. RECOMMENDATION from Director Department of Public Works & Engineering for payment of \$641,104.00 for permit fees to the **HARRIS-GALVESTON SUBSIDENCE DISTRICT** for 2011 groundwater withdrawal permit fees - Enterprise Fund

ACCEPT WORK - NUMBERS 3 and 4

3. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,153,134.94 and acceptance of work on contract with **TOTAL CONTRACTING LIMITED** for Safe Sidewalk Program-03 - 4.99% over the original contract amount - **DISTRICT H - GONZALEZ**
4. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$3,666,881.19 and acceptance of work on contract with **INSITUFORM TECHNOLOGIES, INC** for Sanitary Sewer Rehabilitation by Cured-In-Place Pipe Method 2.14% under the original contract amount - **DISTRICT C - CLUTTERBUCK**

AGENDA - JANUARY 5, 2011 - PAGE 2

PROPERTY - NUMBER 5

5. RECOMMENDATION from Director Department of Public Works & Engineering to purchase Parcel AY10-009, located at 1000 South Victory Drive, owned by Martha Countee Whiting, Brenda Countee McKerson, Rutherford Augustus Countee, Jr., and Jane A. Countee, Individually and as Executrix of the Estate of Dr. Roger Wingfield Countee, for the **ELLA BOULEVARD (WHEATLEY STREET) PAVING PROJECT from Little York to West Gulf Bank** - \$76,234.00 Street & Bridge Consolidated Construction Fund - **DISTRICT B - JOHNSON**

PURCHASING AND TABULATION OF BIDS - NUMBERS 6 through 10

6. ORDINANCE appropriating \$887,532.21 out of C & E Construction Fund for Carpet Replacement Project at the George R. Brown Convention Center for Convention & Entertainment Facilities Department
 - a. **TAI PING CARPETS AMERICAS, INC** for Carpet Replacement Project at the George R. Brown Convention Center for Convention & Entertainment Facilities Department - \$822,768.77 and contingencies for a total amount not to exceed \$863,907.21 - Enterprise Fund
7. **GLOBE ELECTRIC SUPPLY COMPANY, INC** - \$66,943.50 and **PARADIGM TRAFFIC SYSTEMS, INC** - \$61,919.20 for Traffic Signal System Parts and Equipment for Department of Public Works & Engineering - Grant Fund
8. ORDINANCE appropriating \$850,000.00 out of Water & Sewer System Consolidated Construction Fund for Purchase of Climber Screens Mechanical Bar Screens for Public Works & Engineering Department
 - a. **INFILCO DEGREMONT, INC** for Climber Screens® Mechanical Bar Screens for Department of Public Works & Engineering - \$1,276,667.00 Enterprise Fund - \$426,667.00 Combined Utility System General Purchase Fund
9. **LUCIER CHEMICAL INDUSTRIES LTD., dba LCI, LTD.** for Chemical, Hydrofluorosilicic Acid for Department of Public Works & Engineering - 5 Years - \$5,011,408.40 - Enterprise Fund
10. **J. TYLER SERVICES, INC** - \$184,409.74 and **ALLSTEEL, INC** - \$132,690.73 for Office Furniture from the State of Texas Procurement and Support Services Contract through the State of Texas Cooperative Purchasing Program for Various Departments - General, Enterprise, Stormwater and Parking Management Operating Funds

ORDINANCES - NUMBERS 11 through 40

11. ORDINANCE **AMENDING VARIOUS PROVISIONS OF CHAPTER 18 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to Ethics and Financial Disclosure; declaring certain conduct to be unlawful and providing penalties therefor; containing findings and other provisions relating to the foregoing subject; providing for severability
12. ORDINANCE amending City of Houston Ordinance Nos. 2009-420, passed on May 13, 2009, and 2010-372, passed on May 12, 2010, which approved and authorized submission of the 2009 and 2010 Consolidated Action Plans, respectively, to the United States Department of Housing and Urban Development, including Community Development Block Grant Program applications for the 35th and 36th Program Years, among others
13. ORDINANCE approving and authorizing contract between the City of Houston and **COALITION FOR THE HOMELESS OF HOUSTON/HARRIS COUNTY** providing up to \$187,498.00 in Community Development Block Grant Funds for the Operation of a Homeless Services Database and provision of other homeless related information services - 1 Year - Grant Fund

ORDINANCES - continued

14. ORDINANCE authorizing and approving agreement between the City of Houston and **HOUSTON AREA COMMUNITY DEVELOPMENT CORPORATION** for Performance-Based Loan of Federal "HOME" Funds in the amount of no more than \$3,000,000.00 for the construction of a 160-unit single room occupancy apartment complex located at 4415 Perry Street to be rented to low and very-low income individuals - **DISTRICT D - ADAMS**
15. ORDINANCE approving and authorizing an Interlocal Agreement between the City and **THE UNIVERSITY OF TEXAS HEALTH SCIENCE CENTER AT HOUSTON** for Laboratory Manager for the Houston Department of Health & Human Services Public Health Laboratory; providing a maximum contract amount - 4 Years - \$408,792.80 - General Fund
16. ORDINANCE relating to the fiscal affairs of the East Downtown Redevelopment Authority on behalf of **REINVESTMENT ZONE NUMBER FIFTEEN, CITY OF HOUSTON, TEXAS (EAST DOWNTOWN ZONE)**; approving the Fiscal Year 2011 Operating Budget for the Authority and the Fiscal Years 2011-2015 Capital Improvements Budget for the Zone - **DISTRICTS H - GONZALEZ and I - RODRIGUEZ**
17. ORDINANCE relating to **REINVESTMENT ZONE NUMBER FIFTEEN, CITY OF HOUSTON, TEXAS (EAST DOWNTOWN ZONE)** and the development and construction of a public professional soccer stadium therein; approving the second amendment to the Project Plan and Reinvestment Zone Financing Plan for the Zone and authorizing the City Secretary to distribute such plans; extending the duration of the Zone to December 31, 2040; and authorizing the East Downtown Redevelopment Authority to issue bonds in an amount not to exceed \$50,000,000 **DISTRICTS H - GONZALEZ and I - RODRIGUEZ**
18. ORDINANCE approving and authorizing Interlocal Agreement among the City of Houston, Texas, **REINVESTMENT ZONE NUMBER FIFTEEN, CITY OF HOUSTON, TEXAS (EAST DOWNTOWN ZONE)**, and the **EAST DOWNTOWN REDEVELOPMENT AUTHORITY** relating to the funding, design, and construction of a public professional soccer stadium in the East Downtown Zone - **DISTRICTS H - GONZALEZ and I - RODRIGUEZ**
19. ORDINANCE **AMENDING SECTION 4620 OF THE BUILDING CODE OF THE CITY OF HOUSTON, TEXAS, THE HOUSTON SIGN CODE**, to expand and revise the boundaries of the East Side Sports and Convention Complex District and to amend the definition of special facility **DISTRICT I - RODRIGUEZ**
20. ORDINANCE approving and authorizing agreement between the City of Houston, Texas and the **GREATER HOUSTON PARTNERSHIP, INC** for Professional Services - 1 Year - \$376,125.00 Enterprise Fund
21. ORDINANCE appropriating \$600,000.00 out of Equipment Acquisition Consolidated Fund for conversion of data from the Municipal Court's Integrated Case Management System to it's Court System Management and Resource Technology System pursuant to contract, (Approved by Ordinance No. 2008-806); providing funding for contingencies related to the project and for services under contract with **HOV SERVICES, LTD.**
22. ORDINANCE de-appropriating \$85,168.00 from Construction Contract with DivisionOne Construction, LP previously approved by Ordinance 2007-0684 and appropriating said sum to fund a Compromise and Settlement Agreement with **PIERCE GOODWIN ALEXANDER & LINVILLE ("PGAL")**; approve Compromise and Settlement Agreement with PGAL to settle contract disputes arising out of Architectural Services Contract approved by Ordinance No. 2005-0126 - **DISTRICT D - ADAMS**

ORDINANCES - continued

23. ORDINANCE amending License Agreement with **AMERICAN TOWERS, INC**, Licensor, and the City of Houston, Texas, Licensee, approved by Ordinance No. 2009-0880, to allow for an increase of the monthly license fee from \$4,635.00 to \$7,335.00 and the payment of \$20,000.00 for remediation costs associated with structural improvements to accommodate the additional equipment, all in connection with a new Public Safety Radio System located at 5525 County Road 48, Rosharon, Texas
24. ORDINANCE appropriating \$12,356,924.00 out of Reimbursement of Equipment/Projects Fund as an additional appropriation to contract between the City of Houston and **SIEMENS INDUSTRY, INC** for Implementation of Energy Conservation Measure at Parks and Recreation Department Facilities for the General Services Department (Approved by Ordinance No. 2010-317)
25. ORDINANCE appropriating \$30,693.00 out of Solid Waste Consolidated Construction Fund for Purchase and Installation of CCTV and Access Control Security Equipment at the Northeast Service Center for the Solid Waste Management Department under an existing contract (Approved by Ordinance No. 2007-0972) with **BL TECHNOLOGY, INC** - **DISTRICT B - JOHNSON**
26. ORDINANCE amending Ordinance 2007-1144 to increase the maximum contract amount and approving second amendment to the Interlocal Agreement with **GEOTECHNOLOGY RESEARCH INSTITUTE** - \$3,168,000.00 - American Recovery Reinvestment Act
27. ORDINANCE appropriating \$1,397,180.00 out of Airports Improvement Fund; amending Ordinance No. 2009-1381 to increase the maximum purchase order amount; authorizing the purchase of two additional Passenger Loading Bridges for the Houston Airport System from **THYSSENKRUPP AIRPORT SYSTEMS, INC** (Project No. 500P) - **DISTRICT B - JOHNSON**
28. ORDINANCE finding and determining public convenience and necessity for the acquisition of real property interests for rights-of-way in connection with the public improvement project known as the Airline Drive Paving Project (from North Main to IH-610); authorizing the acquisition of certain real property interests required for the project and further authorizing payment of the costs of such purchases and/or eminent domain proceedings and associated costs for Appraisal Fees, Title Policies/Services, Recording Fees, Court Costs, and Expert Witness Fees in connection with the acquisition of Fee Simple Title Interest in or easements to 32 parcels of land situated in the John Austin Survey, Abstract No. 1, In Harris County, Texas, said parcels of land being located along the east and west lines of Airline Drive from North Main to IH-610 in Houston, Harris County, Texas - **DISTRICT H - GONZALEZ**
29. ORDINANCE finding and determining public convenience and necessity for the acquisition of real property interests for rights-of-way in connection with the public improvement project known as the Hirsch Road Reconstruction Project (from Kelly to Crosstimbers); authorizing the acquisition by donation, purchase, or eminent domain of certain real property interests in and to an additional twenty-five parcels of land needed for the project and further authorizing payment of the costs of such purchases and/or eminent domain proceedings and associated costs for Appraisal Fees, Title Policies/Services, Recording Fees, Court Costs, and Expert Witness Fees in connection with the acquisition of Fee Simple Title or easements to such twenty-five parcels of land situated in the J. T. Harrell Survey, A-329, and in the Harris and Wilson Two League Grant, A-32, in Harris County, Texas; said parcels of land being located along, abutting and adjacent to the east and west lines of Hirsch Road between Kelly and Crosstimbers in Houston, Harris County, Texas **DISTRICT B - JOHNSON**

ORDINANCES - continued

30. ORDINANCE finding and determining public convenience and necessity for the acquisition of real property interests for rights-of-way in connection with the public improvement project known as the Yale Street Improvements Project (from Tidwell to West Parker); authorizing the acquisition of certain real property interests required for the project and further authorizing payment of the costs of such purchases and/or eminent domain proceedings and associated costs for Appraisal Fees, Title Policies/Services, Recording Fees, Court Costs, and Expert Witness Fees in connection with the acquisition of Fee Simple Title Interest in or easements to 44 parcels of land situated in the Ashbell Smith Survey, Abstract No. 726, In Harris County, Texas, said parcels of land being along the east and west lines of Yale Street from Tidwell to West Parker in Houston, Harris County, Texas - **DISTRICT H - GONZALEZ**
31. ORDINANCE appropriating \$6,900,000.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Fifth Amendment to Professional Engineering Services Contract between the City of Houston and **LOCKWOOD, ANDREWS & NEWNAM, INC** (Approved by Ordinance No. 2006-0277) for the Surface Water Transmission Program
32. ORDINANCE approving and authorizing first amendment to Professional Landscape Architectural Services Contract between the City of Houston and **CLARK CONDON ASSOCIATES, INC** (Approved by Ordinance No. 2009-0973); allocating an additional \$35,846.84 out of Grant Funds for the Design of Museum District/Main Street Corridor Improvement Project - **DISTRICTS C - CLUTTERBUCK and D - ADAMS**
33. ORDINANCE appropriating \$4,555,876.00 out of Metro Projects Construction Fund and \$571,124.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **SER CONSTRUCTION PARTNERS, LTD.** for Reconstruction of Buffalo Speedway from North Braeswood Boulevard to Holcombe Boulevard; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering, testing, CIP Cost Recovery, and contingencies relating to construction of facilities financed by the Metro Projects Construction Fund and Water & Sewer System Consolidated Construction Fund **DISTRICT C - CLUTTERBUCK**
34. ORDINANCE appropriating \$1,052,022.04 out of Street & Bridge Consolidated Construction Fund awarding contract to **ANGEL BROTHERS ENTERPRISES, LTD.** for American Recovery and Reinvestment Act - Local Rehabilitation Projects STP 2010 (675)ES Etc.; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering, testing, CIP Cost Recovery, and contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund \$5,369,074.96 American Recovery and Reinvestment Act Fund - **DISTRICTS A - STARDIG; B - JOHNSON; C - CLUTTERBUCK; D - ADAMS; F - HOANG; G - PENNINGTON; H - GONZALEZ and I - RODRIGUEZ**
35. ORDINANCE appropriating \$497,394.00 out of Street & Bridge Consolidated Construction Fund, awarding contract to **DURWOOD GREENE CONSTRUCTION CO.** for American Recovery and Reinvestment Act - Clinton Drive Rehabilitation and Overlay Project; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering testing, CIP Cost Recovery, and contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund - \$2,900,406.00 American Recovery and Reinvestment Act Fund - **DISTRICTS E - SULLIVAN and I - RODRIGUEZ**

ORDINANCES - continued

36. ORDINANCE appropriating \$624,789.00 out of Street & Bridge Consolidated Construction Fund awarding contract to **FORDE CONSTRUCTION COMPANY, INC** for American Recovery and Reinvestment Act - Local Rehabilitation Projects STP 2010 (861)ES & STP 2010 (862)ES, Etc.; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering, testing, CIP Cost Recovery, and contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund - \$487,828.00 American Recovery and Reinvestment Act Fund - **DISTRICTS F - HOANG and H - GONZALEZ**
37. ORDINANCE appropriating \$519,474.61 out of Street & Bridge Consolidated Construction Fund awarding contract to **ANGEL BROTHERS ENTERPRISES, LTD.** for American Recovery and Reinvestment Act - Local Rehabilitation Projects STP 2011 (212)ES; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering, testing, CIP Cost Recovery, and contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund - \$2,515,511.89 American Recovery and Reinvestment Act Fund - **DISTRICTS B - JOHNSON; G - PENNINGTON; H - GONZALEZ and I - RODRIGUEZ**
38. ORDINANCE appropriating \$2,391,000.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **ALSAY INCORPORATED** for Rehabilitation of Existing Water Wells; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering, testing, CIP Cost Recovery, construction management and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICTS A - STARDIG; C - CLUTTERBUCK; D - ADAMS; F - HOANG and G - PENNINGTON**
39. ORDINANCE appropriating \$170,500.00 out of Reimbursement of Equipment/Projects Fund; awarding contract to **RELIANCE CONSTRUCTION SERVICES, L.P.** for 12-inch Sanitary Sewer along Bastrop; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering, testing, CIP Cost Recovery, and contingencies relating to construction of facilities financed by the Reimbursement of Equipment/Projects Fund - **DISTRICT B - JOHNSON**
40. ORDINANCE granting to **GENERAL SITE SERVICES, LLC, A Texas Limited Liability Corporation**, the right, privilege and franchise to collect, haul and transport solid waste and industrial waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions; and making certain findings related thereto - **FIRST READING**

END OF CONSENT AGENDA

CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA

NON CONSENT AGENDA - NUMBER 41

MISCELLANEOUS

41. RECEIVE nominations for Positions Four and Six of the **ETHICS COMMITTEE**, for two year terms expiring December 31, 2012

MATTERS HELD - NUMBERS 42 through 47

42. RECOMMENDATION from Purchasing Agent for award to **SPRINT SOLUTIONS, INC** for Land Mobile Radio Wireless Telecommunication Services and Hardware from the State of Texas Procurement and Support Services Contract through the State of Texas Cooperative Purchasing Program for the Department of Public Works & Engineering \$7,332,469.00 - General, Enterprise, Storm Water Utility, Building Inspection and CIP Cost Recovery Funds - 5 Years
TAGGED BY COUNCIL MEMBERS JONES and BRADFORD
This was Item 16 on Agenda of December 22, 2010
43. ORDINANCE consenting to the creation of **HARRIS COUNTY IMPROVEMENT DISTRICT NO. 11** and the inclusion of certain land within the district - **DISTRICT D - ADAMS**
TAGGED BY COUNCIL MEMBERS STARDIG, JONES and COSTELLO
This was Item 27 on Agenda of December 22, 2010
44. ORDINANCE awarding contract to **ARAMARK CORRECTIONAL SERVICES, LLC** for Jail Food Services; providing a maximum contract amount - 3 Years with two one-year options \$3,296,043.99 - General Fund - **TAGGED BY COUNCIL MEMBERS GONZALEZ and JONES**
This was Item 41 on Agenda of December 22, 2010
45. ORDINANCE awarding contract to **RADIO SATELLITE INTEGRATORS, INC** for a Vehicle Tracking System, Software and Maintenance Services for Various Departments; providing a maximum contract amount - 3 Years with two one-year options - \$1,380,181.80 - General Fund
TAGGED BY COUNCIL MEMBERS BRADFORD and JONES
This was Item 42 on Agenda of December 22, 2010
46. ORDINANCE appropriating \$948,569.00 out of Drainage Improvement Commercial Paper Series F Fund as an additional appropriation for Professional Services Contract between the City of Houston and **KLOTZ ASSOCIATES, INC** for services associated with the development of the Stormwater Evaluation Enhancement Tool (Approved by Ordinance No. 2009-0947); approving and authorizing an amendment to the contract; providing funding for contingencies relating to construction of facilities financed by the Drainage Improvement Commercial Paper Series F Fund
TAGGED BY COUNCIL MEMBER SULLIVAN
This was Item 44 on Agenda of December 22, 2010
47. REVIEW on the record and make determination relative to the appeal from the decision of the Electrical Board, filed on behalf of Patrick Hebert regarding the revocation of his State of Texas master electrician registration and Charles Hebert regarding the revocation of his State of Texas contractor's registration with the State of Texas as Heights Electrical Services, Inc
POSTPONED BY MOTION #2010-905, 12/22/10
This was Item 55 on Agenda of December 22, 2010

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS - Council Member Stardig first

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

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

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

**CITY COUNCIL CHAMBER - CITY HALL 2nd FLOOR - WEDNESDAY
JANUARY 5, 2011 - 9:30AM**

NON-AGENDA

2MIN 2MIN 2MIN

3MIN 3MIN 3MIN

MR. JIMMY RAY – 7050 Flamingo - 77087 – 713-560-1489 – False lien

MR. EMANUEL HURD – 6427 Rosemary Ln. – 77016 – 281-780-0685 – Harassment by Mike Burdick

MR. JAMES PARTSCH-GALVAN – 1611 Holman – 77004 – 713-528-2607 – Election 2011

MRS. JOE FIKES – 12769 Nimitz – 77015 – did not wish to give phone number - Concerns

MR. EUGENE REDIC – 7914 Livingston – 77051 – 832-671-4596 – Water Department put my License #
on my \$100.00 bill

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

MS. SHENELL DAVIS – 9847 Lum Ln. – 77078 – 713-855-1288 – Area

MR. BILL HOPKINS – 14722 Quail Grove – 77079 – 281-497-7937 – Sale of Old Kendall Property

PREVIOUS

1MIN 1MIN 1MIN

PRESIDENT JOSEPH CHARLES - Post Office Box 524373 - 77052-4373 – Charges – BWhite, AGarcia,
RCGreen, RKing S/Embezzlement, O/Estate, Corvette C/Funds W/Protection

JAN 05 2011

MOTION NO. 2010 0891

MOTION by Council Member Clutterbuck that nominations for Position 10 of the Houston Archaeological and Historical Commission Board of Directors, for a two year term that will end March 1, 2012, be closed.

Seconded by Council Member Lovell and carried.

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

Council Member Adams absent due to being ill

Council Member Noriega absent on personal business

PASSED AND ADOPTED this 22nd day of December 2010.

Pursuant to Article VI, Section 6 of the City Charter, the effective date of the foregoing motion is December 28, 2010.

City Secretary

Ms. Ann Collum was nominated by Council Member Rodriguez.

cr

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Approval to pay Harris-Galveston Subsidence District \$641,104.00 for 2011 groundwater withdrawal permit fees.

Category # 1

Page 1

Agenda Item # 2

FROM (Department or other point of origin):

Department of Public Works and Engineering

Origination Date

Agenda Date

JAN 05 2011

DIRECTOR'S SIGNATURE

Daniel W. Krueger, P.E., Director

Council District affected:

All

For additional information contact:

Yvonne W. Forrest
Senior Assistant Director

Phone: (832) 395-2847

Date and identification of prior authorizing Council action

Motion No. 2009-0104, dated 3/4/09
Motion No. 2009-0755, dated 10/21/09
Motion No. 2010-0041, dated 1/27/10

RECOMMENDATION: (Summary)

That City Council approves the payment of the \$641,104.00 for permit fees to the Harris-Galveston Subsidence District.

Amount of Funding:

\$641,104.00

Finance Department:

12/24/10

SOURCE OF FUNDING:

General Fund

Grant Fund

Enterprise Fund

Other (Specify)

Water and Sewer System Operating Fund (8300)

SPECIFIC EXPLANATION:

The Harris-Galveston Subsidence District (HGSD) is a special purpose district created by the Texas Legislature in 1975. The HGSD was created to provide for the regulation of groundwater withdrawal throughout Harris and Galveston counties for the purpose of preventing land subsidence, which leads to increased flooding.

The Department of Public Works and Engineering is requesting that City Council approve a payment of \$641,104.00 to HGSD for the 2011 permit fees for Area 2 and 3 for the period between 1/1/2011 and 12/31/2011.

cc: Daniel W. Krueger, P.E.
Jun Chang, P.E., D.WRE
Marty Stein
Craig Foster

REQUIRED AUTHORIZATION

CUIC ID #20YWF13

Finance Department

Other Authorization:

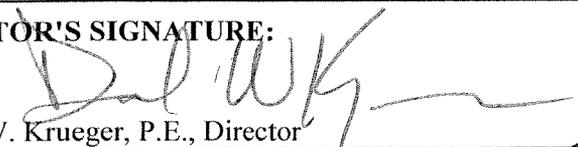

Yvonne W. Forrest
Senior Assistant Director

Other Authorization:


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

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Accept Work for Safe Sidewalk Program-03; WBS No. N-00646H-0003-4.	Category #1, 7	Page 1 of 1	Agenda Item # 3
FROM (Department or other point of origin): Department of Public Works and Engineering	Origination Date		Agenda Date JAN 05 2011
DIRECTOR'S SIGNATURE:  Daniel W. Krueger, P.E., Director	Council District affected: H <i>per</i>		
For additional information contact: J. Timothy Lincoln, P.E. Senior Assistant Director  Phone: (832) 395-2355	Date and identification of prior authorizing Council action: Ord. # 2007-1228 dated:10/31/2007		

RECOMMENDATION: (Summary) Pass a motion to approve the final Contract Amount of \$1,153,134.94 or 4.99% over the original Contract Amount, accept the Work and authorize final payment.

Amount and Source of Funding: No additional funding required. Total (original) appropriation of \$1,384,000.00 from the Street and Bridge Consolidated Construction Fund No.4506.

PROJECT NOTICE/JUSTIFICATION: This project was part of the Safe Sidewalk Programs and was required to address the health, safety, and welfare of pedestrian.

DESCRIPTION/SCOPE: This project consisted of improvements including reconstruction of existing damaged or non-compliant sidewalks and accessible ramps; and constructing new 4-1/2-inch concrete sidewalks and accessible ramps. ESOR Consulting Engineers, Inc. designed the project with 365 calendar days allowed for construction. The project was awarded to Total Contracting Limited with an original Contract Amount of \$1,098,353.50.

LOCATION: The work sites are located in Council District H within the City of Houston limits. The project is located in various Key Map Grids.

CONTRACT COMPLETION AND COST: The Contractor, Total Contracting Limited, has completed the work under subject Contract. The project was completed within the Contract Time. The final cost of the project, including overrun and underrun of estimated bid quantities and previously approved Change Order No. 1 is \$1,153,134.94, an increase of \$54,781.44 or 4.99% over the original Contract Amount.

The increase cost is a result of difference between planned and measured quantities. This increase is primarily the result of an overrun in Bid Item No. 16 – Remove Existing Concrete-Including Asphalt and Concrete Items which was necessary to complete the project.

M/WBE PARTICIPATION: The M/W/SBE goal established for this project was 22%. According to Affirmative Action and Contract Compliance Division, the participation was 22.11%. Contractor's M/W/SBE performance evaluation was rated Satisfactory.

DWK:DRM:JTL:*File on* LAK:JC:ha

Z:\E&C Construction\South Sector\PROJECT FOLDER\N-00646H-0003-4-4\CLOSEOUT\RCA\RCA - Closeout.doc

c: Velma Laws

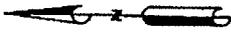
Craig Foster

File No.: SB9136-03/21.0

REQUIRED AUTHORIZATION

20HA103 NDT

Finance Department:	Other Authorization:	Other Authorization:  Daniel R. Menendez, P.E., Deputy Director Engineering and Construction Division
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OVER ALL PROJECT
LOCATION MAP

N-00646H-003-4

File No. SB9185-03

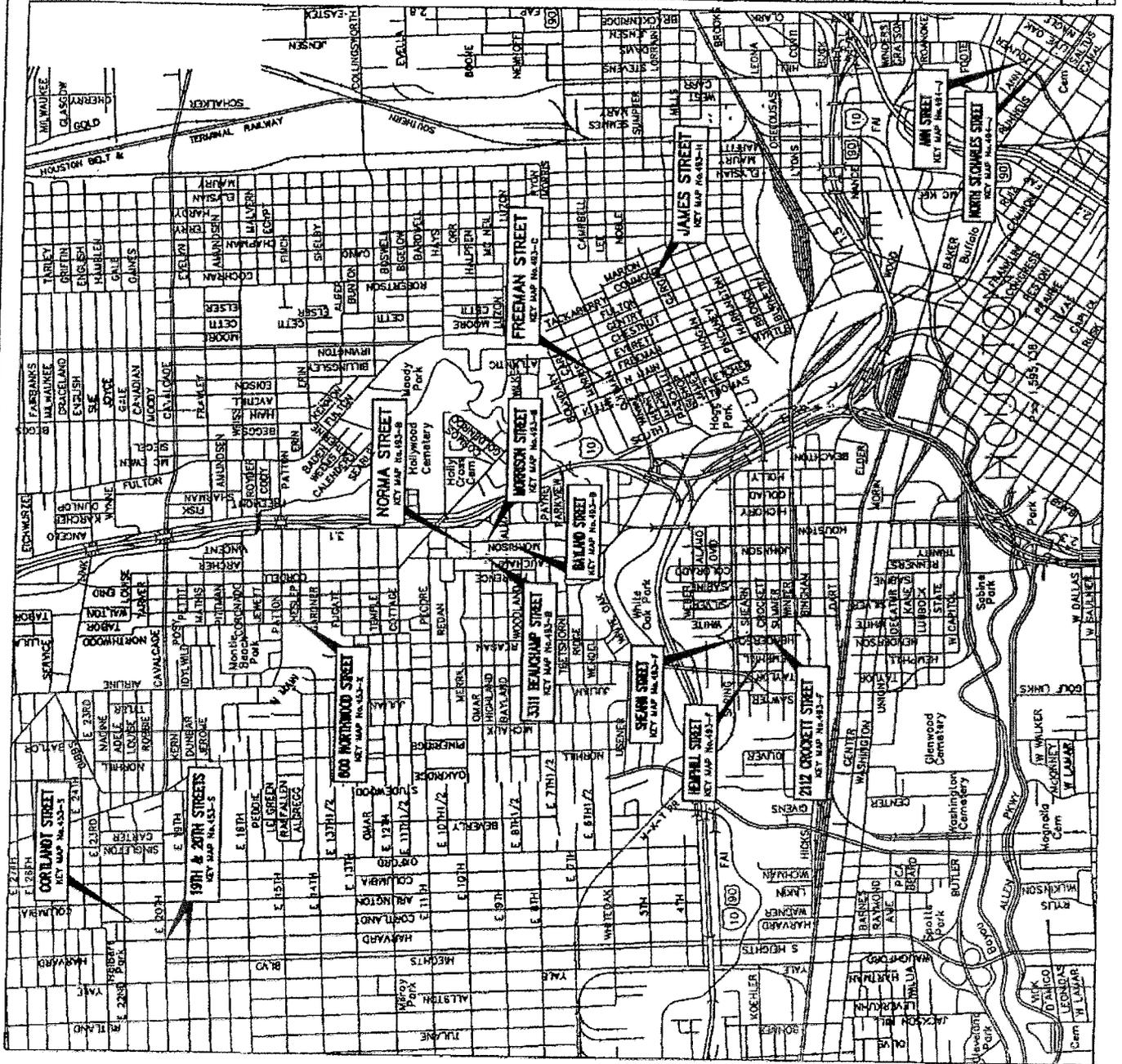
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ESOR
CONSULTING ENGINEERS, INC.
100 S. W. 10th Ave., Suite 100
Miami, Florida 33136
(305) 571-1000
FAX (305) 571-1001

SHEET 02 OF 16

As of 11/20/97, Revised 1/20/01 and 1/20/02



To: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

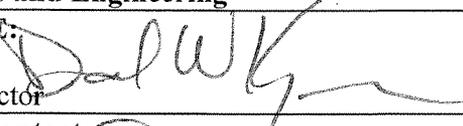
SUBJECT: PROPERTY: PURCHASE of Parcel AY10-009, located at 1000 South Victory Drive for the ELLA BOULEVARD (WHEATLEY STREET) PAVING PROJECT (from Little York to West Gulf Bank). WBS N-000533-0002-2-01

OWNERS: Martha Countee Whiting, Brenda Countee McKerson, Rutherford Augustus Countee, Jr., and Jane A. Countee, Individually and as Executrix of the Estate of Dr. Roger Wingfield Countee

Page 1 of 1	Agenda Item # 5
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FROM: (Department or other point of origin):
Department of Public Works and Engineering

Origination Date	Agenda Date JAN 05 2011
------------------	----------------------------

DIRECTOR'S SIGNATURE:

Daniel W. Krueger, P.E., Director

Council District affected:
B HHT
Key Map 412T

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

Date and identification of prior authorizing Council Action:
Ordinance 2008-701, passed August 6, 2008

RECOMMENDATION: (Summary)
Authority be given through Council Motion to PURCHASE Parcel AY10-009.

Amount and Source of Funding: \$76,234.00
No additional funding required (covered under Blanket Appropriation Ordinance 2008-701 N.P. 12/13/2010)
N-00663A-00RE-2-01 Street and Bridge Consolidated Construction Fund 4506)

SPECIFIC EXPLANATION:
The ELLA BOULEVARD (WHEATLEY STREET) PAVING PROJECT (from Little York to West Gulf Bank) provides for construction of an approximately 8,400 linear foot, four-lane reinforced concrete roadway from Little York to West Gulf Bank with concrete paving, curbs, sidewalks, street lighting, storm sewer, and necessary underground utilities.

PURCHASE:
The City desires to acquire 33,228 square feet of unimproved commercial land to be used for a detention pond. This parcel is located at 1000 South Victory Drive. The City's offer was based on an appraisal by Gerald A. Teel. The valuation was reviewed and recommended for approval by a senior staff appraiser of this department. The breakdown is as follows:

LAND:

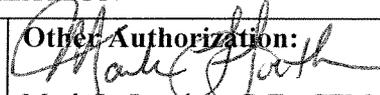
Parcel AY10-009 (Fee)	
33,228 square feet @ \$2.25 psf.....	\$74,763.00 ®
TOTAL COMPENSATION.....	\$74,763.00
Title Policy/Services	\$ 1,471.00
TOTAL AMOUNT	\$76,234.00

It is recommended that authority be given through Council Motion to PURCHASE Parcel AY10-009 located at 1000 South Victory Drive, owned by Martha Countee Whiting, Brenda Countee McKerson, Rutherford Augustus Countee, Jr., and Jane A. Countee, Individually and as Executrix of the Estate of Dr. Roger Wingfield Countee. This parcel contains 33,228 square feet of land situated in the J. Erwin Survey, Abstract No. 258 and out of Lot 1 of Block 3 of Highland Acre Homes, a subdivision recorded in Volume 3, Page 45 of the Harris County Map Records. The same tract being conveyed from Nannie Selena Countee to Bernie Countee Sweeney and Martha Countee Whiting by a Judgement Declaring Heirship as recorded in the Harris County Clerk's File M134126, dated April 24, 1989 and from Rutherford A. Countee, Sr. to Roger Wingfield Countee, Brenda J. Makerson and Rutherford A. Countee, Jr. by an Affidavit of Heirship dated March 17, 2006 as recorded in the H.C.C.F. Z162207 and from Cecil W. Countee to Brenda J. McKerson and Rutherford A. Countee, Jr. by an Affidavit of Heirship for Cecil W. Countee dated August 18, 2006 as recorded in the H.C.C.F. Z540657 according to City of Houston field notes.

DWK:NPC:ht
TylerAY10-009RCA

CUIC #20HHT200

REQUIRED AUTHORIZATION

Finance Department:	Other Authorization:	Other Authorization:  Mark L. Loethen, P.E., CFM, PTOE Acting Deputy Director Planning and Development Services Division
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LYON DAVIS
H.C.C.F. NO. 20070299286.
O.P.R.P.H.C.
DATE: 04-02-2006

**BLOCK 3
HIGHLAND ACRE
HOMES**
VOL. 3, PG. 45, H.C.M.R.

TEXAS FINANCE &
INVESTMENT COMPANY
H.C.C.F. NO. C275675.
O.P.R.P.H.C.
VOL. 6289, PG. 190, H.C.D.R.
DATE: 03-30-1986

ARTEMIO ORTEGA
MELANIA ORTEGA
H.C.C.F. NO. 20080024804.
O.P.R.P.H.C.
DATE: 01-08-2008

1123 S. VICTORY ST.
LOT 2

MARtha COUNTY WHITING
BERNICE COUNTY SWEENEY
H.C.C.F. NO. W134125, O.P.R.P.H.C.
DATE: 04-24-1988
ROGER WINGFIELD COUNTY
BRENDON A. WICKERSON
RUTHERFORD A. COUNTY, JR.
H.C.C.F. NO. Z162207, O.P.R.P.H.C.
DATE: 05-17-2006
BRENDA J. MCKERSON
RUTHERFORD A. COUNTY, JR.
H.C.C.F. NO. Z540654, O.P.R.P.H.C.

FLENOID A. MILLS, ANITA M. MILLS,
FREDRICK EVANS, JAMES MILLS
& DARRELL EVANS
H.C.C.F. NO. 1368602.
O.P.R.P.H.C.
DATE: 12-09-2000
& 08-18-2006

PARCEL-A110-008
38,403 Sq.Ft.
0.8862 AC.

P.O.B.: PARCEL A110-008
SET 5/8" I.R.
E=3,099,733.62
N=13,880,781.30

PARCEL-A110-009
33,228 Sq.Ft.
0.7628 AC.

P.O.C.: PARCEL A110-009
& A110-008
SET 5/8" I.R.
E=3,099,900.58
N=13,880,786.54

P.O.B.: PARCEL A110-076
SET 5/8" I.R.
E=3,099,954.60
N=13,880,983.70

P.O.B.: PARCEL A110-077
SET 5/8" I.R.
E=3,099,968.99
N=13,880,793.81

ALDINE INDEPENDENT
SCHOOL DISTRICT
VOL. 1451, PG. 76,
H.C.D.R.
DATE: 05-24-1946

ALDINE INDEPENDENT
SCHOOL DISTRICT
VOL. 1174, PG. 565,
H.C.D.R.
DATE: 07-31-1940

**BLOCK 3
HIGHLAND ACRE
HOMES**
VOL. 3, PG. 45, H.C.M.R.

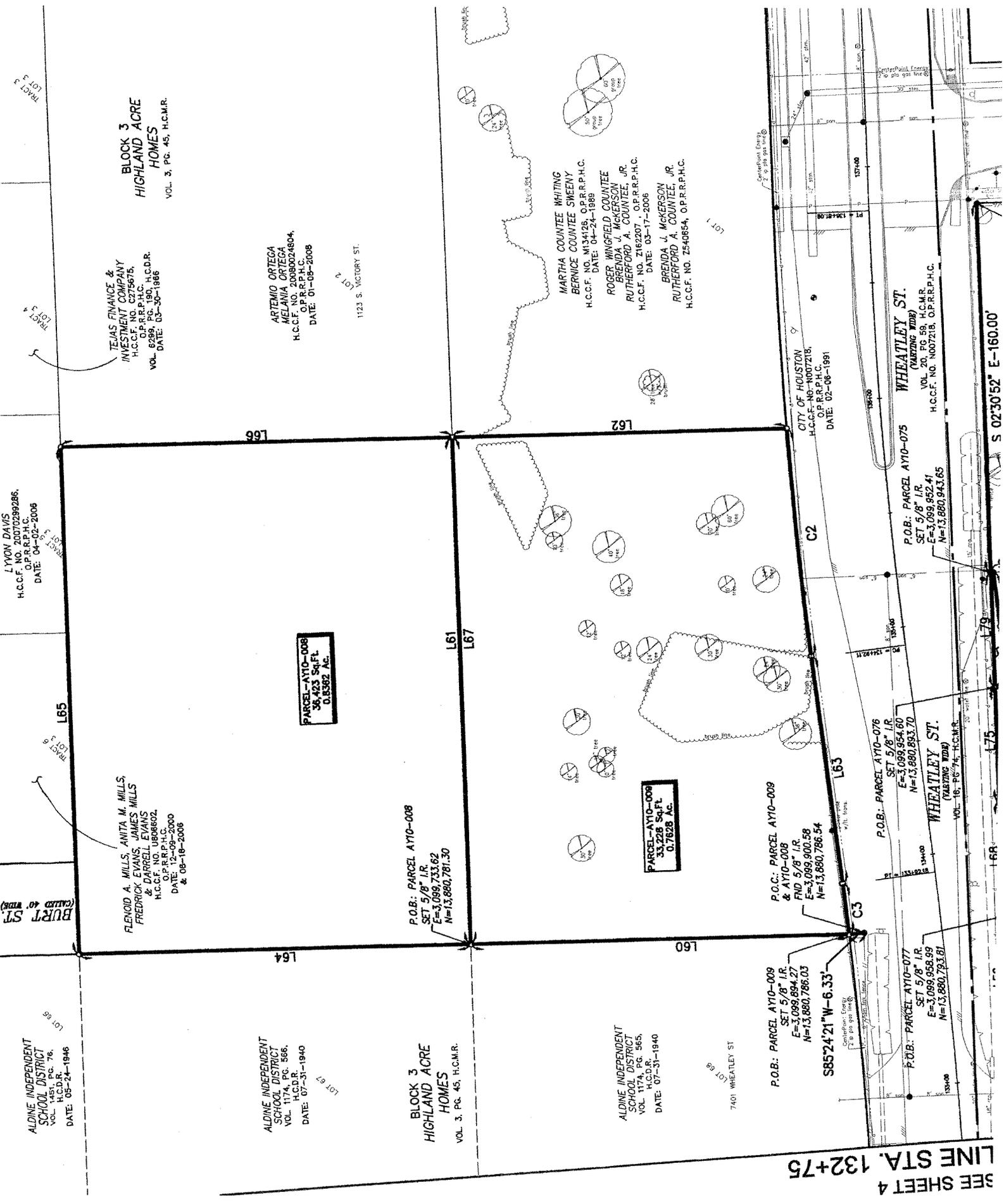
ALDINE INDEPENDENT
SCHOOL DISTRICT
VOL. 1174, PG. 565,
H.C.D.R.
DATE: 07-31-1940

P.O.B.: PARCEL A110-009
SET 5/8" I.R.
E=3,099,894.27
N=13,880,786.03

S85°24'21"W-6.33'

SEE SHEET 4
LINE STA. 132+75

S 02°30'52" E-160.00'



REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 8872

Subject: Formal Bids Received for Carpet Replacement Project at the George R. Brown Convention Center for the Convention and Entertainment Facilities Department S45-N23746	Category # 1 & 4	Page 1 of 2	Agenda Item 6-6A
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FROM (Department or other point of origin): Calvin D. Wells City Purchasing Agent Administration & Regulatory Affairs Department	Origination Date December 14, 2010	Agenda Date JAN 05 2011
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DIRECTOR'S SIGNATURE 	Council District(s) affected 1
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For additional information contact: Stephen Lewis Phone: (713) 853-8888 Ray DuRousseau Phone: (832) 393-8726	Date and Identification of prior authorizing Council Action:
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RECOMMENDATION: (Summary)
 Approve an ordinance authorizing the appropriation of \$887,532.21 out of the C & E Construction Fund (Fund 8611) and approve an award to Tai Ping Carpets Americas, Inc. in the amount of \$822,768.77 and contingencies (5% for unforeseen changes within the scope of work) in the amount of \$41,138.44 for a total amount not to exceed \$863,907.21 for the carpet replacement project at the George R. Brown Convention Center for the Convention and Entertainment Facilities Department.

Award Amount: \$863,907.21	Finance Budget
\$887,532.21- C & E Construction Fund (8611) WBS B-000150-001-4-01	

SPECIFIC EXPLANATION:
 The City Purchasing Agent recommends that City Council approve an ordinance authorizing the appropriation of \$887,532.21 out of the C & E Construction Fund (Fund 8611) and approve an award to Tai Ping Carpets Americas, Inc. on its low bid in the amount of \$822,768.77 and contingencies (5% for unforeseen changes within the scope of work) in the amount of \$41,138.44 for a total amount not to exceed \$863,907.21 for the carpet replacement project at the George R. Brown Convention Center (GRBCC) for the Convention and Entertainment Facilities Department, and that authorization be given to issue purchase orders as necessary. The new carpet will enhance the appearance of the GRBCC and provide a first class environment for visitors to this facility for various events such as meetings, conventions and food functions.

The total appropriation of \$887,532.21 includes funding in the amount of \$23,625.00 for re-carpeting of seven meeting rooms with City furnished carpet tile. This will be handled via a separate procurement and will not require City Council approval, since the amount is less than \$50,000.00.

This project was advertised in accordance with the requirement of the State of Texas bid laws. Prior to issuing the solicitation, the Strategic Purchasing Division conducted a thorough search for contractors who could possibly perform these services. As a result, 65 contractors were identified and notified of the Invitation to Bid (ITB). Subsequent to the receipt of the bid, prospective contractors were contacted to determine the reason for the limited response to the ITB. Potential respondents advised that they could not be competitive and could not obtain bonds in a timely manner. Notwithstanding the aforementioned, 17 prospective bidders downloaded the solicitation document from SPD's e-bidding website and two bids were received as shown below:

<u>Company</u>	<u>Total Amount</u>
1. Tai Ping Carpets Americas, Inc.	\$ 822,768.77
2. Affordable Carpets, LLC	\$1,114,124.00

REQUIRED AUTHORIZATION		
Finance Department:	Other Authorization:	Other Authorization:

NOT

Date: 12/14/2010	Subject: Formal Bids Received for Carpet Replacement Project at the George R. Brown Convention Center for the Convention and Entertainment Facilities Department S45-N23746	Originator's Initials SY	Page 2 of 2
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The scope of work requires the contractor to provide all tools, materials, equipment, labor, insurance, supervision and transportation necessary to furnish and install approximately 27,000 square yards of Axminster carpet at the GRBCC. The areas to receive new carpet will include the second level public spaces and show offices; the third level ballroom pre-function area; corridors; halls and the main walkway. This new carpet will replace existing carpet that ranges in age from seven to twelve years old. Some of the existing carpet will be re-used in meeting rooms and the balance will be given to the General Services Department to use in other City of Houston facilities. Materials and workmanship for this project is warranted for one year and will have a life expectancy of 7 to 10 years. The contractor will have 180 days to complete the work on this project upon receipt of the notice-to-proceed.

Pay or Play Program

It has been determined that the Pay or Play Program is not applicable to this contract, since 78% of the total bid amount is for the purchase of carpet. Executive Order 3.01 states that the Pay or Play Program does not apply to any contract in which the primary purpose is the procurement of goods.

M/WBE Subcontracting

This invitation to bid was issued as a goal-oriented contract with 11% M/WBE participation level. Although Tai Ping Carpets Americas (Contractor) did its due diligence in an effort to subcontract 11% of the total award amount to City of Houston certified M/WBEs, they were able to subcontract 4.00% of the award amount to a certified M/WBE company. The carpet cost which represents 78% of the award amount could not be subcontracted. The carpet will be purchased directly from the manufacturer by the Contractor. The remaining 22% has some divisible work and the Contractor has been successful in entering into a subcontract agreement with the below listed M/WBE firm to purchase adhesive and for carpet removal services. There are no certified M/WBE firms with the specific experience and qualification required by the published specifications to install Axminster carpet. Therefore, the Contractor was unable to subcontract that portion of the work to an M/WBE firm.

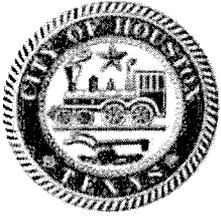
Tai Ping Carpets Americas has designated the following company as its certified M/WBE subcontractor.

<u>Name</u>	<u>Type of Work</u>	<u>Amount</u>	<u>Percentage</u>
MEK Interiors	Purchase of adhesive and carpet removal	\$32,910.75	4.00%

This contract will be monitored by the Affirmative Action Division in accordance with its procedures.

Attachment: Tai Ping Carpets Americas' Good Faith Effort Letter Approved by the Affirmative Action Division

Buyer: Sandy Yen



CITY OF HOUSTON
Office of the Mayor

Annise D. Parker

Mayor

Velma Laws, Director
Affirmative Action Division
P.O. Box 1562
611 Walker 7th floor
Houston, Texas 77251-1562

T. 713-837-9015
F. 713-837-9050
www.cityofhouston.gov

December 2, 2010

*Approved @ 490
12/10/10*

Velma Laws

RE: Carpet Replacement Project for the George R. Brown Convention Center

Here are the findings regarding waiver for this project.

Background - This project refers to a contract awarded by COH to Tai Ping Carpets of America. The project has an 11% MWBE goal. The carpet that is to be installed at the GRB Convention Center is called Axminster Carpet (very unique carpet, uses more than 90% British wool and the wool goes through 6 stage washing process). Installation of Axminster Carpet requires a highly specialized/skilled trait. This type of carpet has been used by convention centers throughout the US and Europe.

Here are our findings:

- Tai Ping contacted 8 certified MWBE firms (see Tai Ping's letter received November 29, 2010)
- The 8 firms that were invited to participate were: EJ Floors, MEK Interiors, Robert's Floors, Ruben Trevino Floors, Sampson's Floors, Texas Floor Service, Unotec Construction and Zuriel Enterprise & Services

Here is what Tai Ping stated regarding these 8 firms

- EJ Floors did not submit a bid
- MEK Interiors will be working with Tai Ping removing carpet and providing adhesive. MEK's participation equals 3.94%
- Robert's Floors did not submit a bid
- Ruben Trevino Floors did not submit a bid
- Sampson's Floors submitted a bid. But their bid exceeded the bid amount by more than \$56,000
- Texas Floor Services stated they were not interested in quoting just labor
- Unotec Construction did not submit a bid
- Zuriel Enterprise & Services did not submit a bid

Our office followed-up with some of these 8 firms. We contacted MEK, Ruben Trevino Floors, Zuriel Enterprise & Services and Robert's Floors. Here are our findings:

- MEK is in fact participating to the fullest extent possible
- Mr. Ruben Trevino of Trevino Floors did not respond to Tai Ping's invitation to bid
- Mr. Terrance Verwayne of Zuriel Enterprise & Services stated that this project was too big for him so he declined to bid on it

- Mr. Robert Avila, Sr., owner of Robert's Floors stated that he DID submit a bid. The price he quoted was \$6.50 per square yard (the amount that Tai Ping was looking for is \$5.32 per square yard). However, Mr. Avila's price included carpet "take-up," floor preparation (if necessary), and installation of carpet. All this for \$6.50 per square yard, which Mr. Avila considers to be a very competitive price
- Our office communicated our findings to Tai Ping and recommended they visit with Mr. Avila before we could take any action on this waiver request

Tai Ping contacted Mr. Robert Avila and both parties talked for approximately half hour. Here is what happened:

- Ms. Kristy Jones from Tai Ping called to inform us that they called Mr. Avila and found that Robert's Floors only has a 2-year experience installing Axminster Carpet whereby the minimum installation experience written in the specification calls for any company to have at least 5-year experience installing this type of carpet
- Mr. Avila called our office to thank us for thinking about his firm. He admitted to us that this project was too large for his firm. However, Tai Ping talked to him about using his warehouse space for storage whenever it is needed. Tai Ping also set up an appointment to come see Robert Avila's facility and to discuss future jobs, awarding smaller projects to Robert's Floors and to see if both companies can work together on future projects
- Since both parties are talking about teaming up on future, small to mid-sized projects, we will send them the necessary forms to enlist them into the latest joint mentor/protégé program sponsored by COH, Port of Houston, HISD and METRO
- One last thing – Our office asked Tai Ping why they can't utilize Robert's Floors to do a portion/section of the flooring at the GRB and they stated that (1) they cannot do so because Robert's Floors personnel do not have the required 5-year experience as required in the solicitation package, (2) breaking down the installation portion into smaller segments would be cost prohibitive to them and the COH, (3) it would not be work effective because the installation has to be smooth, done as a team and completed within the specified time allotted by the GRB

Based on the thorough research made by Tai Ping and COH regarding this project and the substantial back-up documentation and the written Good Faith Efforts submitted by Tai Ping Carpets, we recommend approval of this request.

Robert D. Gallegos

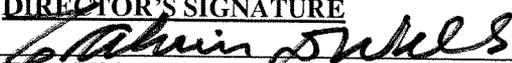
REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 8706

Subject: Formal Bids Received for Traffic Signal System Parts and Equipment for the Public Works & Engineering Department S12-N23532	Category # 4	Page 1 of 2	Agenda Item 7
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FROM (Department or other point of origin): Calvin D. Wells City Purchasing Agent Administration & Regulatory Affairs Department	Origination Date September 07, 2010	Agenda Date JAN 05 2011
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DIRECTOR'S SIGNATURE 	Council District(s) affected All
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For additional information contact: David Guernsey Phone: (832) 395-3640 Ray DuRousseau Phone: (832) 393-8726	Date and Identification of prior authorizing Council Action:
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RECOMMENDATION: (Summary)
Approve various awards, as shown below, in the total amount of \$128,862.70 for traffic signal system parts and equipment for the Public Works & Engineering Department.

Awarded Amount: \$128,862.70	Finance Budget 
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\$128,862.70 - Federal Government Grant (Fund 5000) WBS N-000650-0050-5

SPECIFIC EXPLANATION:
The City Purchasing Agent recommends that City Council approve various awards, as shown below, in an amount not to exceed \$128,862.70 for traffic signal system parts and equipment for the Public Works & Engineering Department and that authorization be given to issue purchase orders. These traffic signal parts and equipment will be used by the Department's Traffic and Transportation Division as part of the City's Culberson Project to replace the City's less efficient and less visible incandescent traffic signal heads that do not meet current Federal U.S. Department of Transportation standards.

This is a Federal Highways Administration (FHWA) grant funded project with a 20% match by the City of Houston. The cost for materials will be reimbursed by FHWA and the City's 20% match will be an in-kind match with labor and equipment to install the materials.

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

Globe Electric Supply Company, Inc.: Award on its low bid meeting specifications for Group I, Item No. 2 (3-section horizontal span mount traffic signal heads "LED Ready") and Group II, Item No. 6 (1-1/2" galvanized aluminum conduit) in an amount not to exceed \$66,943.50.

COMPANY	TOTAL AMOUNT
1. Globe Electric Supply Company, Inc.	\$ 66,943.50
2. Traffic Parts, Inc.	\$ 71,653.25
3. Paradigm Traffic Systems, Inc.	\$ 87,890.00
4. General Traffic Equipment Corp.	\$ 99,100.00
5. Republic ITS	\$105,850.00

REQUIRED AUTHORIZATION

Finance Department:	Other Authorization:	Other Authorization:
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Handwritten marks: MDT, 7, R

Date: 9/7/2010	Subject: Formal Bids Received for Traffic Signal System Parts and Equipment for the Public Works & Engineering Department S12-N23532	Originator's Initials MK	Page 2 of 2
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Paradigm Traffic Systems, Inc.: Award on its low bid meeting specifications for Group I, Item No. 1 (3-section horizontal arm mount traffic signal heads "LED Ready") and Group II, Item Nos. 1, 2, 7 and 8 (3/4" strapping, 3/4" banding clips, street name hanger wire, and 5/16" sign hanger screws) in an amount not to exceed \$61,919.20.

<u>COMPANY</u>	<u>TOTAL AMOUNT</u>
1. Globe Electric Supply Company, Inc.	\$ 58,439.25 (Did Not Meet Specifications)
2. Paradigm Traffic Systems, Inc.	\$ 61,919.20
3. Traffic Parts, Inc.	\$ 71,384.79
4. General Traffic Equipment Corp.	\$ 73,007.00
5. Republic ITS	\$112,366.00

These traffic signal parts will come with a six year warranty and the life expectancy is 15-20 years.

A purchase order will be issued to Traffic Parts, Inc. for Group I, Item No. 3 (4-section horizontal arm mount traffic signal heads "LED Ready") and Group II, Item Nos. 4 and 5 (1" Cord grip connectors and 1-1/2" pipe chase lock nipple), as the individual award amount is less than \$50,000.00.

Buyer: Martin L. King

REQUEST FOR COUNCIL ACTION

RCA# 8885

TO: Mayor via City Secretary

Subject: Approve the Sole Source Purchase of Climber Screens® Mechanical Bar Screens for the Public Works and Engineering Department
S12-N23711

Category #
4

Page 1 of 1

Agenda Item

J. 8A

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

Origination Date
October 15, 2010

Agenda Date
JAN 05 2011

DIRECTOR'S SIGNATURE
Calvin D. Wells

Council District(s) affected
D, I

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 1) the appropriation of \$850,000.00 out of the Water & Sewer System Consolidated Construction Fund (Fund 8500); and 2) approve the sole source purchase from Infilco Degremont, Inc. in the amount of \$1,276,667.00 for replacement Climber Screens® mechanical bar screens for the Public Works and Engineering Department.

Award Amount: \$1,276,667.00

Finance Budget

\$ 850,000.00 Water & Sewer System Consolidated Construction Fund (8500) WBS-R-000509-0018-4
\$ 426,667.00 PWE - Combined Utility System General Purchase Fund (8305)

\$1,276,667.00

SPECIFIC EXPLANATION:

The City Purchasing Agent recommends City Council approve an ordinance authorizing 1) the appropriation of \$850,000.00 out of the Water & Sewer System Consolidated Construction Fund (Fund 8500); and 2) approve the sole source purchase from Infilco Degremont, Inc. in an amount not to exceed \$1,276,667.00 for Climber Screens® mechanical bar screens for the Public Works and Engineering Department and that authorization be given to issue a purchase order. The bar screens filter out floating solid matter from raw wastewater intakes at the 69th Street Wastewater Treatment Plant to prevent blockage and build-up of grit inside the wastewater distribution channels.

Infilco Degremont, Inc. is the sole source original equipment manufacturer and has no authorized distributor for the Climber Screens® mechanically cleaned bar screens. The bar screens were designed, engineered and produced specifically for the Department's 69th Street Wastewater Treatment Plant, 2525 S/Sgt. Macario Garcia Drive.

This purchase consists of three mechanical bar screens. These bar screens will replace 12-year old inoperable units that are damaged beyond economical repair. The new units will come with a one year manufacturer's warranty and the life expectancy is 12 to 15 years. The old mechanical bar screens will be stripped of salvageable parts and used to repair and maintain similar equipment in the Department's inventory. The unusable components will be sent to the Property Disposal Management Office for proper disposition.

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

Buyer: Martin L. King
PR No. 10088284

REQUIRED AUTHORIZATION

Finance Department:

Other Authorization:

Other Authorization:

MLK
D

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 8917

Subject: Reverse Auction Bids Received for Chemical, Hydrofluorosilicic Acid for the Public Works and Engineering Department
S12-S23709RA

Category #
4

Page 1 of 1

Agenda Item

9

FROM (Department or other point of origin):

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

Origination Date

December 01, 2010

Agenda Date

JAN 05 2011

DIRECTOR'S SIGNATURE

Calvin D. Wells

Council District(s) affected

All

For additional information contact:

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

Date and Identification of prior authorizing Council Action:

RECOMMENDATION: (Summary)

Approve an award to Lucier Chemical Industries Ltd., dba LCI, Ltd. on its low bid in an amount not to exceed \$5,011,408.40 for chemical, hydrofluorosilicic acid for the Public Works and Engineering Department.

Estimated Spending Authority: \$5,011,408.40

Finance Budget

\$5,011,408.40 - Water & Sewer System Operating Fund (8300)

SPECIFIC EXPLANATION:

The City Purchasing Agent recommends that City Council approve an award to Lucier Chemical Industries Ltd., dba LCI, Ltd. on its low bid in an amount not to exceed \$5,011,408.40 for hydrofluorosilicic acid (aka fluoride) for the Public Works and Engineering Department. It is further requested that authorization be given to make purchases, as needed, for a 60-month period upon approval of City Council. Hydrofluorosilicic acid is used by the Department's Drinking Water Operations Branch to treat potable drinking water as necessary to maintain compliance with the Environmental Protection Agency, Center for Disease Control and the National Safety Federation's safe drinking water mandates and standards necessary to preserve and protect the public's health and safety.

This project was advertised in accordance with the requirements of the State of Texas bid laws. Bids were solicited using the "reverse auction" methodology. Three suppliers participated in the reverse auction and the final results are as follows:

COMPANY

TOTAL AMOUNT

- | | |
|---|----------------|
| 1. Lucier Chemical Industries Ltd., dba LCI, Ltd. | \$5,011,408.40 |
| 2. Pencco, Inc. | \$5,020,230.20 |
| 3. Atlantic Petroleum & Mineral Resources, Inc. | \$6,735,655.00 |

This award consists of 8,980 tons of hydrofluorosilicic acid that will be used at the City's East, Northeast and Southeast water treatment facilities to treat potable drinking water prior to citywide distribution.

Estimated Spending Authority:

DEPARTMENT	FY 2011	OUT YEARS	TOTAL
Public Works and Engineering Department	\$1,002,280.00	\$4,009,128.40	\$5,011,408.40

Buyer: Martin L. King

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

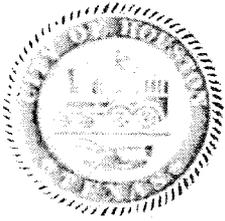
REQUIRED AUTHORIZATION

Finance Department:

Other Authorization:

Other Authorization:

NOT
[Signature]



CITY OF HOUSTON

Public Works and Engineering
Department

Interoffice

Correspondence

To: Robert Gallegos
Deputy Assistant Director
Affirmative Action

From: Assistant Director
Public Works & Engineering Department

Date: September 14, 2010

Via: Tony Henshaw

Subject: **REQUESTING A WAIVER FOR MWBE
PARTICIPATION FOR:
CHEMICAL HYDROFLUROSILICIC ACID**

The Public Works and Engineering Department (PW&E) is requesting a waiver of the MWBE goal for the purchase of Chemical, Hydrofluorosilicic Acid.

Hydrofluorosilicic Acid is a specialized and hazardous chemical to manufacturer and transport leaving only a few domestic suppliers; none of which are MWBE certified businesses. Pencco, the current supplier picks up the product from the manufacturer in Louisiana and delivers it directly to the City using its own specialized trucks, trailers and Hazmat certified drivers.

PWE is in the process of renewing the subject contract, for Hydrofluorosilicic Acid for an estimated amount of \$5,747,200.00 for sixty (60) months.

This contract will enable the Department's Drinking Water Operations Branch to fluoridate potable drinking water during the water treatment process at water production treatment plants citywide.

This contract will be used by:

- Drinking Water Operations

Attached for your review are the following:

- Participation Response

Your contact for further assistance with this matter is Tim Mills at 832-395-3660 or Darcia Moon at 832-395-3661.

David Guernsey
David Guernsey

Robert Gallegos: Approved *Robert Gallegos* Disapproved _____

Tony Henshaw: Approved *Tony Henshaw*

DG: MW: DM: DN: TEM: tem
C: file

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 8905

Subject: Purchase of Office Furniture from the State of Texas
Procurement and Support Services Contract for Various Departments
S45-E23819

Category #
4

Page 1 of 2

Agenda Item

10

FROM (Department or other point of origin):

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

Origination Date

November 18, 2010

Agenda Date

JAN 05 2011

DIRECTOR'S SIGNATURE

For additional information contact:

Dallas Evans Phone: (281) 230-8001
Ray DuRousseau Phone: (832) 393-8726

Council District(s) affected

All
Date and Identification of prior authorizing Council Action:

RECOMMENDATION: (Summary)

Approve the purchase of office furniture in the total amount of \$317,100.47 from the State of Texas Procurement and Support Services Contract for various departments.

Award Amount: \$317,100.47

Finance Budget

See Page 2 of 2 for Funding Information

SPECIFIC EXPLANATION:

The City Purchasing Agent recommends that City Council approve the purchase of office furniture in the total amount of \$317,100.47 from the State of Texas Procurement and Support Services Contract through the State of Texas Cooperative Purchasing Program for various departments and that authorization be given to issue purchase orders to the State contract suppliers listed below. This office furniture will be used to furnish various offices in the Houston Police Department, Public Works & Engineering Department, Houston Airport System, Houston Department of Health & Human Services, and Administration & Regulatory Affairs Department, as detailed in the attached Furniture Distribution Summary.

J. Tyler Services, Inc.: Approve the purchase of tables, chairs, filing cabinets, bookcases and workstations in the amount of \$184,409.74.

Allsteel, Inc.: Approve the purchase of systems furniture components, filing cabinets and chairs in the amount of \$132,690.73.

This purchase consists of furniture to replace existing furniture that is worn and beyond economical repair, as well as provides furnishings to support existing and budgeted positions. The furniture will come with the manufacturer's standard warranty and the life expectancy is 10 to 15 years. The old furniture will be sent to the Property Disposal Management Office for disposition.

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

REQUIRED AUTHORIZATION

Finance Department:

Other Authorization:

Other Authorization:

[Handwritten initials]

[Handwritten mark]

Funding Detail

<u>DEPARTMENT</u>	<u>FUND</u>	<u>AMOUNT</u>
Houston Police Department	General Fund (1000)	\$111,913.34
Public Works & Engineering Department	General Fund (1000)	\$23,848.75
Public Works & Engineering Department	Stormwater Fund (2302)	\$14,424.00
Public Works & Engineering Department	PWE-W & S System Operating Fund (8300)	\$11,851.01
Houston Airport System	HAS-Revenue Fund (8001)	\$119,196.98
Houston Department of Health & Human Services	General Fund (1000)	\$2,113.58
Administration & Regulatory Affairs Department	Parking Management Operating Fund (8700)	\$33,752.81
	TOTAL	\$317,100.47

Attachment: Furniture Distribution Summary

Buyer: Sandy Yen

Attachment A
Furniture Distribution Summary

for
RCA # 8905

Dept	Purch. Req.	Qty	U	Short text	Make	Model	NEW / REPLACE	ADDRESS
HAS	10112422	10 EA	n	CHAIR, GUEST/SIDE, METAL, SLED BASE	HON	3506	Replacement	10600 Lee Road, Humble, TX 77338
		5 EA		POSTURE CHAIRS (ERGONOMIC)		2091		
		3 EA		BOOKCASES AND BOOKSHELVES, METAL & WOOD		10755		
		1 EA		FILING CABINETS, METAL: CARD, JUMBO,LATE		692L		
HAS	10112715	5 EA		POSTURE CHAIRS (ERGONOMIC)	ALLSTEEL	TR-HWM.2.0.U.P71.S.BRS01	Replacement	10600 Lee Road, Humble, TX 77338
HAS	10112849	1 EA		FILING CABINETS, METAL: CARD, JUMBO,LATE	HON	572L	New	10600 Lee Road, Humble, TX 77338
HAS	10112936	1 EA		POSTURE CHAIRS (ERGONOMIC)	HON	6501	Replacement	10600 Lee Road, Humble, TX 77338
HAS	10113109	1 EA		POSTURE CHAIRS (ERGONOMIC)	ALLSTEEL	TR-SPR.2.1.U.P71.S.BRS01	Replacement	10600 Lee Road, Humble, TX 77338
		2 EA		POSTURE CHAIRS (ERGONOMIC)		TR-HWM.2.0.U.P71.S.BRS01		
		1 EA		POSTURE CHAIRS (ERGONOMIC)		A19-HWB.2.P80.AS1911		
		1 EA		POSTURE CHAIRS (ERGONOMIC)		A19-HWB.2.P80.AS1901		
		1 EA		POSTURE CHAIRS (ERGONOMIC)		A19-HWB.2.P80.AS1908		
HAS	10113243	2 EA		CHAIR, WOOD, GUEST, SIDE	HON	VL803	New	10600 Lee Road, Humble, TX 77338
HAS	10113247	12 EA		CHAIR, ERGONOMIC SEATING, SIDE	HON	VL801	New	10600 Lee Road, Humble, TX 77338
HAS	10113380	1 EA		DESK AND TABLES, WOOD	HON	80193	New	10600 Lee Road, Humble, TX 77338
HAS	10113401	4 EA		POSTURE CHAIRS (ERGONOMIC)	HON	2091	New/ Replacement	10600 Lee Road, Humble, TX 77338
HAS	10113443	10 EA		POSTURE CHAIRS (ERGONOMIC)	ALLSTEEL	TR-HWM.2.0.U.P71.S.BRS01	Replacement	10600 Lee Road, Humble, TX 77338
HAS	10113478	1 EA		POSTURE CHAIRS (ERGONOMIC)	HON	FWCM.H.MM.NT10.T	Replacement	10600 Lee Road, Humble, TX 77338
		11 EA		POSTURE CHAIRS (ERGONOMIC)		MAMI.H.UB.NT90.T		
HAS	10113538	8 EA		WORKSTATION, MODULAR, SYSTEM FURNITURE	ALLSTEEL	871236.P	New	10600 Lee Road, Humble, TX 77338
		4 EA		WORKSTATION, MODULAR, SYSTEM FURNITURE	ALLSTEEL	871504.EU		
		4 EA		WORKSTATION, MODULAR, SYSTEM FURNITURE	ALLSTEEL	871502.EU		
		4 EA		WORKSTATION, MODULAR, SYSTEM FURNITURE	ALLSTEEL	871501.EU		
		4 EA		WORKSTATION, MODULAR, SYSTEM FURNITURE	ALLSTEEL	871036.P		
		4 EA		WORKSTATION, MODULAR, SYSTEM FURNITURE	ALLSTEEL	871160.P		
		4 EA		WORKSTATION, MODULAR, SYSTEM FURNITURE	ALLSTEEL	PF197-203I\$(CORE).P93.STD		
		4 EA		WORKSTATION, MODULAR, SYSTEM FURNITURE	ALLSTEEL	PF198-202I\$(CORE).P93.STD		
		4 EA		WORKSTATION, MODULAR, SYSTEM FURNITURE	ALLSTEEL	870830.X		

**Attachment A
Furniture Distribution Summary**

for
RCA # 8905

Dept	Purch. Req.	Qty	U n	Short text	Make	Model	NEW / REPLACE	ADDRESS
HAS	10113538 continued	4 2 16 4 2 6 2 8 8 4 4 4 4 4 8 8 4 2	EA EA EA EA EA EA EA EA EA EA EA EA EA EA EA EA EA EA	WORKSTATION, MODULAR, SYSTEM FURNITURE WORKSTATION, MODULAR, SYSTEM FURNITURE	ALLSTEEL	870860.X 796942P\$(1).IMP905\$(COREPNT).P 796936P\$(1).IMP905\$(COREPNT).P 796960P\$(1).IMP905\$(COREPNT).P 870073P\$(COREPNT).P93 801869P\$(COREPNT).P93 801269P\$(1).IMP905\$(COREPNT).P 801069P\$(1).IMP905\$(COREPNT).P 801169P\$(1).IMP905\$(COREPNT).P CS36\$(COREPNT).P93 CE1660FDN\$(COREPNT).P93.STD 833624.TM20.EN.P 832436A.TM20.EN.P 832460A.TM20.EN.P CCB24L\$(CORE).P93 CCB24R\$(CORE).P93 831099\$(CORE).P93 879072.P	New	10600 Lee Road, Humble, TX 77338
HAS	10113556	1 1 1 1 1	EA EA EA EA EA	BOOKCASES AND BOOKSHELVES, METAL & WOOD DESK AND TABLES, WOOD DESK AND TABLES, WOOD CREDENZA UNIT, WOOD POSTURE CHAIRS (ERGONOMIC)	HON	VW611X.HH VW348X.C.P.HH VW076R.C.4.P.HH VW272L.C.4.P.HH IEH2.F.H.U.\$(4)...T	New	10600 Lee Road, Humble, TX 77338
HAS	10113557	2 2 2	EA EA EA	BOOKCASES AND BOOKSHELVES, METAL & WOOD FILING CABINETS, WOOD: CARD, LATERAL, LE DESK AND TABLES, WOOD	HON	VW612X.HH VW636X.C.4.HH VW076D.C.4.P.HH	New	10600 Lee Road, Humble, TX 77338
HAS	10113559	2 1 1 1 1 1 1 1 1 1	EA EA EA EA EA EA EA EA EA EA	BOOKCASES AND BOOKSHELVES, METAL & WOOD STORAGE CABINETS, DATA PROCESSING DESK AND TABLES, WOOD DESK AND TABLES, WOOD CREDENZA UNIT, WOOD FURNITURE, OFFICE & MISCELLANEOUS EQ. BOOKCASES AND BOOKSHELVES, METAL & WOOD FURNITURE, OFFICE & MISCELLANEOUS EQ.	HON	VW612X.HH VW707X.P.HH VW348X.C.P.HH VW076R.C.4.P.HH VW272L.C.4.P.HH VW717X\$(3)NT90 10752.M H870960.X	New	10600 Lee Road, Humble, TX 77338
HAS	10113562	8	EA	CHAIR, OFFICE, ERGONOMIC, MAXIMUM COMFOR	ALLSTEEL	A19-HWB.2.P80.A51901	Replacement	10600 Lee Road, Humble, TX 77338

Attachment A
Furniture Distribution Summary
for

RCA # 8905

Dept	Purch. Reg.	Qty	U	Short text	Make	Model	NEW / REPLACE	ADDRESS
HAS	10113567	2	EA	WORKSTATION, FREE STANDING	ALLSTEEL	862066\$(COREP1).P93.\$(1).CS921	Replacement	10600 Lee Road, Humble, TX 77338
		2	EA	WORKSTATION, FREE STANDING		PF197-203\$(CORE).P93.STD		
		2	EA	WORKSTATION, FREE STANDING		PF198-202\$(CORE).P93.STD		
		2	EA	WORKSTATION, FREE STANDING		CS664\$(COREPNT).P93		
		2	EA	WORKSTATION, FREE STANDING		CS424\$(COREPNT).P93		
		2	EA	WORKSTATION, FREE STANDING		870860.X		
		1	EA	WORKSTATION, FREE STANDING		796948P\$(1).CS921\$(COREPNT).P9		
		1	EA	WORKSTATION, FREE STANDING		802569P\$(COREPNT).P93		
		1	EA	WORKSTATION, FREE STANDING		801869P\$(COREPNT).P93		
		2	EA	WORKSTATION, FREE STANDING		EH66FDN\$(COREP1).P93.STD		
		2	EA	WORKSTATION, FREE STANDING		833066A.TM20.EN.P		
		2	EA	WORKSTATION, FREE STANDING		832436.TM20.EN.P		
		4	EA	WORKSTATION, FREE STANDING		CEP3029F\$(COREPNT).P93		
		2	EA	WORKSTATION, FREE STANDING		CRK29\$(COREPNT).P93		
		2	EA	WORKSTATION, FREE STANDING		CEP2429F\$(COREPNT).P93		
HAS	10113589	10	EA	WORKSTATION, MODULAR, SYSTEM FURNITURE	ALLSTEEL	871236.P	New	10600 Lee Road, Humble, TX 77338
		7	EA	WORKSTATION, MODULAR, SYSTEM FURNITURE		871501.EU		
		7	EA	WORKSTATION, MODULAR, SYSTEM FURNITURE		871504.EU		
		7	EA	WORKSTATION, MODULAR, SYSTEM FURNITURE		871502.EU		
		7	EA	WORKSTATION, MODULAR, SYSTEM FURNITURE		PF197-203\$(CORE).P93.STD		
		7	EA	WORKSTATION, MODULAR, SYSTEM FURNITURE		PF198-202\$(CORE).P93.STD		
		7	EA	WORKSTATION, MODULAR, SYSTEM FURNITURE		870830.X		
		16	EA	WORKSTATION, MODULAR, SYSTEM FURNITURE		796936P\$(1).TG987\$(COREPNT).P9		
		15	EA	WORKSTATION, MODULAR, SYSTEM FURNITURE		796924P\$(1).TG987\$(COREPNT).P9		
		13	EA	WORKSTATION, MODULAR, SYSTEM FURNITURE		801869P\$(COREPNT).P93		
		11	EA	WORKSTATION, MODULAR, SYSTEM FURNITURE		801069P\$(1).TG987\$(COREPNT).P9		
		5	EA	WORKSTATION, MODULAR, SYSTEM FURNITURE		801269P\$(1).TG987\$(COREPNT).P9		
		6	EA	WORKSTATION, MODULAR, SYSTEM FURNITURE		801169P\$(1).TG987\$(COREPNT).P9		
		7	EA	WORKSTATION, MODULAR, SYSTEM FURNITURE		CE1636FDN\$(COREPNT).P93.STD		
		7	EA	WORKSTATION, MODULAR, SYSTEM FURNITURE		CE1624FDN\$(COREPNT).P93.STD		
7	EA	WORKSTATION, MODULAR, SYSTEM FURNITURE	833624A.TM20.EN.P					
7	EA	WORKSTATION, MODULAR, SYSTEM FURNITURE	832436A.TM20.EN.P					
7	EA	WORKSTATION, MODULAR, SYSTEM FURNITURE	832424A.TM20.EN.P					
14	EA	WORKSTATION, MODULAR, SYSTEM FURNITURE	CCB24R\$(CORE).P93					
14	EA	WORKSTATION, MODULAR, SYSTEM FURNITURE	CCB24L\$(CORE).P93					
7	EA	WORKSTATION, MODULAR, SYSTEM FURNITURE	831099\$(CORE).P93					

**Attachment A
Furniture Distribution Summary
for
RCA # 8905**

Dept	Purch. Req.	Qty	U	Short text	Make	Model	NEW / REPLACE	ADDRESS
HAS	10113589 continued	5 4	EA EA	WORKSTATION, MODULAR, SYSTEM FURNITURE WORKSTATION, MODULAR, SYSTEM FURNITURE	ALLSTEEL	CEP2429P\$(COREPNT).P93 879072.P	New	10600 Lee Road, Humble, TX 77338
HAS	10113598	1 5 2	EA EA EA	CHAIR, METAL, BASIC LINE OF SWIVEL, POST CHAIR, METAL, BASIC LINE OF SWIVEL, POST CHAIR, METAL, BASIC LINE OF SWIVEL, POST	HON	MAM1.H.UB.BK19.T MAM1.H.UB.BK19.T MAM1.H.UB.BK19.T	New	10600 Lee Road, Humble, TX 77338
PWE	10113612	1	EA	FILING CABINETS, METAL: CARD, JUMBO,LATE	HON	9285R	New	611 Walker 25th Floor, Houston, TX 77002
PWE	10113613	1	EA	FILING CABINETS, METAL: CARD, JUMBO,LATE	HON	9185 R	Replacement	611 Walker, 23rd Floor, Houston, TX 77002
PWE	10113614	2 3 1	EA EA EA	CHAIR, METAL, BASIC LINE OF SWIVEL, POST CHAIR, METAL, BASIC LINE OF SWIVEL, POST FILING CABINETS, METAL: CARD, JUMBO,LATE	HON	2092 2092 9194R	New/ Replacement	4545 Grove, Houston, TX 77087
PWE	10113615	4 4 8 4	EA EA EA EA	CHAIR, OFFICE, METAL DESK AND TABLES, WOOD CHAIR, GUEST/SIDE, METAL, SLED BASE CREDENZA UNIT, WOOD	HON	VL601 11595 VL653 115497	New	3005 Old Galveston Road, Houston, TX 77017
HAS	10113617	2 2 2 2 9 4	EA EA EA EA EA EA	DESK AND TABLES, WOOD DESK AND TABLES, WOOD DESK AND TABLES, WOOD DESK AND TABLES, WOOD CHAIR, ERGONOMIC, TASK STYLE FILING CABINETS, METAL: CARD, JUMBO,LATE	HON	10578.NN 105681X.NN 10502.N 10504.N 4703.@\$(2).BK19.T 314CP.P	Replacement	10600 Lee Road, Humble, TX 77338
HAS	10113631	2 2 5 2 2 2 7	EA EA EA EA EA EA EA	DESK AND TABLES, METAL DESK AND TABLES, METAL	HON	TCR6G TCR614G TCR510G TCR512G BT062 BT063 BT02.P	Replacement	10600 Lee Road, Humble, TX 77338
PWE	10113640	12	EA	CHAIR, METAL, UPSCALE LINE OF SWIVEL, PO	HON	4002	Replacement	4545 Grove, Houston, TX 77087
HAS	10113738	4 6 6	EA EA EA	CHAIR, ERGONOMIC, TASK STYLE CHAIR, GUEST/SIDE, METAL, SLED BASE DESK AND TABLES, METAL	HON	3302.@\$(4).CU19.T VL653\$(L).ST11 AM2448TR.Q.S.P	New	10600 Lee Road, Humble, TX 77338
HAS	10113761	8	EA	CHAIR, ERGONOMIC, TASK STYLE	HON	7805	New/ Replacement	10600 Lee Road, Humble, TX 77338

Attachment A
Furniture Distribution Summary
for
RCA # 8905

Dept	Purch. Reg.	Qty	U	Short text	Make	Model	NEW / REPLACE	ADDRESS
HAS	10113764	24	EA	CHAIR, METAL, BASIC LINE OF SWIVEL, POST	HON	4077	Replacement	10600 Lee Road, Humble, TX 77338
HAS	10113803	22	EA	CHAIR, EXECUTIVE, HIGH BACK	HON	5021	Replacement	10600 Lee Road, Humble, TX 77338
		20	EA	CHAIR, GUEST/SIDE, METAL, SLED BASE		5023		
		5	EA	FURNITURE, OFFICE & MISCELLANEOUS EQ.		4041		
		1	EA	FURNITURE, OFFICE & MISCELLANEOUS EQ.		4043		
HAS	10113810	2	EA	CHAIR, ERGONOMIC SEATING, SIDE	HON	5002	Replacement	10600 Lee Road, Humble, TX 77338
HAS	10113811	1	EA	DESK AND TABLES, WOOD	HON	10603R.DD	Replacement	10600 Lee Road, Humble, TX 77338
		1	EA	DESK AND TABLES, WOOD		10670.DD		
		1	EA	DESK AND TABLES, WOOD		10608L.DD		
		1	EA	DESK AND TABLES, WOOD		10655.D		
		1	EA	DESK AND TABLES, WOOD		850000.P		
PWE	10113959	10	EA	CHAIR, OFFICE, METAL	HON	PN 7828	Replacement	4200 Leeland Street, Houston, TX 77023
HAS	10114065	1	EA	DESK AND TABLES, WOOD	HON	10685R.JJ	New/ Replacement	10600 Lee Road, Humble, TX 77338
		1	EA	DESK AND TABLES, WOOD		10670.JJ		
		1	EA	DESK AND TABLES, WOOD		10648L.JJ		
		1	EA	FILING CABINETS, METAL: CARD, JUMBO,LATE		10662.J		
		1	EA	DESK AND TABLES, WOOD		10634.JJ		
		1	EA	CHAIR, ERGONOMIC, TASK STYLE		10502.J		
		1	EA	CHAIR, ERGONOMIC, TASK STYLE		10504.J		
		1	EA	DESK AND TABLES, WOOD		105722.J		
		1	EA	DESK AND TABLES, WOOD		105720.JS		
		1	EA	DESK AND TABLES, WOOD		10594.JS		
		1	EA	DESK AND TABLES, WOOD		105681.JS		
HAS	10114224	2	EA	POSTURE CHAIRS (ERGONOMIC)	ALLSTEEL	A19-HWB.2.P80.AS1911	Replacement	10600 Lee Road, Humble, TX 77338
HAS	10114356	2	EA	FILING CABINETS, METAL: CARD, JUMBO,LATE	HON	514P	New/ Replacement	10600 Lee Road, Humble, TX 77338
HAS	10114392	1	EA	DESK AND TABLES, WOOD	HON	LA4896-G	New	10600 Lee Road, Humble, TX 77338
		1	EA	DESK AND TABLES, WOOD		BLS02		
HPD	10114446	1	EA	TABLE, CONFERENCE, COMPONENT STYLE, FOR	HON	TCB120 (V)	Replacement	10600 Lee Road, Humble, TX 77338
		3	EA	ACCESSORIES, CUBICLE FURNITURE SYSTEM		BTL01		
		4	EA	CHAIR, EXECUTIVE, HIGH BACK		4907		
		1	EA	DESK AND TABLES, WOOD		10699		

**Attachment A
Furniture Distribution Summary
for
RCA # 8905**

Dept	Purch. Reg.	Qty	U	Short text	Make	Model	NEW / REPLACE	ADDRESS
HPD	10114446	1	EA	CREDENZA UNIT, WOOD	HON	10649	Replacement	6000 Teague, Houston, TX 77041
	continued	1	EA	ACCESSORIES, CUBICLE FURNITURE SYSTEM		10634		
HPD	10114495	1	EA	CHAIR, METAL, UPSCALE LINE OF SWIVEL, PO	HON	2091	Replacement	1200 Travis 15th Floor, Houston, TX, 77002
HPD	10114496	2	EA	CHAIR, WOOD, GUEST, SIDE	HON	6545	Replacement	62 Riesner, 1st Floor, Houston, TX
		2	EA	DESK AND TABLES, WOOD		PR2460		
HPD	10114497	1	EA	FILING CABINETS, METAL: CARD, JUMBO,LATE	HON	794L	New	6308 Richmond, Houston, TX, 77057
		16	EA	CHAIR, ERGONOMIC, TASK STYLE		5723		
HPD	10114506	1	EA	CHAIR, WOOD, ERGONOMICALLY DESIGNED	HON	VL841	New	61 Riesner, Ste 200, Houston, TX 77002
HPD	10114507	5	EA	CHAIR, ERGONOMIC, TASK STYLE	HON	5703	Replacement	9455 W. Montgomery Road, Houston TX 77088
HPD	10114509	10	EA	CHAIR, ERGONOMIC, TASK STYLE	HON	7823	Replacement	6301 Ley Road, Houston, TX 77028
		10	EA	CHAIR, METAL, UPSCALE LINE OF SWIVEL, PO		2071		
		1	EA	DESK AND TABLES, WOOD		PA075RE7N.NN		
		1	EA	FURNITURE, OFFICE & MISCELLANEOUS EQ.		PA182LE7N.NN		
		1	EA	HUTCH FOR DESKS, CREDENZAS, ETC		PA613XEXN.NN		
		1	EA	FILING CABINETS, WOOD: CARD, LATERAL, LE		PA636XE7N.NN		
		1	EA	KEY STORAGE CABINETS AND FILES		SC2472.P		
		13	EA	CHAIR, OFFICE, METAL		4041		
		15	EA	DESK AND TABLES, WOOD		MT1872E		
		15	EA	DESK AND TABLES, WOOD		MBTLEG18		
HDHS	10114653	2	EA	FILING CABINETS, METAL: CARD, JUMBO,LATE	ALLSTEEL	ESC5361	New	8000 N. Stadium Drive, 8th Floor, Houston, TX 77054
		1	EA	CHAIR, OFFICE, METAL		TR-MWK		
		1	EA	FILING CABINETS, METAL: CARD, JUMBO,LATE		ELF436NB		
		1	EA	CHAIR, EXECUTIVE, HIGH BACK		A19-HWG		
HPD	10114681	1	EA	WORKSTATION, MODULAR, SYSTEM FURNITURE	HON	94271	New	3202 S. Dairy Ashford, Houston, TX, 77082
		1	EA	CREDENZA UNIT, WOOD		94243		
		1	EA	BOOKCASES AND BOOKSHELVES, METAL & WOOD		94225		
		1	EA	ACCESSORIES, CUBICLE FURNITURE SYSTEM		90034		
		1	EA	ACCESSORIES, CUBICLE FURNITURE SYSTEM		10738		
		1	EA	ACCESSORIES, CUBICLE FURNITURE SYSTEM		PA896X		
		1	EA	ACCESSORIES, CUBICLE FURNITURE SYSTEM		91212		
		44	EA	ACCESSORIES, CUBICLE FURNITURE SYSTEM		NS2R6836F		
		11	EA	ACCESSORIES, CUBICLE FURNITURE SYSTEM		WC3624P		
		22	EA	ACCESSORIES, CUBICLE FURNITURE SYSTEM		INEP2429		

**Attachment A
Furniture Distribution Summary**

for
RCA # 8905

Dept	Purch. Req.	Qty	U n	Short text	Make	Model	NEW / REPLACE	ADDRESS
HPD	10114681 continued	6 8 1 11 11 22	EA EA EA EA EA EA	CHAIR, METAL, UPSCALE LINE OF SWIVEL, PO CHAIR, METAL, UPSCALE LINE OF SWIVEL, PO CHAIR, METAL, UPSCALE LINE OF SWIVEL, PO ACCESSORIES, CUBICLE FURNITURE SYSTEM ACCESSORIES, CUBICLE FURNITURE SYSTEM ACCESSORIES, CUBICLE FURNITURE SYSTEM	HON	4701 5002 10734 NREC NRC68 WR2436P	New	3202 S. Dairy Ashford, Houston, TX, 77082
PWE	10114684	1	EA	FILING CABINETS, METAL: CARD, JUMBO,LATE	HON	685L	New	611 Walker, 5th Floor, Houston, TX 77002
HPD	10114685	1	EA	FILING CABINETS, METAL: CARD, JUMBO,LATE	HON	695L	New	1200 Travis, 18th Floor, Houston, TX 77002
HPD	10114686	1	EA	BOOKCASES AND BOOKSHELVES, METAL & WOOD	HON	94225	New	2855 Bay Area Blvd., Houston, TX 77058
HPD	10114687	2	EA	FILING CABINETS, WOOD: CARD, LATERAL, LE	HON	782L	New	61 Riesner, Houston, TX 77002
HPD	10114688	9	EA	CHAIR, ERGONOMIC, TASK STYLE	HON	7754	New/ Replacement	1200 Travis, Suite 2423, Houston, TX 77002
HPD	10114689	3	EA	CHAIR, METAL, UPSCALE LINE OF SWIVEL, PO	HON	3501	New	1900 Rusk, Houston, TX 77010
HPD	10114690	21	EA	CHAIR, ERGONOMIC, TASK STYLE	HON	7805	Replacement	1200 Travis, 9th Floor, Houston, TX 77002
HPD	10114691	8	EA	CHAIR, EXECUTIVE, HIGH BACK	HON	2092-2B	New	1200 Travis, 6th Floor, Houston, TX 77002
HPD	10114692	20	EA	CHAIR, OFFICE, METAL	HON	G52-2A	Replacement	10600 Lee Road, Humble, TX 77338
HPD	10114693	15	EA	CHAIR, METAL, UPSCALE LINE OF SWIVEL, PO	HON	4703	Replacement	17000 Aldine Westfield Road, Houston, TX 77073
HPD	10114694	1	EA	CHAIR, GUEST/SIDE, METAL, SLED BASE	HON	2073	New	
HPD	10114695	50	EA	CHAIR, METAL, UPSCALE LINE OF SWIVEL, PO	HON	4701	Replacement	
HPD	10114696	1	EA	CHAIR, METAL, BIG AND TALL-SERIES	HON	5001	Replacement	
HPD	10114697	10	EA	CHAIR, METAL, UPSCALE LINE OF SWIVEL, PO	HON	2072	Replacement	
HAS	10114733	12	EA	CHAIR, ERGONOMIC, TASK STYLE	HON	ITS-A.H.MS(4).EC10.T	New	
HPD	10114756	9	EA	FILING CABINETS, METAL: CARD, JUMBO,LATE	HON	18720A	Replacement	
		9	EA	WORKSTATION, MODULAR, SYSTEM FURNITURE		IN242N		
		9	EA	WORKSTATION, MODULAR, SYSTEM FURNITURE		H870960		
		9	EA	WORKSTATION, MODULAR, SYSTEM FURNITURE		IN8922HP		
		9	EA	WORKSTATION, MODULAR, SYSTEM FURNITURE		INF60LA		
		9	EA	WORKSTATION, MODULAR, SYSTEM FURNITURE		T60		
		9	EA	CHAIR, METAL, UPSCALE LINE OF SWIVEL, PO		7608		
		3	EA	FILING CABINETS, METAL: CARD, JUMBO,LATE		19723A		
		3	EA	FILING CABINETS, METAL: CARD, JUMBO,LATE		19820A		

Attachment A
Furniture Distribution Summary
for
RCA # 8905

Dept	Purch. Req.	Qty	U	Short text	Make	Model	NEW / REPLACE	ADDRESS
HPD	10114756 continued	3	EA	WORKSTATION, MODULAR, SYSTEM FURNITURE	HON	IN244N	Replacement	17000 Aldine Westfield Road, Houston, TX 77073
		3	EA	WORKSTATION, MODULAR, SYSTEM FURNITURE		H870960		
		3	EA	WORKSTATION, MODULAR, SYSTEM FURNITURE		IN8220HP		
		3	EA	WORKSTATION, MODULAR, SYSTEM FURNITURE		IN8925HP		
		3	EA	WORKSTATION, MODULAR, SYSTEM FURNITURE		IN8934FP		
		3	EA	WORKSTATION, MODULAR, SYSTEM FURNITURE		INFD72LA		
		3	EA	WORKSTATION, MODULAR, SYSTEM FURNITURE		T72		
		3	EA	CHAIR, ERGONOMIC, TASK STYLE		7608		
		12	EA	FILING CABINETS, WOOD: CARD, LATERAL, LE		9185R		
		9	EA	CHAIR, OFFICE, METAL		CL18PC		
		1	EA	HUTCH FOR DESKS, CREDENZAS, ETC		94442		
		1	EA	HUTCH FOR DESKS, CREDENZAS, ETC		94011		
		1	EA	SOFA		VL873		
		1	EA	DESK AND TABLES, WOOD		94276		
		1	EA	DESK AND TABLES, WOOD		94251		
2	EA	CREDENZA UNIT, WOOD	94244					
1	EA	BOOKCASES AND BOOKSHELVES, METAL & WOOD	94225					
HPD	10114759	3	EA	DESK AND TABLES, WOOD	HON	38291R	New	1200 Travis, 8th Floor, Houston, TX 77002
		3	EA	DESK AND TABLES, WOOD		38857L		
		3	EA	DESK AND TABLES, WOOD		38210		
		4	EA	CHAIR, ERGONOMIC, TASK STYLE		7808		
		1	EA	KEY STORAGE CABINETS AND FILES		SC2472		
		1	EA	WORKSTATION, PARTS & ACCESSORIES,		ALM4272PR		
ARA	10114929	1	EA	WORKSTATION, PARTS & ACCESSORIES,	ALLSTEEL	EBC72	New/ Replacement	1001 Avenida de las Americas, Houston, TX 77010
		1	EA	WORKSTATION, PARTS & ACCESSORIES,		T-SLOP		
		2	EA	CHAIR, GUEST/SIDE, METAL, SLED BASE		870824		
		1	EA	WORKSTATION, PARTS & ACCESSORIES,		871024		
		1	EA	WORKSTATION, PARTS & ACCESSORIES,		871030		
		8	EA	WORKSTATION, PARTS & ACCESSORIES,		870842		
		2	EA	WORKSTATION, PARTS & ACCESSORIES,		871224		
		2	EA	WORKSTATION, PARTS & ACCESSORIES,		871236		
		2	EA	WORKSTATION, PARTS & ACCESSORIES,		871230		
		3	EA	WORKSTATION, PARTS & ACCESSORIES,		871136		
		2	EA	WORKSTATION, PARTS & ACCESSORIES,		871248		
		5	EA	WORKSTATION, PARTS & ACCESSORIES,		871501		
		5	EA	WORKSTATION, PARTS & ACCESSORIES,		871502		

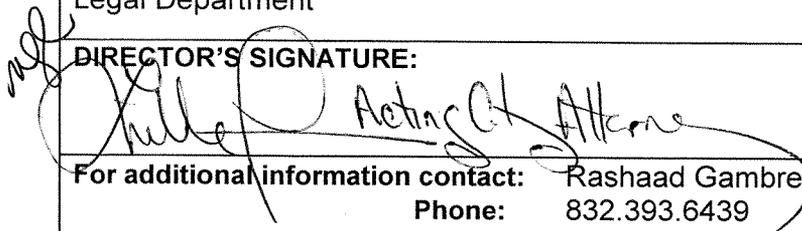
**Attachment A
Furniture Distribution Summary
for
RCA # 8905**

Dept	Purch. Req.	Qty	U	Short text	Make	Model	NEW / REPLACE	ADDRESS
HAS	10115036 continued	8	EA	ELL CONNECTOR KIT 43H LOW PROFILE	ALLSTEEL	801143P\$(1).CS914\$(COREPNT).P9	Replacement	10600 Lee Road, Humble, TX 77338
		8	EA	ELL CONNECTOR KIT 69H LOW PROFILE		801169P\$(1).CS914\$(COREPNT).P9		
		4	EA	STAIRGHT CONNECTOR KIT 89H LOW PROFILE		801069P\$(1).CS914\$(COREPNT).P9		
		4	EA	ESS OH STG CAB 24W/SQ PNTD FLIP DOOR		CE1624FDN\$(COREPNT).P93.STD		
		4	EA	ESS OH STG CAB 60W/SQ PNTD FLIP DOOR		CE1660FDN\$(COREPNT).P93.STD		
		4	EA	PRIMARY 24DX48W T-MOLD EG LAM W/GROMS		832448A.TM20.EN.P		
		4	EA	cORNER 26wx24d W/RADIAL LEADING EG T-MOL		833624RA.TM20.EN.P		
		4	EA	WORKSTATION, MODULAR, SYSTEM FURNITURE		832472A.TM20.EN.P		
		4	EA	PRIMARY 24DX60W T-MOLD EG LAM W/GROMMETS		832460A.TM20.EN.P		
		4	EA	FLAT BRACKET 24D		831124		
		12	EA	CANTILEVER BRACKET 24D LH CONCENSYS		CCB24L\$(CORE).P93		
		8	EA	CANTILEVER BRACKET 24D RH CONCENSYS		CCB24R\$(CORE).P93		
		8	EA	WORKSTATION, MODULAR, SYSTEM FURNITURE		831099\$(CORE).P93		
		PWE	10115150	10		EA		
10	EA			CHAIR, ERGONOMIC, TASK STYLE	RL-MHW-2.0			
10	EA			CHAIR, ERGONOMIC, TASK STYLE	RL-MHW-2.0			
5	EA			CHAIR, ERGONOMIC, TASK STYLE	RL-MHW-2.0			
5	EA			CHAIR, ERGONOMIC, TASK STYLE	RL-MHW-2.0			
10	EA			CHAIR, ERGONOMIC, TASK STYLE	RL-MHW-2.0			
30	EA			CHAIR, GUEST/SIDE, METAL, SLED BASE	RL-MHW-2.0			
8	EA			CHAIR, ERGONOMIC, TASK STYLE	NMBL-2FC-0-.P71--SBLK			
4	EA			CHAIR, ERGONOMIC, TASK STYLE	RL-MHW-2.0			
13	EA			CHAIR, ERGONOMIC, TASK STYLE	RL-MHW-2.0			
HPD	10115250	9	EA	CHAIR, ERGONOMIC, TASK STYLE	HON	RL-MHW-2.0	Replacement	Various ROWFM Locations
		1	EA	DESK AND TABLES, WOOD		RL-MHW-2.0		
		1	EA	ACCESSORIES, CUBICLE FURNITURE SYSTEM		PE743L		
		1	EA	FILING CABINETS, WOOD: CARD, LATERAL, LE		PE601		
		1	EA	BOOKCASES AND BOOKSHELVES, METAL & WOOD		PE302		
		1	EA	CREENZA UNIT, WOOD		PE203		
		1	EA	ACCESSORIES, CUBICLE FURNITURE SYSTEM		PE725R		
		1	EA	CHAIR, OFFICE, ERGONOMIC, MAXIMUM COMFOR		PE202		
		1	EA			6571		

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SUBJECT: An ordinance amending various provisions of Chapter 18 of the Code of Ordinances, Houston, Texas, relating to ethics and financial disclosure	Category #	Page 1 of 1	Agenda Item # 11
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FROM (Department or other point of origin): David M. Feldman, City Attorney Legal Department	Origination Date	Agenda Date JAN 05 2011
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ml
 **DIRECTOR'S SIGNATURE:**
Acting City Attorney

DIRECTOR'S SIGNATURE:	Council District affected: All
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For additional information contact: Rashaad Gambrell Phone: 832.393.6439	Date and identification of prior authorizing Council action: N/A
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RECOMMENDATION: (Summary)
That City Council pass an ordinance amending various provisions of Chapter 18 of the Code of Ordinances relating to the city's ethics standards and financial disclosure requirements incumbent upon city officials.

Amount of Funding: N/A	F & A Budget: N/A
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SOURCE OF FUNDING: General Fund Grant Fund Enterprise Fund

Other (Specify)

SPECIFIC EXPLANATION:
Chapter 18 of the City of Houston Code of Ordinances contains the city's ethics standards and financial disclosure requirements applicable to city officials and other regulatory provisions addressing lobbying, the solicitation and receipt of campaign contributions, and campaign finance reporting. The proposed amendments are designed to advance the purposes of Chapter 18 in several respects.

The amendments strengthen the ethical standards of conduct imposed upon city officials by proposing to expand the definition of the terms *benefit*, *contract*, *contractor*, and *contract award period* to provide a more expansive but specifically defined range of prohibited conduct.

The proposed amendments contain the recommendation that all violations of the city's ethics standards of conduct constitute violations of law, thus subjecting them to the general penalty provision contained in section 1-6 of the City Code and strengthening and reaffirming the city's commitment to zero-tolerance for city officials who violate the city's ethics standards of conduct. It is also recommended that the city's Ethics Committee be rebranded as the Ethics *Commission* and be empowered to utilize the city's Office of Inspector General in conducting investigations of alleged violations of the ethics standards of conduct.

Finally, it is also recommended that Chapter 18 be amended to strengthen the registration and reporting requirements of lobbyists including increasing the registration fee from \$20.00 to \$250.00, increase the threshold interest a former city official may have in a business that has a contractual relationship with the city; and impose a strict prohibition on former city official's interaction with members of the city's executive or legislative branch in an attempt to secure access to information not otherwise available to the general public.

A discussion of all the proposed changes occurred at a meeting of the Council Ethics and Governance Committee conducted on November 4, 2010.

Chapter 18

ETHICS AND FINANCIAL DISCLOSURE

ARTICLE I. IN GENERAL

Sec. 18-1. Policy.

It is the policy of the city that all city officials ~~and candidates for city elective office~~ shall act and conduct themselves, both inside and outside the city's service, so as to give no occasion for distrust of their integrity, credibility or devotion to the best interests of the city and the public trust that it holds. To this end, there is established in this chapter an ethics commission committee for the city. The purpose of the commission committee is to accept and review complaints of impropriety on the part of city officials ~~and candidates for city elective office~~ including, but not limited to, conflicts of interest such as the use of offices or employment for private gain, the granting and exchanging of favored treatment to persons, businesses, or organizations, and the conduct of activities that engender opportunities to influence government decisions for personal gain or advantage; or that might otherwise bring discredit on or to the city. Additionally, the policy of the city in adopting article IV of this chapter is:

- (1) ~~†~~To eliminate any undue influence ~~or the appearance of undue influence,~~
- (2) ~~†~~To prohibit solicitation of campaign funds by city employees or certain appointed officials, and
- (3) ~~†~~To reduce the pressure on incumbents to spend increasing amounts of time raising funds for campaigns.

Sec. 18-2. Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ~~ascribed to them~~ provided in this section, except where otherwise expressly provided in this chapter or where the context clearly indicates a different meaning:

Benefit means anything reasonably regarded as economic gain or economic advantage, including any charitable contribution; ~~benefit to any other person in whose welfare~~ a city official ~~the beneficiary~~ is directly interested.

Business means any activity engaged in for economic gain, whether professional, industrial or commercial, and whether established to produce or deal with a product, service, or property including, but not limited to, activities operated

in the form of a sole proprietorship, limited partnership, general partnership, corporation, joint stock company, joint venture, receivership or trust or in any other form. The term "business" shall also include activities engaged in for charitable, educational or philanthropic purposes.

Candidate means a person who knowingly and willingly takes affirmative action for the purpose of gaining election to city office or for the purpose of satisfying financial obligations incurred by the person in connection with the campaign for election. The term ~~of the~~ *candidate* shall also include an office holder of a city elective office or an office holder elect. To the extent that any candidate elects to receive contributions or make expenditures through a "specific-purpose committee" as that term is defined by section 251.001 of the Texas Election Code, then the specific-purpose committee shall be regarded as the agency of the candidate, and the actions of the specific-purpose committee shall be deemed to be actions of the candidate who is utilizing the specific-purpose committee. Examples of affirmative action include:

- (1) ~~t~~The filing of a campaign treasurer appointment;
- (2) ~~t~~The filing of an application for a place on a ballot;
- (3) ~~t~~The filing of declaration of a write-in candidacy;
- (4) ~~t~~The making of a public announcement of a definite intent to run for city office in a particular election, regardless of whether the specific office is mentioned in the announcement;
- (5) ~~b~~Before a public announcement of intent, the making of a statement of definite intent to run for city office and the soliciting of support by letter or other mode of communication; and
- (6) ~~t~~The soliciting or accepting of a campaign contribution or the making of a campaign expenditure.

City elective office means the offices of the mayor, the various city council positions and the city controller.

City official means the elected city officials, appointive officials as defined ~~in~~ at Article Va, Section 2(a) of the city ~~c~~Charter, assistant city attorneys, persons holding executive level employee positions as defined ~~in~~ at Article Va, Section 2(f) of the city ~~c~~Charter, and appointed members of city boards, committees and commissions and any person whose services are donated to the city. The term includes full-time and

part-time service and service on a long-term or short-term basis, whether undertaken pursuant to a written agreement or otherwise.

Commission Committee means the ethics commission committee.

Contract means each contract having a value in excess of ~~\$50,000.00~~^{30,000.00} that is let by the city for professional services, personal services, high-technology goods, construction or services, or other goods or services of any other nature whether the contract is awarded on a negotiated basis, request for proposal basis, competitive proposal basis or formal sealed competitive bids.

Contract award period means ~~relative to a contract means~~ the period commencing upon the calendar day when the city takes formal action in publishing a request for a proposal or an invitation for formal bids at the time of posting of the city council meeting agenda including an item for the award of the contract and ending upon the 30th day after the award of the contract by city council or a determination by city council or the mayor that the contract will not be awarded to a contractor.

Contractor means any person who has received the award of a contract, submitted a bid or proposal in any form for the award of a contract, or and who has been proposed to be awarded the contract in an item placed upon the city council agenda, including and any other person who seeks the award of the contract and is contesting, appealing or protesting the award of the contract as proposed. The term shall include the proprietor for a proprietorship, each partner having an equity interest of ten percent or more for a partnership and each corporate officer, corporate director or holder of ten percent or more of the outstanding shares of stock for a corporation. The term shall also include any subcontractor authorized to provide all or a portion of goods, labor, or services in fulfillment of an award of a contract.

Donated means provided without charge to the city or for compensation of \$1.00 per year or less.

Elected city official means any person who holds a city elective office, whether through election or through an appointment to fill an unexpired term thereof.

Election means the process by which individuals (whether opposed or unopposed) seek election to city elective offices. A run-off election is a separate election.

Impropriety means conduct that violates ~~or gives the appearance that one or more of the ethical standards established in section 18-3 of this Code herein have been violated.~~

Interest in real property includes any leasehold, beneficial interest, ownership interest or an option to acquire any such interest in real property.

Member of household means:

- (1) A person who is the city official's or candidate's spouse, child, ward, parent or other relative, or the child, ward, parent or other relative of such official's or candidate's spouse, and who shares the city official's or candidate's legal residence; or
- (2) A person who is the city official's or candidate's spouse, child, ward, parent or ~~such other relative, or the child, ward, parent or other relative of such the city official's or candidate's spouse,~~ and over whose financial affairs and holdings the city official or candidate has legal or actual control, whether or not they share a legal residence.

Misconduct means an act committed in violation of a penal law of the United States or of the State of Texas, or an act committed in violation of any penal provision of this Code, except other than an act committed in violation of section 18-3 of this Code.

Person means an individual, corporation, partnership, labor organization, ~~or an unincorporated association,~~ firm, committee, political committee, club or other organization or group of persons whether associated with a political party or element thereof or not.

Personal loan means a contribution, loan or other advance from personal resources made to a candidate's campaign by the candidate, or personal funds expended on a campaign by a candidate for which reimbursement will be sought, or any loans made to a candidate's campaign which ~~that~~ are guaranteed in whole or in part by the candidate.

Salaried means receiving compensation from the city in any amount.

Sec. 18-3. Standards of conduct.

- (a) It shall be unlawful for any ~~No~~ city official to ~~shall~~:

- (1) Engage in any business or professional activity that ~~might reasonably tend to conflicts~~ with the discharge of official duties.
- (2) Invest or hold any investment or interest ~~directly or indirectly~~ in any financial, business, commercial or other transaction; that creates ~~or might reasonably tend to create~~ a conflict between the public trust held as an official of the city and the official's private interests.
- (3) Disclose confidential information concerning the property, operations, policies or affairs of the city, or use such confidential information to advance the personal interests, financial or otherwise, including the property interests, of said official or others, or accept employment or engage in business or professional activity that the official might reasonably expect would require or induce him to disclose confidential information acquired by reason of his official position.
- (4) Use ~~the one's~~ official's position or the city's facilities, equipment or supplies for the private gain or advantage of the official or others, or use or attempt to use ~~the one's~~ official's position to secure special advantage for the official or others.
- (5) Negotiate for or accept future employment with any person, firm, association or corporation that has a substantial interest in any proposed ordinance or decision ~~within such person's area of responsibility~~ and upon which the official may or must act or make a recommendation subsequent to such negotiation or acceptance.
- (6) Appear before the body of which the official is a member while representing any private person, group or interest.
- (7) Use the official's position to harass or discriminate against any person based upon ethnicity, race, gender, sexual orientation, or religion. Engage in or promote ideas and/or actions that would demean and defame any particular ethnic group, racial minority group, special interest group and/or religious group.
- (8) Solicit, accept, or agree to accept a benefit from a contractor during a contract award period or any time when the city official knows the contractor is interested in any contract of any value.

(b) In addition to the provisions of subsection (a) of this section, it shall be unlawful for any elected city official to:

- (1) Use or attempt to use the official's position to exercise any administrative powers over any city department.
 - (2) Use or attempt to use the official's position to influence or attempt to influence a contractor or a recipient of grant money administered by the city to utilize the goods, labor, or services of any person for the private gain or advantage of the official or others; provided, this provision shall not be construed to prohibit an official, acting in the capacity of a citizen, from communicating with a contractor concerning matters not related to or affecting city business.
- (cb) It shall be unlawful for any~~No~~ salari~~ed~~ city official to~~shall~~:
- (1) ~~Represent, directly or indirectly, any private person, group or interest before any agency of the city, except in matters of purely civic or public concern and when the official is acting doing so, without compensation or remuneration.~~
 - (2) ~~Represent, directly or indirectly, any private person, group or interest in any action or proceeding against the interests of the city, or in any litigation in which the city or any agency thereof is a party. However, this provision shall not prohibit representation by a group, firm or organization the city official is associated with if such city official does not participate in the action, proceeding or litigation in any manner and does not receive any benefit directly or indirectly from the action or proceeding.~~
 - (3) ~~Represent, directly or indirectly, any private person, group or interest in any action or proceeding in the municipal courts of the city that was instituted by a city officer or employee in the course of official duties.~~

The provisions of this subsection shall not be construed to prohibit elected city officials and their staffs, while acting in the course and scope of their duties, from rendering assistance to constituents in lawfully obtaining city services, licenses, or permits or in transacting other routine matters of public business with city departments or agencies, provided that no preferential treatment or consideration is requested by the elected city official or his staff members on behalf of the constituents.

~~The provisions of section 1-6 of this Code shall not be applicable to this section.~~ The provisions of this article shall be cumulative of any other applicable requirements imposed by this Code.

Sec. 18-4. Chapter cumulative.

This chapter is cumulative of and supplemental to applicable state and federal laws and regulations. Compliance with the provisions of this chapter shall not excuse or relieve any person from any obligation imposed by state or federal law regarding ethics, financial reporting, campaign financing or any other issue addressed in this chapter.

Secs. 18-5--18-10. Reserved.

ARTICLE II. ETHICS COMMISSION COMMITTEE

Sec. 18-11. Created; purpose.

There is hereby created and established the ethics commission committee ("~~committee~~") for the city to administer and implement this chapter. The commission committee shall have the duty and power to review and ~~investigate~~ allegations of impropriety on the part of city officials ~~and candidates for city elective office~~.

Sec. 18-12. Composition.

The ethics commission committee shall consist of seven persons of good moral character who shall be adult residents of the city. The mayor shall direct certain organizations to nominate the members of the commission committee. The positions shall be filled as follows:

- (1) *Position 1:* By a member of the legal community. The Houston Bar Association shall nominate the person to fill the position from the legal community.
- (2) *Position 2:* By a member of the labor community. The Central Labor Council of the AFL-CIO shall nominate the person to fill the position from the labor community.
- (3) *Position 3:* By a member of the medical community. The Harris County Medical Society shall nominate ~~a~~ the person to fill the position from the medical community.
- (4) *Positions 4, 5, 6 and 7:* By four members from the city community-at-large. The city council shall nominate the persons to fill these four positions.

The city council shall confirm all nominations for positions on the commission committee. If any nominee is unable or declines to serve on the commission committee,

or is not confirmed by city council, the nominating authority shall nominate another person to fill the position. If the nominating authority for Position 1, 2 or 3 declines to submit a nomination to fill its respective position, either initially or subsequently, or is unable to do so, or fails to do so within 30 days of the request by the mayor, the city council shall nominate and confirm a person to fill such vacant position.

Sec. 18-13. Term of office.

The initial term of each position as hereby established shall commence on January 1, 1986. The initial terms of Positions 1, 3, 5 and 7 shall expire on December 31, 1987; and the initial term of Positions 2, 4 and 6 shall expire on December 31, 1986. Following the aforesaid initial terms, the term of office for each position on the commission committee shall be two years. Any vacancy that occurs during an unexpired term shall be filled for the remainder thereof in the manner prescribed in section 18-12 of this Code for original nominations. No member may be an official or employee of the city or be a candidate for such position. A member shall hold office until his successor has been nominated by the proper authority and confirmed by city council.

Sec. 18-14. Chairman, vice-chairman; quorum.

Annually, upon confirmation of its new members, the commission committee shall elect one of its members to serve as chairman who will preside at all meetings. The commission committee shall also elect another of its members to serve as vice-chairman who shall preside at meetings in the absence of the chairman. Four members of the commission committee shall constitute a quorum to transact business. If a quorum is present, a vacancy on the commission committee shall not impair the right of the remaining members to exercise all the powers of the commission committee.

Sec. 18-15. Removal of members.

Members of the commission committee may be removed by the mayor, with the concurrence of city council, for substantial neglect of duty or for conduct that impairs the ability of the member to carry out his commission committee duties.

Sec. 18-16. Procedures; duties.

(a) The commission committee may for itself establish for itself any rules of order, evidence, or procedure that are consistent with principles of due process and not in conflict with applicable state law. Copies of commission rules of order, evidence, or procedure shall be posted on the city's internet website and maintained in the city secretary's office for inspection and purchase at the fees prescribed by law.

(b) Neither the commission committee nor any member shall have power to take action except by authority of majority vote, which shall mean the vote of at least four members.

(c) The commission committee may request the city attorney to provide legal advice, including any necessary training, or it may request of city council that special outside counsel be employed to serve in an advisory capacity to the commission committee. The commission committee may also request that city council employ or retain any additional staff that the commission committee may deem necessary, but no person employed or retained by the commission committee shall be considered an officer or employee of the city.

(d) Upon the receipt of a sworn, written complaint of any person the commission committee shall, or and upon its own initiative or an unsworn or anonymous complaint, the committee may, review alleged acts of impropriety on the part of city officials and candidates for city office. Upon the commission's request, the office of inspector general shall provide the commission with necessary assistance in the investigation of complaints. At least once each calendar year the director of administration and regulatory affairs shall cause to be distributed to each city employee by email, fax, or other similar means a notice setting forth the functions and duties of the committee and the procedures for filing complaints, and periodically such notices shall be posted in prominent places in city-owned facilities. The notices shall set forth a city office and telephone number that may be contacted for further assistance or information.

(e) If ~~When~~ the commission committee concludes that there is reasonable cause to believe that an impropriety has occurred, the commission committee shall make a detailed written report of such conduct and forward its finding to the mayor, and city council, the city attorney, and to any appropriate department, agency, commission, or board.

(f) If ~~When~~ the commission committee concludes that there is not reasonable cause to believe that impropriety has occurred, it shall promptly report such finding to the city official who is the subject of the complaint and the person who submitted the complaint the mayor and city council and to any appropriate department, agency, commission, or board.

(g) If any complaint received or matter brought to the attention of the commission committee appears to involve misconduct, the commission committee shall refer the matter to the office of inspector general, police department, district attorney's office or other state or federal authority responsible for the investigation or prosecution thereof. If an impropriety is also alleged therein the commission committee shall defer its review investigation thereof or coordinate its review investigation with the office of inspector general or agency responsible for the criminal investigation or prosecution so as not to

prejudice any investigation of misconduct or prosecution for misconduct that is being conducted by criminal investigation or prosecution authorities.

(h) If, in the course of the ~~commission committee's~~ review of allegations of impropriety, there appears to be a question or issue of misconduct involved, the ~~commission committee~~ shall immediately suspend its review and refer the matter ~~under review~~ to the office of inspector general or the proper federal, state, and local governmental authority for investigation and possible criminal prosecution, or coordinate its ~~review investigation~~ with the office of inspector general or agency responsible for the criminal investigation or prosecution so as not to prejudice any investigation of misconduct or prosecution for misconduct that is being conducted by criminal investigation or prosecution authorities.

(i) When the ~~commission committee~~ concludes that there has been a violation of subsection (a), part (7) of section 18-3 of this Code it shall have the power to:

- (1) Issue a public rebuke and reprimand of the city official violator; and/or
- (2) Recommend to the mayor and city council and to any appropriate department, agency, commission, or board Request that the city official violator be removed and relieved of any and all committee membership(s), assignments and/or duties related to same.

(j) The commission shall review, process, and conclude all complaints in an expeditious manner.

(k) At least once each calendar year the director of the department of administration and regulatory affairs shall cause to be distributed to each city employee by email, fax, or other similar means a notice setting forth the functions and duties of the commission and the procedures for filing complaints, and periodically such notices shall be posted in prominent places in city-owned facilities. The notices shall set forth a city office and telephone number that may be contacted for further assistance or information.

Sec. 18-17. Opinions.

(a) Upon receipt of a written request from any person subject to the ethical standards set out in section 18-3 herein, the ~~commission committee~~ may render written advisory opinions about the application of such ethical standards to such person in regard to a specified factual situation, whether existing or hypothetical. Any written advisory opinion so rendered shall be issued not later than the sixtieth day after the date the ~~commission committee~~ receives the written request.

(b) On its own initiative, the commission committee may issue a written advisory opinion about the application of the ethical standards set out in section 18-3 ~~if herein when~~ a majority of the commission committee determines that an opinion would be in the public interest or in the interest of any person or persons subject to section 18-3; provided, however, that in no case ~~shall may~~ the commission committee issue such an opinion which includes the name of any individual who may be affected by the opinion.

Secs. 18-18--18-20. Reserved.

ARTICLE III. FINANCIAL DISCLOSURE

Sec. 18-21. By city officials and candidates for city office.

(a) As used in this article the term "*city official*" shall have the meaning provided ~~ascribed~~ in section 18-2 of this Code, except that persons whose services are donated to the city and appointed members of city boards, committees and commissions who are compensated on a per-meeting basis shall be excluded.

(b) On or before April 30 of each calendar year, each city official shall file with the city secretary a financial disclosure statement. The statement shall cover the previous calendar year. For the purposes of this article, a financial disclosure statement filed pursuant to Chapter 145 of the Texas Local Government Code shall be deemed to meet this requirement. In any year, to comply with this section, the city controller may elect to file a financial disclosure statement in the form and on the schedule prescribed by Chapter 145.

(c) Any candidate for a city elective office at a general election who has not filed a financial disclosure statement pursuant to Chapter 145 of the Texas Local Government Code during the year in which such election is held; shall file a statement pursuant to that law with the city secretary. A candidate for city elective office in a special election to fill a vacancy shall file a financial disclosure statement with the city secretary as provided in the preceding sentence. The term candidate ~~candidate~~ shall include a city official seeking reelection or election to another city elective office. Those candidates who have not filed by the filing date provided herein shall be advised of such omission by the commission via hand delivery, electronic mail, committee by way of certified mail, return receipt requested, sent or delivered to the address provided by such candidate at the time of filing for office, or by any other method approved by the commission.

(d) A city official who ceases to be a city official shall file a financial disclosure statement with the city secretary for the period existing between the previous statement filed by such official and the effective date of such official's termination of duty or employment.

(e) Any person who is appointed to a city elective office for an unexpired term and who is not otherwise subject to subsections (b) or (c) hereinabove shall file a financial disclosure statement with the city secretary for the 12 months preceding his appointment. The statement shall be filed not later than 15 days following such appointment. This subsection shall not apply to the mayor pro tem who fills a vacancy created in the office of mayor, or to the vice mayor pro tem who fills a vacancy created in the office of mayor or mayor pro tem, provided such person has previously complied with subsection (b) above.

(f) The city secretary shall retain financial disclosure statements for not less than five years from the date of filing. The city secretary shall also maintain a list of the persons who are required to file financial disclosure statements under this article and an index of the statements filed, setting forth names and dates of filing.

(g) A city official or candidate for a city elective office shall include the following information by separate listing of each category, as enumerated in parts (1) through (14) below, in his or her required financial disclosure statement:

- (1) The name, address, ~~the~~ public position held or sought by the city official or candidate, the names of all members of his household, and all names under which any of them do business.
- (2) All sources of occupational income in excess of \$250.00 per source of the city official or candidate, and members of his household, including the amount, the name and business address of the employer or employing business and the nature of the occupation or business. If the city official, candidate, or any member of his household is self-employed, or if such person owns, either legally or beneficially, at least a 20 percent interest in the business, then he shall report the names and addresses of the clients or customers from whom he or his employer or employing business received at least ten percent of such employer's or employing business' gross income during the period covered by the statement. If such income is for the provision of medical, health-related, or legal services, the income shall be listed but the identity of the individual patients or clients need not be disclosed.
- (3) All income received during the period covered by the statement by the city official, candidate, member of his household, or by a business in which the person has a 20 percent or greater interest, as a fee for future, unspecified services, including the amount and the name of the source of the fee.

- (4) An itemized list of all income in excess of \$250.00 per source received during the period covered by the statement by the city official, candidate, or member of his household from interest, dividends, royalties or rents, including the amount and the identification of the source.
- (5) An itemized list of all income in excess of \$250.00 per source received during the period covered by the statement by the city official, candidate, or member of his household as the beneficiary of a trust, including the amount and the identification of the source.
- (6) The identification of any person, business, or organization from whom the city official, candidate, or member of his household has received, during the period covered by the statement, a gift of any money or other thing of value in excess of \$250.00, or a series of gifts from the same source, the total value of which exceeds \$250.00, including, by itemized listing, the source of the gift and its value. Excluded from this requirement are gifts received from persons related to the city official, candidate, or member of his household within the second degree of consanguinity or affinity, and campaign contributions which were received and reported as required by state statute. Also excluded from this requirement are meals and beverages received during the period covered by the statement by such person from some other person, business or organization.
- (7) The name of any business in which the city official, candidate, or member of his household held or owned stock, legally or beneficially, at any time during the period covered by the statement, which stock is registered and publicly traded on a recognized exchange (or through the over-the-counter market).
- (8) The name, street address, and nature of any business in which the city official, candidate, or member of his household held or owned stock, legally or beneficially, at any time during the period covered by the statement, which stock is either unregistered, closely held or not publicly traded on a recognized exchange (or through the over-the-counter market), and a statement as to whether the holdings constitute a ten percent or larger interest in such business.
- (9) A description and the amount of all bonds, notes and other commercial paper held or owned, legally or beneficially, by the city official, candidate, or member of his household at any time during the period covered by the statement.

- (10) All other income received during the period covered by the statement by the city official, candidate, or member of his household in excess of \$250.00, including, by itemized listing, the amount and description of the source.
 - (11) All real property in which the city official, candidate, or member of his household has held, at any time during the period covered by the statement, any legal or beneficial interests, including, by itemized listing, a description of the property sufficient to locate the property, including the street address, if any, the present use of the property and the proportion, by percent, of the interest held in each tract by the city official, candidate, or member of his household.
 - (12) An itemized list of all real property that, at any time during the period covered by the statement, was owned, either directly or through a subsidiary, by a corporation, partnership, limited partnership, trust, or other business in which the city official, candidate, or member of his household is an officer or owns at least a ten percent interest, including a description of the property sufficient to locate the property, including the street address, if any, and the present use of the property.
 - (13) All contractual financial liabilities of the city official, candidate, or member of his household that are in excess of \$1,000.00 and that existed at any time during the period covered by the statement, including the amount of the liability, the interest rate and the name of the obligee. Provided, however, that such liabilities shall not be construed to include normal household accounts such as those with retail business establishments or bank credit or debit cards. Additionally excluded from this requirement are campaign loans which are to be reported as required by state statute.
 - (14) All boards of directors of which the city official, candidate, or member of his household was a member and the executive positions which the person held during the period covered by the statement in any business, stating the name of each such business and the position held.
- (h) Reports of cash value or interest by category.
- (1) Where a monetary amount or value is required to be reported, the exact amount need not be stated. The statement may instead include the category of amount as follows:

a.	Category I:	Less than \$1,000.00.
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b.	Category II:	At least \$1,000.00 but less than \$10,000.00.
c.	Category III:	At least \$10,000.00 but less than \$50,000.00.
d.	Category IV:	At least \$50,000.00 but less than \$100,000.00.
e.	Category V:	At least \$100,000.00 but less than \$500,000.00.
f.	Category VI:	At least \$500,000.00 but less than \$1,000,000.00.
g.	Category VII:	\$1,000,000.00 or more.

- (2) Where the rate of interest is required to be reported, the exact rate of interest need not be stated. The statement may instead include the rate of interest by category as follows:

a.	Category I:	Not more than five percent.
b.	Category II:	Greater than five percent, but not more than ten percent.
c.	Category III:	Greater than ten percent, but not more than 15 percent.

d.	Category IV:	Greater than 15 percent, but not more than 20 percent.
e.	Category V:	More than 20 percent.

Sec. 18-22. Public records.

All financial disclosure statements required by this article shall be sworn and shall constitute public records. The city secretary shall maintain such statements in a manner that is accessible to the public during regular business hours.

Sec. 18-23. Dates.

All financial disclosure statements required by this article shall be filed with the city secretary by 5:00 p.m. of the last day designated. When the last day falls on a Saturday or Sunday, or on an official city holiday as established by city council, the deadline for filing is extended to 5:00 p.m. of the next day which is not a Saturday or Sunday or official city holiday. Such statement shall be deemed to be timely filed if it is placed in the United States Post Office or in the hands of a common or contract carrier properly addressed to the city secretary within the time limit applicable to such statement. The postmark or receipt mark (if received by a common or contract carrier) will be prima facie evidence of the date that such statement was deposited with the post office or carrier.

Sec. 18-24. Legal opinions.

Any elected city official may request, and the city attorney shall thereupon promptly issue, a written opinion concerning the meaning or effect of any section, word, or requirement of this article as it affects such official. At the request of such official, the city attorney shall not disclose the requesting party's identity in the written requested opinion or in any other manner, and shall render the opinion in the form of a response to an anonymous, hypothetical fact situation.

Sec. 18-25. Forms.

The city secretary shall promulgate forms on which statements required by this article may be made and shall make them available to all persons who are subject to the terms of this article.

Sec. 18-26. Penalty.

Any violation of this article, upon conviction, shall be fined not less than \$100.00 nor more than \$500.00 for each violation. Each day that any violation continues shall constitute a separate and distinct offense. Financial disclosure statements filed pursuant to Chapter 145 of the Local Government Code shall be subject to the provisions and penalties therein.

Sec. 18-27. Review by ethics commission committee.

~~When a financial disclosure statement required by this article is filed with the city secretary, the city secretary or her designated representative shall promptly notify the ethics committee, by and through its chairman, of such filing. Such~~ All financial disclosure statements shall be reviewed by the commission committee, and if a majority of the commission committee determines that the statement has been completed incorrectly or not in accordance with the provisions of this article or other applicable law, the city official or candidate who filed such statement shall be accordingly advised of such by the commission committee, via hand delivery, electronic mail, by way of certified mail, return receipt requested, sent or delivered to the address provided by such city official or candidate at the time of his or her filing, or by any other method approved by the commission. Any allegations of violations of this article or other applicable law pertaining to financial disclosure shall be referred to the city attorney or other appropriate official by the commission committee.

Secs. 18-28--18-30. Reserved.

ARTICLE IV. LIMITATIONS ON SOLICITATIONS AND CONTRIBUTIONS

DIVISION 1. GENERALLY

Sec. 18-31. Scope.

(a) The provisions of this article shall be applicable to all candidates and persons making contributions to and candidates for city elective office and to such additional matters as are addressed herein.

(b) Each candidate shall file with his application, consent and affidavit of candidate, a written statement acknowledging that he has received a copy of this chapter.

(c) As used in this article the term contract award period shall mean the period commencing at the time of posting of the city council meeting agenda including an item for the award of the contract and ending upon the 30th day after the award of the contract by

city council or a determination by city council or the mayor that the contract will not be awarded to a contractor.

Sec. 18-32. No contributions at City Hall.

It shall be unlawful for any person to deliver a contribution to a candidate in the City Hall, or the Margaret Westerman City Hall Annex or any building used by the planning commission. It is a defense to prosecution that the delivery was made by the United States Postal Service or other delivery service or common carrier.

Sec. 18-33. Prohibited solicitations.

(a) It shall be unlawful for any candidate to accept or to offer or agree to accept any contribution that was solicited by a member of the planning commission or a member of the sports authority board, the port authority board, or the metropolitan transit authority board appointed by the city.

(b) It shall be unlawful for any member of the planning commission or a member of the sports authority board, the port authority board, or the metropolitan transit authority board appointed by the city to solicit contributions for any candidate.

(c) It shall be unlawful for a city employee, ~~except other than an employee who is a candidate, and unless acting~~ acting during off-duty hours or on a duly-approved leave of absence, to solicit contributions for any candidate. Further, this section does not contradict state law as it applies to police and fire personnel.

Sec. 18-34. Prohibition of contributions by litigants.

It shall be unlawful for any person who has any litigation pending in which the person is an adverse party to the city or who has an ownership interest of ten percent or more in any party that has any litigation pending in which it is an adverse party to the city to contribute or donate any funds to any candidate if the litigation seeks recovery of an unspecified amount or of an amount in excess of \$50,000.00, exclusive of costs of court and attorneys' fees. Such restriction shall not be applicable to attorneys representing such person. It shall be the duty of any candidate to refuse to accept any contribution that may be offered by a person who is known to the candidate to have a litigation interest described in the foregoing provision. In the event that any candidate unknowingly accepts a contribution in contravention of the foregoing provision, then it shall be the duty of the candidate to return the contribution within ten days after the candidate becomes aware of the litigation.

Sec. 18-35. Restricted period for solicitations and contributions.

(a) A candidate for city office at a city general election may neither solicit nor receive contributions except during a period commencing on the 1st day of February prior to the day of the election, and ending on the 4th day of March following the election date for the race that the candidate has entered. In the event that the candidate should be in a run-off election, the final date to receive or solicit contributions shall be the 4th day of April following the election date.

(b) Candidates for city office at a special election to fill a vacancy for an unexpired term may neither solicit nor receive contributions except during a period commencing upon the date that the election for which the person is a candidate is called and ending 90 calendar days after the election date, including run-off elections if such candidate is on the ballot.

Sec. 18-36. Prohibited contractor contributions.

(a) It shall be unlawful ~~either~~ for any contractor to contribute or offer any contribution to a candidate, or for any candidate to solicit or accept any contribution from a contractor during a contract award period. In the event that a candidate unknowingly accepts a contribution in contravention of the foregoing provision, ~~then~~ it shall be the duty of the candidate to return the contribution within ten days after he becomes aware of the violation.

(b) Each request for proposal or other document, notice or advertisement for a contract shall contain a notice regarding this section in a form approved by the city attorney. Each contractor shall be required to submit with any proposal or other submission for the award of any contract a complete list of the persons included in the term "contractor" as defined in this chapter in a form prescribed by the city attorney. It shall be the duty of each city department director to immediately forward each contractor list received to the city secretary who shall compile and maintain a log of persons who are required to be reported. In addition, the city secretary shall compile, maintain and post, by the 14th day after a city council meeting, a list of contracts awarded at such council meeting by city council, including on such list, the date of the initial posting of the request for council action relative to each specific contract, the name of the contractor, a short description of the contract and the date occurring 30 days after the award of the contract or the determination by city council or the mayor that the contract would not be awarded to a contractor. The city secretary shall be required to compile, maintain and post such a list only during such periods that candidates or city officials running for a city elected position may receive campaign contributions.

Sec. 18-37. Limitation on repayment of personal loans.

(a) It shall be unlawful for any candidate to be reimbursed or to be repaid from campaign contributions for any personal loan in excess of \$75,000.00 for the office of mayor, \$15,000.00 for other city-wide office (controller and at-large council offices) or \$5,000.00 for a district council office. This provision shall not alter, remove or affect any reporting requirements under the laws of the State of Texas or this article.

(b) For the purposes of this section, the repayment limit shall apply to personal loans whether incurred before or after the adoption of this article.

Sec. 18-38. Limitation on total contribution by individual and political action committee.

(a) No person shall make contributions to a candidate which in the aggregate exceeds \$5,000.00 per election. No political action committee shall make contributions to a candidate which in the aggregate exceeds \$10,000.00 per election.

(b) A candidate may utilize unexpended political contributions raised in connection with a non-city elective public office in an amount not to exceed the maximum contribution that the candidate may accept from a single donor under subsection (a), regardless of category, provided he files with the city secretary a statement of intent to do so at the time of the filing with the city secretary of his campaign treasurer designation, or if the filing of a campaign treasurer designation is not required, prior to the making of any expenditure in connection with his campaign for city elective office. The provisions of this subsection shall also be applicable to a run-off election, provided that the statement of intent shall be filed within three days after the run-off election is called.

(c) A "coordinated campaign expenditure;" shall be considered a contribution subject to the limits set forth in subsection (a) and subject to the disclosure requirements for campaign contributions made to a candidate(s) for city office. As used in this subsection, the term "*coordinated campaign expenditure*" means a payment, other than a direct contribution, for an activity, service or product that contains express advocacy for the election or defeat of a clearly identified candidate(s) for city office and is made in cooperation, consultation, or concert, with or at the request or suggestion of, a candidate(s) for city office or a candidate's representative, agent, or employee.

Coordinated campaign expenditures shall include, but not be limited to the following:

1. Voter identification and/or get-out-the-vote activity on behalf of a specific candidate(s) for city office; and

2. A public communication that refers to a clearly identified candidate(s) for city office and that promotes or supports a candidate(s) for that office, or attacks or opposes a candidate(s) for that office, or is suggestive of no plausible meaning other than an exhortation to vote for or against a specific candidate(s);^{1,2}

If an individual or organization is engaging in express advocacy for the election or defeat of a clearly identified candidate(s) for city office, the following shall not be considered a coordinated campaign expenditure:

1. Direct monetary contributions made to a candidate for city office;
2. In kind contributions made to a candidate for city office;
3. Payments by an individual or organization for the individual's or organization's overhead expenses including but not limited to rent, utilities, taxes, office supplies or salaries; or
4. Volunteer (unpaid) activity(ies) on the part of the individual or the members of the organization.

Sec. 18-39. Retirement of debt by term limited candidates.

It is an affirmative defense to prosecution under sections 18-35 and 18-38 of this Code that:

- (1) The contribution is solicited or received by a candidate who is a city elective office holder and who is not eligible to again file as a candidate for his same city elective office because of the provisions of section 6a of article II of the city charter; and
- (2) The candidate has an existing debt for "political expenditures" that "political contributions" may be utilized to pay under the provisions of title 15 of the Texas Election Code, which debt, including the person or persons owed, the nature of each obligation owed and the specific amount of each obligation, is verified in writing by the candidate in a statement filed in the city secretary's office before the expiration of the 90-day period following the election at which the candidate was elected, as provided in section 18-35 of this Code; and
- (3) The solicitation and receipt of contributions is expressly limited to the retirement of the debt identified in the statement filed under item (2) of this

section and expenses directly relating to the solicitation for that purpose, with any funds in excess of the debt and related expenditures being refunded to the contributors or donated to a recognized tax-exempt charitable organization formed for educational, religious or scientific purposes if the contributors cannot be located or decline to accept the refund.

Sec. 18-40. Reserved.

DIVISION 2. PENALTY

Sec. 18-41. Violations.

All provisions of this article, except those contained in division 3, are penal, and violations shall be punishable as provided in section 1-6 of this Code.

Secs. 18-42--18-50. Reserved.

DIVISION 3. CONTRACTUAL LIMITS

Sec. 18-51. Fair campaign principles; contract.

(a) In keeping with the spirit of open, honest, fair and equitable election campaigns as are sought to be promoted by this article, all candidates are requested and urged to limit their personal contributions, loans and expenditures in support of their own candidacy to \$75,000.00 for mayor, \$15,000.00 for other city-wide offices (controller and at-large council offices), and \$5,000.00 for district council offices per election.

(b) Also in keeping with the spirit of open, honest, fair and equitable election campaigns as are sought to be promoted by this article, each candidate is requested and urged to limit his total expenditures, including the candidate's personal contributions, to \$2,000,000.00 for the office of mayor, \$300,000.00 for other city-wide offices (controller and at-large council offices), and \$200,000.00 for district council offices in the general election, and to \$1,000,000.00, \$200,000.00 and \$100,000.00, respectively, in any run-off election. The provisions of this subsection are intended to apply to expenditures made during the period established in section 18-35 of this Code, as applicable to the election for which the expenditures are made.

(c) At the time a candidate files for a place on the ballot with the city secretary, the city secretary shall cause to be provided to each candidate a proposed contract by which the candidate may agree to abide by all provisions of this article and to adhere to the voluntary spending limitations set forth in subsections (a) and (b) of this section, above. The contract shall be in a form approved by the commission~~committee~~ and shall provide

for the recovery of liquidated damages in an amount equal to three times the amount of any excessive or unlawful expenditure.

(d) A candidate who desires to accept a contract under this section must return his contract to the city secretary duly executed by the candidate on or before the second day following the last filing date for the election, provided that if the second day falls on a Saturday, Sunday, or city holiday, then by the next day that is not a Saturday, Sunday, or city holiday.

(e) The ~~commission committee~~ shall revoke the contract of any candidate who is determined to have knowingly or intentionally violated any substantive provision of this article. Prior to revocation the ~~commission committee~~ shall afford notice of the grounds and an opportunity for the candidate to be heard on the matter in accordance with principles of due process.

(f) Candidates who decline to execute contracts shall not be excused from penal compliance with the other divisions of this article.

Secs. 18-52--18-70. Reserved.

ARTICLE V. LOBBYING

Sec. 18-71. Definitions.

The definitions established in section 18-2 of this Code shall not apply in this article unless expressly indicated below. In this article, the following words and terms shall have the meanings provided ~~ascribed to them~~ in this section, unless the context clearly indicates another meaning:

Administrative action means rulemaking, licensing, or any other matter that may be the subject of action by a city official, city department or other city agency, including the proposal, consideration, or approval of the matter. The term does not include the day-to-day application, administration or execution of city programs and policies such as permitting, platting, and design approval matters related to or in connection with a specific project or development.

Benefit shall have the meaning provided ~~ascribed~~ in section 18-2 of this Code.

Candidate means a person who knowingly and willingly takes affirmative action for the purpose of gaining election to city office or for the purpose of

satisfying financial obligations incurred by the person in connection with the campaign for election. Examples of affirmative action include:

- (1) The filing of a campaign treasurer appointment;
- (2) The filing of an application for a place on a ballot;
- (3) The filing of a declaration of write-in candidacy;
- (4) The making of a public announcement of definite intent to run for city office in a particular election, regardless of whether the specific office is mentioned in the announcement;
- (5) Before a public announcement of intent, the making of a statement of definite intent to run for city office and the soliciting of support by letter or other mode of communication; and
- (6) The soliciting or acceptance of a campaign contribution or the making of a campaign expenditure.

City elective office has the meaning provided ~~ascribed~~ in section 18-2 of this Code.

Communicates directly with, or any variation of the phrase, means contact in person or by telephone, telegraph, letter, facsimile, electronic mail, or other electronic means of communication.

Compensation means money, service, facility, or other thing of value or benefit that is received or is to be received in return for or in connection with services rendered or to be rendered.

Expenditure means a payment, distribution, loan, advance, reimbursement, deposit, or gift of money or any thing of value, including a contract, promise, or agreement, whether or not legally enforceable, to make an expenditure.

Member of the executive branch means the mayor, city controller, mayor-elect, city controller-elect, candidate for mayor or controller, employee of the city, or member of the Archaeological and Historical Commission, Automotive Board, Board of Public Trusts, Boiler Code Review and Licensing Board, Building and Standards Commission, Civil Service Commission, Deferred Compensation Committee, Electrical Board, Ethics Commission ~~Committee~~ as created by section 18-11 of this Code, Fire Board of Appeals, General Appeals Board, Helicopter

Facilities Licensing and Appeals Board, Houston Parks Board, Mechanical Code Review Board, Planning Commission, or Plumbing Code Review Board.

Member of the legislative branch means a council member, council member-elect, or candidate for the office of council member.

Municipal legislation means:

- (1) An ordinance, resolution, motion, amendment, nomination, or other matter pending before the city council; or
- (2) Any matter that is or may be the subject of action by the city council or a council committee, including drafting, placing on the agenda, consideration, passage, defeat, approval, or countersignature of the matter.

Person means an individual, corporation, association, firm, partnership, committee, club, organization, or group of persons who are voluntarily acting in concert.

Registrant means a person required to register under section 18-72 of this Code.

Reimbursement shall have the same meaning as "compensation" defined above.

Sec. 18-72. Persons required to register.

(a) A person must register with the city secretary under this article if the person communicates directly with a member of the legislative or executive branch to influence municipal legislation or administrative action and:

- (1) Makes or reasonably expects to make a total expenditure of \$200.00 or more in a calendar quarter, or \$800.00 or more in a calendar year, not including the person's own travel, food, or lodging expenses or the person's own membership dues, on activities described in section 18-75 of this Code to communicate directly with one or more members of the legislative or executive branch to influence municipal legislation or administrative action; or
- (2) Receives or may reasonably expect to receive from another person compensation or reimbursement, not including reimbursement for the

person's own travel, food, or lodging expenses or the person's own membership dues, of \$200.00 or more in a calendar quarter, or \$800.00 or more in a calendar year, to communicate directly with one or more members of the legislative or executive branch to influence municipal legislation or administrative action.

(b) A person otherwise required to register under subsection (a)(1) or (a)(2) who communicates directly with a member of the executive branch to influence administrative action is not required to register if:

- (1) The person is performing an act that may be performed only by a licensed attorney; or
- ~~(2) The person is an attorney of record or is appearing pro se, and the person enters an appearance in the public record through pleadings or other written documents in a docketed case pending before a municipal department or agency; or~~
- ~~(3) The person is an attorney whose only direct communication is with a member of the city's legal department concerning a matter that is primarily legal in nature or otherwise related to a matter for which the city attorney is responsible; or~~
- (24) The person is a representative of a city employee union whose only direct communication concerning administrative action is on behalf of an individual member of the union; or
- ~~(5) The person represents his company or business, or an organization of which he is a member, but less than five percent of his time on an annual basis is used to communicate directly with a member of the legislative or executive branch to influence municipal legislation or administrative action.~~

Sec. 18-73. Affirmative defenses for failure to register.

It shall be an affirmative defense to prosecution for failure to register under this article that:

- (1) The person owns, publishes, or is employed by a newspaper, any other regularly published periodical, a radio station, a television station, a wire service, or any other bona fide news medium that in the ordinary course of business disseminates news, letters to the editor, editorial or other comments, or paid advertisements that directly or indirectly oppose or

promote legislation or administrative action, provided the person does not engage in further or other activities that require registration under this article and has not been retained to represent another person in connection with influencing municipal legislation or administrative action;

- (2) The person's only direct communication with a member of the legislative or executive branch to influence municipal legislation or administrative action is an appearance before or testimony to one or more members of the legislative or executive branch in a hearing conducted by or on behalf of either the legislative or the executive branch or public expression at a meeting of city officials, provided that the hearing or meeting is open to the public under the Open Meetings Act, Chapter 551, Texas Government Code, and that the person receives no special or extra compensation for the appearance other than actual expenses incurred in attending the hearing;
- (3) The person's only activity is to encourage or solicit members, employees, or stockholders of an entity by whom the person is retained or members of a union or association to which the person belongs to communicate directly with members of the legislative or executive branch to influence municipal legislation or administrative action;
- (4) The person's only activity to influence municipal legislation or administrative action is to compensate or reimburse a registrant to act in the person's behalf to communicate directly with a member of the legislative or executive branch to influence municipal legislation or administrative action;
- (5) The person's only activity to influence municipal legislation or administrative action is attendance at a meeting or entertainment event that is also attended by a member of the legislative or executive branch if the total cost of that meeting or entertainment event is paid by a business entity, union, or association; or
- (6) The person's only compensation or reimbursement subject to section 18-72(a)(2) of this Code consists of reimbursement for any wages not earned due to attendance at a meeting or entertainment event, travel to and from the meeting or entertainment event, admission to the meeting or entertainment event, and any food and beverage consumed at the meeting or entertainment event, if the meeting or entertainment event is also attended by a member of the legislative or executive branch and if the total cost of the meeting or entertainment event is paid by a business entity, union, or association.

Sec. 18-74. Registration.

(a) A person required to register under this article who has not registered or whose registration has expired in connection with the communication shall file annually with the city secretary a registration form signed under oath not later than five working days after the date on which the person or person's employee makes the first direct communication with a member of the legislative or executive branch that requires the person's registration. If the registrant is not an individual, an authorized officer or agent of the registrant shall sign the form. Such registration shall be on a form prescribed by the city secretary and shall include:

- (1) The registrant's full name, permanent street address and mailing address, if different;
- (2) The name, address and nature of business of each entity or employer, if any, on whose behalf the registrant will communicate directly with one or more members of the legislative or executive branch to influence municipal legislation or administrative action;
- (3) The subject or subjects on which the registrant will communicate directly with one or more members of the legislative or executive branch to influence municipal legislation or administrative action;
- (4) If the registrant is acting as the agent or employee of an entity, the name, address, and nature of business of the entity; and
- (5) Whether the registrant's compensation, if any, is totally or partially contingent on the passage or defeat of any municipal legislation or the outcome of any administrative action.

(b) At the time of registering, a registrant shall pay to the city and the city secretary shall collect an annual registration fee of ~~\$250.00~~ ~~20.00~~. The fee shall be payable for each registration form. All registration fees shall be deposited into the general fund.

(c) A registration expires one year from the date of its filing.

Sec. 18-75. Activity reports.

(a) Each registrant shall file with the city secretary between the first and tenth day of April, July, October and January an activity report signed under oath concerning the registrant's activities during the previous calendar quarter. If the registrant is not an

individual, an authorized officer or agent of the registrant shall sign the form. Such report shall be on a form prescribed by the city secretary and shall include:

- (1) A complete and current statement of the information required to be supplied pursuant to section 18-74 of this Code;
- (2) Certain operational expenditures other than benefits included under item subsection (3) for direct communication with a member of the legislative or executive branch to influence municipal legislation or administrative action, provided that each expenditure of ~~\$50.00~~~~500.00~~ or more shall be itemized by the date, name and status of the recipient that requires the reporting of the expenditure, including the official title of any city official or employee, amount and purpose, broken down into the following categories:
 - a. Compensation or reimbursement to persons other than employees for professional or consulting services; and
 - b. Other professional expenses related to direct communication, including but not limited to advertising, public relations and catering expenses.
- (3) Each expenditure, gift or honorarium of \$250.00 or more (excluding those made for the attendance of a member of the legislative or executive branch at political fund-raisers or charity events) made by the registrant or anyone acting on behalf of the registrant to benefit a member of the legislative or executive branch, itemized by date, beneficiary, amount and circumstances of the transaction and the aggregate of all such individual expenditures that are less than \$250.00 but more than \$25.00; and
- (4) Each business entity in which the registrant knows or has reason to believe that a member of the legislative or executive branch is a proprietor, partner, director, officer, manager, employer or employee or has a substantial interest within the meaning of Chapter 171, Texas Local Government Code and with which the registrant has engaged in an exchange of money, goods, services or anything of value if the total of such exchanges is \$250.00 or more in a calendar quarter, identified by its name and address, the member of the legislative or executive branch, and the date, amount and nature of each such exchange.
 - (b) Each registrant shall obtain and preserve all accounts, bills, receipts, books, papers and documents necessary to substantiate the registrations and activity reports required to be made pursuant to this article for ~~six~~two years from the date of filing of the

registration or report containing such items or for the period otherwise required by law, whichever is longer.

(c) Each person about whose activities a registrant is required by subsection (a) of this section to report shall provide all information necessary for the report concerning such activities to the registrant at least five days before such registrant's report is due to be filed.

(d) No quarterly activity report shall be required if there is no activity during the preceding quarter and there are no other changes to items required to be reported.

Sec. 18-76. Other applicable policies.

Nothing in this article shall supersede or preempt the stricter provisions of any applicable policy of the mayor, the city controller, a city department director or a council member with respect to employees subject to their supervision and control.

Sec. 18-77. Termination notice.

(a) A person who ceases to engage in activities requiring registration under this article shall file a written, verified statement with the city secretary acknowledging the termination of activities. The notice of termination shall be filed within 30 days after the registrant ceases the activity that required registration. The notice is effective immediately.

(b) A person who files a notice of termination under this section must file the reports required by section 18-75 of this Code for any reporting period during which the person was registered.

Sec. 18-78. Maintenance of registrations and reports.

(a) All registrations and reports filed under this article are public records and shall be made available for public inspection during regular business hours.

(b) The city secretary shall:

- (1) Provide appropriate forms, covering only the items required to be disclosed under this article, to be used for the registration and reporting of required information;
- (2) Maintain registrations and reports in a separate, alphabetical file;
- (3) Retain registrations and reports filed under this article for at least ~~six~~two years after the date of filing;

- (4) Remove registrations and reports from the current files after ~~six~~two years from the date of filing and thereafter preserve or dispose of them in accordance with other applicable law; and
- (5) Maintain a deputy available to receive registrations and reports and make the registrations and reports available to the public for inspection.

Sec. 18-79. Timeliness of filing registrations and reports.

A registration or report filed by certified first-class United States mail, return receipt requested, or by common or contract carrier is timely if:

- (1) It is properly addressed with postage or handling charges prepaid;
- (2) It bears a post office cancellation mark or a receipt mark from a common or contract carrier indicating a time within the applicable filing period or before the applicable filing deadline or if the person required to file furnishes satisfactory proof that it was deposited in the mail or with a common or contract carrier within that period or before that deadline; and
- (3) It is in fact received by the city secretary.

Sec. 18-80. List of registrants and employers.

(a) ~~Not later than February 1 of each year, t~~The city secretary shall maintain~~prepare~~ a current list of the names of registrants and shall indicate by each registrant's name each person employing the registrant, if any, or the name of the entity or person on whose behalf the registrant communicated.

(b) In addition to the list required under subsection (a), the city secretary shall prepare a list of the names of any person employing a registrant and shall indicate each registrant compensated by the person.

(c) The city secretary shall provide the lists prepared under this section and a monthly update of the lists to the mayor, each member of the city council, the city controller, all city department directors, and ~~to~~any other member of the executive or legislative branches or person required to register or file under this article who requests one.

Sec. 18-81. Restrictions on expenditures.

(a) A person registered under section 18-74 of this Code or a person acting on the registrant's behalf and with the registrant's consent or ratification may not offer, confer, or agree to confer on a member of the legislative or executive branch:

- (1) A loan, including the guarantee or endorsement of a loan; or
- (2) A gift of cash or a negotiable instrument as described by section 3.104, Texas Business and Commerce Code.

(b) A member of the legislative or executive branch may not solicit, accept, or agree to accept from a person registered under section 18-74 of this Code or from a person acting on the registrant's behalf and with the registrant's consent or ratification an item listed in subsection (a).

Sec. 18-82. Affirmative defenses concerning restricted expenditures.

It shall be an affirmative defense to a prosecution under section 18-81 of this Code that the loan, gift or expenditure is:

- (1) A loan in the due course of business from a corporation or other business entity that is legally engaged in the business of lending money and that has conducted that business continuously for more than one year before the loan is made;
- (2) A loan or guarantee of a loan or a gift made or given by a person related within the second degree by affinity or consanguinity to the member of the legislative or executive branch; or
- (3) A political contribution as defined by section 251.001 of the Texas Election Code.

Sec. 18-83. Required disclosure on legislative advertising.

(a) A person required to register under this article or a person acting on his behalf commits an offense if the person knowingly enters into a contract or other agreement to print, publish, or broadcast legislative advertising that does not indicate in the advertising:

- (1) That it is legislative advertising;

- (2) The full name of the individual who personally entered into the contract or agreement with the printer, publisher, or broadcaster and the name of the person, if any, that the individual represents; and
- (3) In the case of advertising that is printed or published, the address of the individual who personally entered into the agreement with the printer or publisher and the address of the person, if any, that the individual represents.

(b) A professional advertising agent conducting business in this state on behalf of a person required to register under this article who seeks to procure the broadcasting, printing, or publication of legislative advertising on behalf of the sponsor of the advertising commits an offense if the agent enters into a contract or agreement for the broadcasting, printing, or publication of legislative advertising and does not, before the performance of the contract or agreement, give the sponsor written notice as provided by subsection (c).

(c) The notice required by subsection (b) must be substantially as follows:

"City of Houston Code of Ordinances Section 18-83 requires legislative advertising to disclose certain information. A person required to register under this article or a person acting on his behalf who knowingly enters into a contract or other agreement to print, publish, or broadcast legislative advertising that does not contain the information required under that section commits an offense that is a Class C misdemeanor."

(d) In this section, "legislative advertising" means a communication that supports, opposes, or proposes municipal legislation and that:

- (1) In return for consideration, is published in a newspaper, magazine, or other periodical or is broadcast by radio, television, or on the internet; or
- (2) Appears in a pamphlet, circular, flier, billboard or other sign, bumper sticker, button, or similar form of written or electronic means of communication.

Sec. 18-84. Criminal penalties.

(a) A person commits an offense if the person intentionally or knowingly violates any provision of this article.

(b) Violations shall be punishable as provided by section 1-6 of this Code.

Sec. 18-85. Failure to register or file all required forms.

(a) The city secretary shall maintain a record of all registrations, termination notices and reports filed under this article.

(b) Whenever the city attorney determines that a person has failed to register or file any required form, statement, or report as required by this article, the city attorney shall send a written statement of this finding to the person involved by certified mail to the last known mailing address.

(c) If the person fails to register or file the form, statement, or report as required by this article before the twenty-first day after the date on which the notice was deposited in the mail, the city attorney shall file a sworn complaint in the municipal court.

Sec. 18-86. Enforcement.

(a) Complaints of violations of this article shall be forwarded to the city attorney for review. If the city attorney determines that a violation may have occurred, he shall take appropriate action.

(b) A person may file a written, sworn statement alleging a violation of this article with the city attorney.

(c) Neither the ~~ethics commission committee~~ created by section 18-11 of this Code nor the office of the inspector general created pursuant to mayoral executive order shall have any authority to administer or enforce the provisions of this article.

Sec. 18-87. Regulations.

The city secretary may adopt regulations for the efficient administration of this article. Any such regulations shall be consistent with this article and applicable laws and shall be approved prior to implementation by the city attorney. A copy of the regulations shall be maintained for inspection in the city secretary's office and shall be available for purchase at the fees prescribed by law.

Sec. 18-88. Certain actions by former city officials prohibited.

(a) No former city official shall during the one year period following his departure date enter into a contractual relationship with the city or hold more than a 20 ~~40~~ percent interest in any company that has a contractual relationship with the city. Nothing in this subsection shall prohibit a former city official from accepting employment with the city ~~during the one year period following his departure date.~~

(b) No former city official shall during the one year period following his departure date communicate directly with a member of the legislative or executive branch to influence municipal legislation or administrative action. It is an exception to the application of this subsection that the former city official is primarily acting for his own benefit or making an uncompensated direct communication relating to matters of purely civic or public concern.

(c) No former city official shall communicate directly with a member of the legislative or executive branch in an attempt to secure access to information not otherwise available to the general public.

(de) For purposes of this section "*departure date*" means the last day of employment with the city or holding of city elective office. Where leave time is taken prior to termination, the departure date is the last day of the leave period.

(ed) For purposes of this section and section 18-89 the term "*city official*" shall have the meaning provided ascribed in section 18-2 of this Code, except that persons whose services are donated, appointed members of city boards, committees and commissions who are compensated on a per-meeting basis, and persons who are compensated at the rate of \$1.00 per year shall be excluded.

(fe) If, within one year after commencement of a contract between an individual/company and the city, the company or individual who negotiated and entered into said contract with the city hires a city employee who while a city employee had substantial and personal involvement with the negotiation of said contract, then said contract shall be subject to cancellation and/or the individual/company shall be barred from additional contracting with the city for a period of three years. For purposes of this subsection ~~(e)~~, the term *had substantial and personal involvement* means that a person, either as a person assigned to handle or participate in the handling of the matter or as a supervisor making decisions with respect to the matter, exercised discretion or decision-making in the handling of a matter that then was associated with a specific party or parties.

Sec. 18-89. Notice.

At least once each calendar year in conjunction with the notice to city employees required by section 18-16(d) of this Code, the director of administration and regulatory affairs shall cause to be distributed to each city official a notice regarding the provisions of section 18-88 of this Code. Each new city official shall be furnished the notice at the time of hiring, appointment or election. However, the failure of any city official to receive a notice shall not excuse compliance with section 18-88 of this Code.

Secs. 18-90--18-100. Reserved.

ARTICLE VI. ELECTRONIC FILING OF CAMPAIGN FINANCE REPORTS

Sec. 18-101. Purpose.

The purpose of this article is to require, with certain exceptions, that campaign finance reports required to be filed with the city secretary by any city officeholder, candidate for city elective office, or political action committee, whether general purpose or special purpose, be filed in an electronic format. It is the intent of this article that the requirement of filing of campaign finance reports in an electronic format by city officeholders, candidates for city elective offices and general and special purpose political action committees will not inconvenience those required to file such reports and will afford persons interested in the information contained in the reports easier access and an efficient means by which such information may be examined or extracted.

Sec. 18-102. Definitions

The following words, terms and phrases, when used in this article, have the meanings provided ~~ascribed~~ to them in this section, except where the context clearly indicates a different meaning:

Filer means the holder of a city elective office, any candidate for any such office, the duly authorized representative of a political action committee, whether general purpose or special purpose, or any individual required to file a report under this article or Chapter 254, Texas Election Code.

Report means a campaign finance report required to be filed with the city secretary by Title 15 of the Texas Election Code.

Terms not defined in this article but defined in the Texas Election Code shall have the meanings assigned to them in the Texas Election Code.

Sec. 18-103. Electronic filing required; exceptions

(a) Except as provided in subsection (c) of this section, a report required to be filed under this article shall be filed with the city secretary in electronic format utilizing the system provided by the city. Updates, corrections or amendments to any report shall be filed in like manner. The report shall be in a format approved by the Texas Ethics Commission.

(b) Each report shall contain all information required by Chapter 254, Texas Election Code. In addition, each report shall include the occupation and employer of each

person making one or more political contributions that in the aggregate exceed \$500.00 in a reporting period.

(c) A filer shall be exempt from the requirement set forth in subsection (a) of this section if the filer:

- (1) Delivers to the city secretary an affidavit stating that the filer, or the person with whom the filer contracts, does not use computer equipment to keep the current records of political contributions, political expenditures, or persons making political contributions to the filer and the filer or committee does not, in a calendar year, accept political contributions that in the aggregate exceed \$20,000.00 or make political expenditures that in the aggregate exceed \$20,000.00; or
- (2) Is an individual not acting in concert with another person who makes one or more direct expenditures in a campaign for an election from the individual's own property that exceeds \$100.00 on any one or more candidates or measures if the individual complies with Chapter 254, Texas Election Code, as if the individual were a campaign treasurer of a political committee and the individual receives no reimbursement for the expenditures.

The affidavit required in item (1) of this subsection shall conform to all requirements set forth in Chapter 254, Texas Election Code, and be filed with each report that is not filed electronically as required by this article.

Sec. 18-104. Offense; penalty

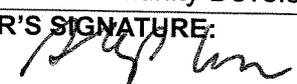
(a) It shall be unlawful for any filer to fail to timely file in an electronic format a report required by this article to be filed in that format.

(b) Each violation of this article shall constitute a separate offense that shall be punishable as provided in section 1-6 of this Code.

Sec. 18-105. Internet posting of reports.

(a) The city secretary shall, within two business days following the date of each report's receipt, instruct the director of information technology or his designee to post copies of all reports filed with the office of the city secretary on the city's Internet web site; provided that in such postings the address portion shall contain only the city, state and zip code of a person listed as having made a political contribution to the filer in the reporting period.

(b) The access allowed by this section to political reports is in addition to the public's access to the information through other electronic or print distribution of the information.

SUBJECT: The Housing and Community Development Department recommends City Council's approval of an Ordinance to amend the projected use of funds budgets for the CDBG Program for two program years, the 2009 and 2010 Action Plans.		Category # 1,2	Page 1 of 2	Agenda Item #
FROM (Department or other point of origin): James D. Noteware, Director Housing and Community Development Department		Origination Date November 15, 2010	Agenda Date JAN 05 2010	
DIRECTOR'S SIGNATURE:  FOR JAMES NOTEWARE		Council District affected: All		
For additional information contact: Derek Sellers/David Godwin Phone: 713-868-8428/713-868-8351		Date and identification of prior authorizing Ordinance No. 2009-0420, Ordinance No. 2010-0372, Ordinance No. 2010-0408		

RECOMMENDATION: (Summary) The Housing and Community Development Department recommends City Council's approval of an Ordinance to amend the projected use of funds budgets for the CDBG Program for two program years, the 2009 and 2010 Action Plans. For Action Plan 2009, HCDD proposes the following changes: (1) decrease the line item 'Community Facilities and Improvements' in the amount of \$750,000, (2) add line item 'Pro-Vision Charter School' in the amount of \$500,000, and (3) add line item 'Blue Ridge Parks MSC (Ft. Bend Senior Community Center)' by \$250,000. For Action Plan 2010, HCDD proposes the following changes to CDBG Program budget: (1) delete Benji's Child Care in the amount of \$500,000, (2) add Pro-Vision Charter School in the amount of \$200,000, (3) increase Ibn-Sina Clinic in the amount of \$300,000, (4) decrease Lead Based Paint (Testing and Abatement) in the amount of \$350,000, and (5) increase the amount of Single Family Home Repair in the amount of \$350,000.

Amount of Funding: _____ **F&A Budget:** _____

SOURCE OF FUNDING General Fund Grant Fund Enterprise Fund

Other (Specify) _____

SPECIFIC EXPLANATION:

The Housing and Community Development Department recommends City Council's approval of an Ordinance to amend the projected use of funds budgets for the CDBG Program for the 2009 and 2010 Action Plans. The details of the amendment are included in the attached Public Notice. The following is a recap of the Notice:

The 2009 Projected Use of Funds Budget for the CDBG is amended as follows:

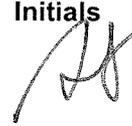
Activity	Budget Year	Action	Amount
Community Facilities Improvements	2009	Decrease	(\$750,000.00)
Pro-Vision Charter School	2009	Add	\$500,000.00
Blue Ridge Parks MSC (Ft. Bend Senior Community Center)	2009	Add	\$250,000.00

The 2010 Projected Use of Funds Budget for the CDBG is amended as follows:

Activity	Budget Year	Action	Amount
Benji's Child Care	2010	Delete	(\$500,000.00)
Pro-Vision Charter School	2010	Add	\$200,000.00
Ibn-Sina Clinic	2010	Increase	\$300,000.00
Lead Based Paint (Testing and Abatement)	2010	Decrease	(\$350,000.00)
Single Family Home Repair	2010	Increase	\$350,000.00

SUBJECT: The Housing and Community Development Department recommends City Council's approval of an Ordinance to amend the projected use of funds budgets for the CDBG Program for two program years, the 2009 and 2010 Action Plans.

Category # 1,2

Originator's Initials


Page 2 of 2

Agenda Item #

This amendment also changes the matrix code of the Lead Based Paint Project from 05P (on page 174 of the 2010 Consolidated Plan) to 14I and recognizes the national objective of Low and Moderate Income Housing instead of Low and Moderate Income Area.

In accordance with HUD regulations, the City is required to amend components of the Action Plan when (1) an activity is added; (2) an activity is deleted; (3) a reallocation of funds increases or decreases the budget of an activity by more than twenty-five percent (25%) of the original budget; or (4) when there is a change in the purpose, scope, location or beneficiaries of the activity; or when a priority has changed.

Through a Notice published in the Houston Chronicle on Saturday, October 23, 2010, the public was notified of the proposed changes to the projected use of funds budgets for the CDBG Program in the 2009 and 2010 Action Plans. The Public had thirty (30) days to comment on these proposed changes. There were no responses regarding the public notice.

Therefore, approval of an ordinance is recommended.

JN: DS

cc: City Secretary
Legal Department
Mayor's Office

Finance and Administration

F&A Director:

Other Authorization:

Other Authorization:

BUSINESS SECTION

PUBLIC NOTICE

The City of Houston Housing and Community Development Department (HCDD) is proposing to amend two Applications/Consolidated Annual Plans (Plan). The Plans to be amended cover the 2009 Consolidated Action Plan for the Projected Use of Funds Budget for the 34th Program Year of the Community Development Block Grant (CDBG) Program and the 2010 Consolidated Plan 2010 for the Projected Use of Funds Budget for the 35th Program Year of the CDBG Program.

The 2009 Project Use of Funds Budget for the CDBG Program is amended as follows:

Action	Project	Original Council District	Scope of Work	Cost
Reduce	Community Facilities Improvements	All	Construct, rehab, or acquire private public facilities	(\$750,000)
Add	Pro-Vision Charter School	D	New construction of a public charter school	\$500,000
Add	Ft. Bend Sr. Community Center	D	New Construction of new community center for elderly	\$250,000

The 2010 Projected Use of Funds Budget for the CDBG Program is amended as follows:

Action	Project	Original Council District	Scope of Work	Cost
Delete	Benji's Child Care	B	New construction of a child care facility	(\$500,000)
Add	Pro-Vision Charter School	D	New construction of a public charter school	\$200,000
Increase	Ibn Sina Clinic	D	Land acquisition and new construction of clinic	\$300,000
Decrease	Lead Based Paint (Testing and Abatement)	All	Testing and abatement of lead based paint in single family houses	(\$350,000)
Increase	Single Family Home Repair	All	Assist eligible homeowners with rehabilitation and reconstruction of their homes	\$350,000

This amendment also changes the matrix code of the Lead Based Paint Project from 05P (on page 174 of the 2010 Consolidated Plan) to 14I and recognizes the national objective as Low and Moderate Income Housing instead of Low and Moderate Income Area.

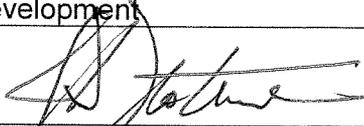
The public has thirty (30) days to comment on these proposed amendments to the Plans listed above before they are submitted to the City Council for approval. The thirty-day period extends from Monday, October 25, 2010, through Monday, November 29, 2010.

For additional information, please contact Brenda Scott at 713-868-8484 regarding amendments to the Plans. You may access the department's Web site at www.houstonhousing.org for additional information regarding the HCDD.

HCD 10-158

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

10-11 COALITION FOR HOMELESS

SUBJECT: An Ordinance authorizing a Contract between the City of Houston and the Coalition for the Homeless Houston/Harris County to operate a homeless database and publish a homeless services directory.		Category # 1	Page 1 of 1	Agenda Item # 13
FROM (Department or other point of origin): James D. Noteware, Director Housing and Community Development		Origination Date 8/27/10	Agenda Date JAN 05 2011	
DIRECTOR'S SIGNATURE: 		Council District affected: All		
For additional information contact: Melody Barr Phone: 713-868-8329		Date and identification of prior authorizing Council action: N/A		

RECOMMENDATION: (Summary)

Approval of an Ordinance authorizing the execution of a Contract between the City of Houston and the Coalition for the Homeless Houston/Harris County funded under the 36th year Community Development Block Grant (CDBG) for the operation of a homeless services database and publish a homeless services directory.

Amount of Funding:

\$187,498.00 – 1 YEAR – (Planning - \$133,415.00)
(HMIS - \$54,083.00)

Finance Budget:

SOURCE OF FUNDING

General Fund Grant Fund Enterprise Fund

Other (Specify) **COMMUNITY DEVELOPMENT BLOCK GRANT FUND (5000)**

SPECIFIC EXPLANATION:

The Housing and Community Development Department requests approval of a Contract between the City of Houston and the Coalition for the Homeless Houston/Harris County (The Coalition). This Contract will allow the Coalition to operate a homeless services database for homeless service agencies, publish a semi-annual homeless service directory, and conduct a yearly Houston/Harris County shelter census and demographic study providing information for homeless grant applications.

The Coalition is an alliance of individuals and organizations whose goals are to alleviate the problems of homeless people. The agency acts as a central clearinghouse for service providers and other agencies that are providing services for the homeless population. The Coalition developed and maintains a database for service providers. The database provides an inventory of organizations and shelters that provide overnight sleeping accommodations for the homeless. The Contractor also publishes a directory of homeless services, which aids service providers in providing services.

The annual allocation for this activity is \$362,498.00, with anticipated funding from the county in the amount of \$175,000.00 and the City funding \$187,498.00, respectively.

The Contract will provide up to \$187,498 in CDBG funds for one year of funding, which is inclusive of \$83,000 in pre-contract services. The pre-contract costs result from a lapse in funding due to internal procedure modification. However, the agency continues to provide services for the clients.

The project was presented to the Housing Committee on October 28, 2010, but there was no quorum present and therefore no vote was taken.

REQUIRED AUTHORIZATION

Finance Director:	Other Authorization:	Other Authorization: 
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Date: 8/27/10	Subject: An Ordinance authorizing a Contract between the City of Houston and the Coalition for the Homeless Houston/Harris County to operate a homeless database and publish a homeless services directory.	Originator's Initials 	Page 2 of 2
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Category	Planning	HMIS	CDBG Total	Percentage
Operating	\$133,415	\$54,083	\$187,498	100%

The Department is requesting approval of a Contract in the amount of \$187,498.00 to cover a one (1) year period (August 1, 2010 – July 31, 2011). Approval of this Ordinance is recommended.

JDN:BB:MB:rlj

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

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

10 - 4415 Perry

SUBJECT: An Ordinance authorizing an Agreement between the City of Houston and Houston Area Community Development Corporation.		Category #	Page 1 of 2	Agenda Item # 14
FROM (Department or other point of origin): James D. Noteware, Director Housing and Community Development Department		Origination Date 12/10/10	Agenda Date JAN 05 2010	
DIRECTOR'S SIGNATURE: 		Council District affected: District D		
For additional information contact: Eta Paransky Phone: 713-868-8449		Date and identification of prior authorizing Council action:		

RECOMMENDATION: (Summary)

The Department recommends approval of an Ordinance authorizing an Agreement between the City of Houston and Houston Area Community Development Corporation for the construction of a 160 unit single room occupancy (SRO) development.

Amount of Funding:

No more than \$3,000,000 (based on final underwriting)

Finance Budget:

SOURCE OF FUNDING

General Fund Grant Fund Enterprise Fund

Other (Specify) **HOME FUNDS**

SPECIFIC EXPLANATION:

Houston Area Community Development Corporation (HACDC), a non-profit Texas Corporation under Section 501c(3), has been certified by the Housing and Community Development Department (HCDD) as a Community Housing Development Organization (CHDO). HACDC is requesting a \$3,000,000 Performance Based Loan (PBL) from the City of Houston for the proposed 160 unit single room occupancy (SRO) development to be known as 4415 Perry. HACDC is an affiliate of New Hope Housing, Inc., an independent non-profit 501c(3) corporation committed to the development and operation of affordable, single room occupancy housing. New Hope Housing, Inc., the developer, is the proposed sole member of the general partner of Perry SRO, Ltd., a limited partnership which has been awarded a tax credit commitment from Texas Department of Housing and Community Affairs for the proposed SRO development. Construction loan financing for this project will be provided by a lender to be determined and a grant from Houston Endowment, Inc.

The City of Houston HOME funds to HACDC will be a 0% interest loan with a 20 year term. The PBL is to be forgiven at the end of the 20 year term so long as the Borrower complies with the terms and conditions of the City loan agreement, and the property is in full compliance with HUD and the City of Houston. The City will place rent and income restrictions on the property through a Land Use Restrictions Agreement (LURA). The City's LURA will be superior to all other liens on the property, and will have an affordability period for 20 years. The proposed City loan agreement will have a 24 month contract term.

NHH at Perry, LLC is the sole General Partner, and Perry SRO, Ltd., a Texas limited partnership, is the proposed owner of 4415 Perry. As proposed, HACDC will make a loan to Perry SRO, Ltd. As collateral, HACDC will convey its security interest in the Note and Deed of Trust from Perry SRO, Ltd. to the City of Houston. The limited partnership interest will be sold to a tax credit syndicator to be determined for 99.99% limited partnership interest resulting in proceeds of approximately \$5,708,935. The proceeds from the sale will be invested into the project and payoff the construction loan. Following the construction loan pay down, the lien assigned to the City of Houston will be superior, and the project will have no debt service.

REQUIRED AUTHORIZATION

NDT

Finance Dept.

Other Authorization:

Other Authorization:

Date 12/10/10	Subject: An Ordinance authorizing an Agreement between the City of Houston and Houston Area Community Development Corporation.	Originator's Initials 	Page <u>2</u> of <u>2</u>
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Area residents comprising Super Neighborhood #68 endorse this development and welcome the community enhancement 4415 Perry will bring to their neighborhood.

The proposed development will be built on a 1.8366 acre site located in District D at 4415 Perry Street. This site is located in Foster Place on the north line of Perry Street, between Foster and Eastwood Streets, one block off Cullen Boulevard, and south of Old Spanish Trail. The project will consist of one building in three parts; a one story community wing and a two and three story residential wing which wrap around a large private landscaped courtyard that include a fountain, and BBQ area. Each of the 160 units will be fully furnished, and will include a private tiled bath, and a small kitchenette with a microwave and refrigerator. Building common areas will include an office/reception area, group meeting room, library, fully equipped business center, television room, dining room, communal kitchen, and two laundry rooms. The building will comply with standards established under the Fair Housing Act so the property will be wheelchair accessible.

The unit mix consists of 136 zero-bedroom units containing 240 S.F., 12 zero-bedroom units containing 400 S.F., and 12 zero-bedroom units containing 440 S.F. Of the 160 units, the City will restrict 54 floating HOME assisted units for a period of twenty years, with 11 units restricted to individuals whose income does not exceed 50% of AMI, and 43 units restricted to individuals whose annual income does not exceed 60% of AMI. The property owner plans to lease the remaining 106 units to tenants with incomes 60% of area media income or less.

The Houston Area Community Development Corporation Board of Directors are Michael M. Fowler, President, Jeffrey A. Compton, Vice President, Mark C. Wilson, Secretary, Willy Kuehn, Treasurer, Irma G. Galvan, Douglas M. Selman, Ph.D., Matthew M. J. Stahlbaum, and Carolyn Truesdell. The Executive Director is Joy Horak-Brown.

Estimated Sources of Funds:

City of Houston /PBL	\$ 3,000,000
Tax Credit Equity	5,708,935
Houston Endowment	<u>192,000</u>
Total	\$ 8,900,935

Estimated Uses of Funds:

Land Acquisition	\$ 405,565
Hard Costs	4,818,370
Soft Costs	<u>3,677,000</u>
Total	\$ 8,900,935

This project is consistent with the City of Houston Consolidated Plan to provide affordable SRO housing. The Department recommends approval of an agreement between the City of Houston and Houston Area Community Development Corporation. The Housing and Community Development Committee reviewed this item on November 18, 2010, and recommended it for favorable Council consideration.

JN:EP:JR

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

SUBJECT: An ordinance authorizing an interlocal agreement between the City of Houston and the University of Texas Health Science Center at Houston		Category # 9	Page 1 of 1	Agenda Item # 15
FROM (Department or other point of origin): Stephen L. Williams, M.Ed., M.P.A. Director-Houston Department of Health and Human Services		Origination Date 9/27/10	Agenda Date JAN 05 2011	
DIRECTOR'S SIGNATURE: <i>Stephen L. Williams for SLW</i>		Council District affected: ALL		
For additional information contact: Kathy Barton Telephone: 832-393-5045; 713-826-5801		Date and identification of prior authorizing Council action:		
RECOMMENDATION: Approval of an ordinance authorizing an interlocal agreement between the City of Houston and the University of Texas Health Science Center at Houston				
Amount of Funding: Maximum Contract Amount: \$408,792.80 Initial Allocation: \$102,198.20 Fund: 1000 General Fund			Finance Department:	
SOURCE OF FUNDING: <input checked="" type="checkbox"/> General Fund <input type="checkbox"/> Grant Fund <input type="checkbox"/> Enterprise Fund <input type="checkbox"/> Other (Specify)				
SPECIFIC EXPLANATION: The Houston Department of Health and Human Services (HDHHS) requests approval of an ordinance authorizing an interlocal agreement between the City and the University of Texas Health Science Center at Houston (UTHSC-H), on behalf of its Department of Pathology and Laboratory. The term of this Agreement is for three (3) years from the date of the countersignature and shall automatically renew for one (1) one-year term. The total contract amount is \$408,792.80. The initial allocation of funds is \$102,198.20. Under this agreement UT will provide an experienced individual who will perform skilled technical work in the areas of planning, development, and executing public health laboratory programs. UT's specific services include: 1) planning and coordinating special bacteriological, virological, serological and parasitological tests for use in diagnostic test procedures; 2) overseeing the planning and development of laboratory programs for the correction of environmental problems related to water, sewage, industrial wastes, shellfish, milk and other foods; 3) scheduling, supervising, and evaluating the performance of subordinate personnel; 4) maintaining laboratory supply and equipment inventory and 5) providing technical laboratory instructions for division supervisors. This collaboration will further the goals of HDHHS regarding public health emergencies, disease prevention, and the collection, analysis and dissemination of health data. It will also further the mission of HDHHS to work in partnership with the community for the health and social well being of Houstonians. cc: Finance Department Legal Department Agenda Director				
REQUIRED AUTHORIZATION				
Finance Department	Other Authorization:		Other Authorization:	

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA #

SUBJECT: Ordinance approving the Fiscal Year 2011 Operating Budget for the East Downtown Redevelopment Authority and the Fiscal Years 2011-2015 Capital Improvements (CIP) Budget for Reinvestment Zone Number Fifteen.

Category #

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1 of 1

Agenda Item#

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FROM: (Department or other point of origin):

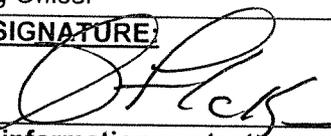
Andrew F. Icken
Chief Operating Officer

Origination Date

Agenda Date

JAN 05 2011

DIRECTOR'S SIGNATURE:



Council Districts affected:

H, I

For additional information contact:

Ralph De Leon
Tim Douglass

Phone: (713) 837-9573

Phone: (713) 837-9857

Date and identification of prior authorizing Council Action:

Ord. 2009-1079, 11/04/09

RECOMMENDATION: (Summary)

City Council to adopt an ordinance approving the Fiscal Year 2011 Operating Budget for the East Downtown Redevelopment Authority and Fiscal Years 2011-2015 CIP Budget for Reinvestment Zone Number Fifteen.

Amount of Funding: No Funding Required

Finance Budget:

SOURCE OF FUNDING:

General Fund

Grant Fund

Enterprise Fund

Other (Specify)

SPECIFIC EXPLANATION:

The administration has undertaken a comprehensive review of the proposed FY11 Operating Budget for the East Downtown Redevelopment Authority and the FY11-FY15 CIP Budget for Reinvestment Zone Number Fifteen (East Downtown Zone).

- Total Operating Budget for FY11 is \$2,808,244 which includes \$423,101 for required fund transfers and \$2,385,143 for Project Costs.
- The FY11-FY15 CIP Budget for East Downtown Redevelopment Authority totals \$2,250,000. The CIP includes provisions for the reconstruction and improvements to roadway and sidewalk reconstruction.
- The FY11 Operating Budget includes \$1,500,000 for capital expenditures and \$41,947 for administration and overhead. The redevelopment authority must advise the Finance Director of any budget amendment. Adjustments to the Project Costs in the budget of the lesser of \$400,000 or 5% or more require City Council approval.

Attachments: TIRZ Profile, FY11 Operating Budget and the FY11-FY15 CIP Budget

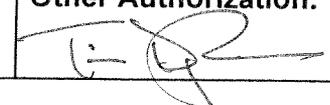
cc: Marty Stein, Agenda Director
Anna Russell, City Secretary
David Feldman, City Attorney
Deborah McAbee, Senior Assistant City Attorney

REQUIRED AUTHORIZATION

Finance Director:

Other Authorization:

Other Authorization:



P R O F I L E	Base Year:		1999
	Base Year Taxable Value:	\$	32,031,620
	Current Taxable Value (TY2010):	\$	131,924,535
	Current Taxable Value (TY2009):	\$	144,101,847
	Acres:		387.02 acres
	Administrator (Contact):		City of Houston
	Contact Number:		713-837-9573

N A R R A T I V E	Zone Purpose:
	Mobilize investment and tax base expansion in the East Downtown area by investing resources to design and reconstruct all the basic City infrastructure including Water Lines, Storm Sewer Lines, Sanitary Sewer Lines, Streets and Sidewalks. Provide for environmental cleanup where needed to enable redevelopment to occur. Construction of parking facilities to support retail development.
	Accomplishments in FY10 (Projects Underway):
	In fiscal year 2010, the East Downtown TIRZ accomplished: - Assisted in the preliminary planning for the future Dynamo Stadium Project

P R O J E C T P L A N		Cumulative Expenses		
		Total Plan	(to FY10)	Variance
	Capital Projects:			
	Water Lines	\$ 1,230,500	\$ 159,424	\$ 1,071,076
	Storm Sewer	2,209,400	593,513	1,615,887
	Sanitary Sewer	1,113,950	69,394	1,044,556
	Streets	9,845,750	2,843,821	7,001,929
	Sidewalks	774,000	366,510	407,490
	Cultural and Public Facilities	20,000,000	-	20,000,000
	Parking Facilities	30,500,000	-	30,500,000
	Environmental Clean-up	1,000,000	-	1,000,000
	Total Capital Projects	\$ 66,673,600	\$ 4,032,662	\$ 62,640,938
	Affordable Housing	-	-	-
	Education Facilities	13,201,622	1,654,908	11,546,714
	Creation Costs	840,000	1,720,932	(880,932)
	Total Project Plan	\$ 80,715,222	\$ 7,408,502	\$ 73,306,720

D E B T	Additional Financial Data	FY2010 Budget	FY2010 Projection	FY2011 Budget
		Debt Service		
	Principal	\$ 876,812	\$ -	\$ -
	Interest	\$ -	\$ -	\$ -
		\$ 876,812	\$ -	\$ -
		Balance as of 6/30/09	Projected Balance as of 6/30/10	Projected Balance as of 6/30/11
	Year End Outstanding (Principal)			
	Bond Debt	\$ -	\$ -	\$ -
	Bank Loan	\$ -	\$ -	\$ -
	Developer Agreement	\$ -	\$ 1,010,579	\$ 542,383
	Other	\$ -	\$ -	\$ -

TIRZ Budget Line Items	FY2010 Budget	FY2010 Estimate	FY2011 Budget
RESOURCES			
RESTRICTED Funds - Capital Projects	\$ -	\$ -	\$ -
RESTRICTED Funds - Affordable Housing	\$ -	\$ -	\$ -
RESTRICTED Funds - Bond Debt Service	\$ -	\$ -	\$ -
UNRESTRICTED Funds	\$ 1,764,968	\$ 1,764,968	\$ 2,676,958
Beginning Fund Balance	\$ 1,764,968	\$ 1,764,968	\$ 2,676,958
City tax revenue	\$ 1,015,265	\$ 1,125,121	\$ 1,013,249
ISD tax revenue	\$ 914,936	\$ 1,367,102	\$ 926,505
County tax revenue	\$ -	\$ -	\$ -
Community College tax revenue	\$ -	\$ -	\$ -
Incremental property tax revenue	\$ 1,930,201	\$ 2,492,223	\$ 1,939,754
COH TIRZ Interest	\$ 7,814	\$ -	\$ -
Miscellaneous revenue	\$ 7,814	\$ -	\$ -
Interest Income	\$ 7,589	\$ 10,093	\$ 11,511
Other Interest Income	\$ 7,589	\$ 10,093	\$ 11,511
Developer Advance City of Houston	\$ -	\$ -	\$ 1,500,000
Advances	\$ -	\$ -	\$ 1,500,000
Grant Proceeds	\$ -	\$ -	\$ -
Special assessment bond proceeds	\$ -	\$ -	\$ -
Proceeds from bank loan	\$ -	\$ -	\$ -
TOTAL AVAILABLE RESOURCES	\$ 3,710,572	\$ 4,267,284	\$ 6,128,223
EXPENDITURES			
Accounting	\$ 17,654	\$ 10,240	\$ 11,000
Administration Consultant	\$ -	\$ -	\$ 17,000
Administration Salaries & Benefits	\$ -	\$ -	\$ -
Auditor	\$ 6,695	\$ 6,500	\$ 7,000
Insurance	\$ 809	\$ 840	\$ 947
Tax Consultant	\$ -	\$ -	\$ 1,500
Office Expenses	\$ 4,432	\$ 4,558	\$ 4,500
TIRZ Administration and Overhead	\$ 29,590	\$ 22,138	\$ 41,947
Landscaping Consultants	\$ -	\$ -	\$ -
Legal	\$ 125,000	\$ 225,074	\$ 175,000
Construction Audit	\$ -	\$ -	\$ -
Infrastructure, Economic, and Environmental Services	\$ 66,712	\$ 3,007	\$ 200,000
Program and Project Consultants	\$ 191,712	\$ 228,081	\$ 375,000
Management consulting services	\$ 221,302	\$ 250,219	\$ 416,947
Capital Expenditures (See CIP Schedule)	\$ -	\$ -	\$ 1,500,000
TIRZ Capital Expenditures	\$ -	\$ -	\$ 1,500,000
Quality Homes Principal	\$ -	\$ -	\$ -
Interest	\$ -	\$ -	\$ -
Lofts at Ballpark Principal	\$ 531,369	\$ 461,763	\$ 468,196
Interest	\$ -	\$ -	\$ -

TIRZ Budget Line Items	FY2010 Budget	FY2010 Estimate	FY2011 Budget
Herrin			
Principal	\$ 190,000	\$ 340,000	\$ -
Interest	\$ -	\$ -	\$ -
Developer / Project Reimbursements			
City of Houston Loan	\$ 721,369	\$ 801,763	\$ 468,196
Principal	\$ -	\$ -	\$ -
Interest	\$ 876,812	\$ -	\$ -
Fund 1850 Reimbursements	\$ 876,812	\$ -	\$ -
Bond Debt Service			
Principal	\$ -	\$ -	\$ -
Interest	\$ -	\$ -	\$ -
Loan	\$ -	\$ -	\$ -
Principal	\$ -	\$ -	\$ -
Interest	\$ -	\$ -	\$ -
System Debt Service	\$ 1,598,181	\$ 801,763	\$ 468,196
TOTAL PROJECT COSTS	\$ 1,819,483	\$ 1,051,982	\$ 2,385,143
Payment/transfer to ISD - Educational Facilities	\$ 304,979	\$ 457,088	\$ 347,439
Adminstration Fees:			
City	\$ 50,763	\$ 56,256	\$ 50,662
County	\$ -	\$ -	\$ -
ISD	\$ 25,000	\$ 25,000	\$ 25,000
Affordable Housing:			
City	\$ -	\$ -	\$ -
ISD to City of Houston	\$ -	\$ -	\$ -
Transfer to Harris County	\$ -	\$ -	\$ -
Municipal Services	\$ -	\$ -	\$ -
Total Transfers	\$ 380,742	\$ 538,344	\$ 423,101
Total Budget	\$ 2,200,225	\$ 1,590,326	\$ 2,808,244
RESTRICTED Funds - Capital Projects	\$ -	\$ -	\$ -
RESTRICTED Funds - Affordable Housing	\$ -	\$ -	\$ -
RESTRICTED Funds - Bond Debt Service	\$ -	\$ -	\$ -
UNRESTRICTED Funds	\$ 1,510,347	\$ 2,676,958	\$ 3,319,979
Total Ending Fund Balance	\$ 1,510,347	\$ 2,676,958	\$ 3,319,979
Total Budget & Ending Fund Balance	\$ 3,710,572	\$ 4,267,284	\$ 6,128,223

2011 - 2015 CAPITAL IMPROVEMENT PLAN
 TIRZ No.15 - East Downtown Redevelopment Authority
 CIP by Project

CITY OF HOUSTON - TIRZ PROGRAM
 Department of Finance
 Economic Development Division

Council District	Cip No.	Project	Fiscal Year Planned Appropriations								FY11 - FY16 Total	Cumulative Total (To Date)	
			Through 2009	Projected 2010	2011	2012	2013	2014	2015	2016			
1	T-1501	East Downtown Roadway and Utility Improvements	-	-	1,500,000	750,000	-	-	-	-	-	2,250,000	\$ 2,250,000
1	T-1502	PROPOSED CIP PROJECT	-	-	-	-	-	-	-	-	-	-	\$ -
0	T-1503	PROPOSED CIP PROJECT	-	-	-	-	-	-	-	-	-	-	\$ -
0	T-1504	PROPOSED CIP PROJECT	-	-	-	-	-	-	-	-	-	-	\$ -
0	T-1505	PROPOSED CIP PROJECT	-	-	-	-	-	-	-	-	-	-	\$ -
0	T-1506	PROPOSED CIP PROJECT	-	-	-	-	-	-	-	-	-	-	\$ -
Totals			-	-	1,500,000	750,000	-	-	-	-	-	2,250,000	2,250,000

2011 - 2015 CAPITAL IMPROVEMENT PLAN
 TIRZ No. 15 - East Downtown Redevelopment Authority
 CIP by Sources of Funds

CITY OF HOUSTON - TIRZ PROGRAM
 Department of Finance
 Economic Development Division

Source of Funds	Fiscal Year Planned Appropriations										FY11 - FY15 Total	Cumulative Total (To Date)	
	Through 2009	Projected 2010	2011	2012	2013	2014	2015	2016	2017	2018			
TIRZ funds	-	-	-	-	-	-	-	-	-	-	-	-	-
Revenue bond proceeds	-	-	-	-	-	-	-	-	-	-	-	-	-
Proceeds from bank loan	-	-	-	-	-	-	-	-	-	-	-	-	-
Developer Advance/Reimbursement	-	-	-	-	-	-	-	-	-	-	-	-	-
City of Houston	-	-	1,500,000	750,000	-	-	-	-	-	-	-	2,250,000	2,250,000
Grants	-	-	-	-	-	-	-	-	-	-	-	-	-
Other	-	-	-	-	-	-	-	-	-	-	-	-	-
Project Total	-	-	1,500,000	750,000	-	-	-	-	-	-	-	2,250,000	2,250,000

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

SUBJECT: Approve a Second Amendment to the Project Plan and Reinvestment Zone Financing Plan, Extend the Termination Date, and Authorize Issuance of Additional Bonds for Tax Increment Reinvestment Zone Number Fifteen (East Downtown Zone)

Category #

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1 of 1

RCA #

Agenda Item#

17

FROM: (Department or other point of origin):

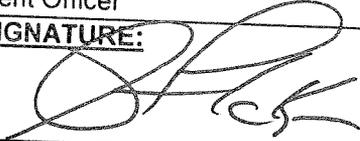
Andrew F. Icken
Chief Development Officer

Origination Date

Agenda Date

JAN 05 2018

DIRECTOR'S SIGNATURE:



Council Districts affected:

H, I

For additional information contact:

Ralph De Leon
Tim Douglass

Phone: (713) 837-9573
(713) 837-9857

Date and identification of prior authorizing Council Action:

Ord. 1999-0708, 07/07/99, Ord. 1999-0757, 07/21/99, Ord. No. 2000-0663 on 7/19/00, Ord. No. 2005-917, on 07/27/05 and Ord. 2008-0192, 03/05/08

RECOMMENDATION: (Summary)

City Council adopts an Ordinance approving a Second Amendment to the Project Plan and Reinvestment Zone Financing Plan, Extend the Termination Date, and Authorize Issuance of Additional Bonds for Tax Increment Reinvestment Zone Number Fifteen (East Downtown Zone)

Funding: No Funding Required

Finance Budget:

SOURCE OF FUNDING: General Fund Grant Fund Enterprise Fund N/A

EXPLANATION:

The City of Houston (the "City") created Tax Increment Reinvestment Zone Number Fifteen, the East Downtown Zone (the "Zone") by Ordinance No. 1999-0708 on June 7, 1999. When created, the Zone duration was established at 30 years with a termination date of December 31, 2029. Subsequently, City Council approved a Project Plan and Reinvestment Zone Financing Plan for the Zone by Ordinance No. 1999-0757, on July 21, 1999 (the "Plan"), and created the East Downtown Redevelopment Authority (the "Authority") by Resolution 2000-0027 on June 7, 2000 to help implement the Plan. By Ordinance No. 1998-681 adopted on June 7, 2000, City Council approved the Tri-Party Agreement among City, the Zone, and the Authority. On July 27, 2005, City Council adopted Ordinance No. 2005-917 authorizing the Authority to issue notes up to \$4,000,000. Thereafter, City Council approved an Amended Plan by Ordinance No. 2008-0192 on March 5, 2008. On April 7, 2010, by Ordinance No. 2010-265, City Council approved an Interlocal Agreement (the "ILA") between the City, Harris County (the "County"), and the Harris County-Houston Sports Authority. In the ILA the parties agreed to specific terms or actions that must occur prior to construction of a public professional soccer stadium. Three actions triggered by the ILA require amending the Zone's existing Project Plan and Reinvestment Zone Financing Plan (the "Amended Plan"), extending the life of the Zone, and issuing additional obligations. Subsequently, on November 15, 2010, the Zone's Board of Directors and the Authority approved a proposed Second Amended Plan and forwarded the proposed amendments to the City for consideration. The Amended Plan provides for the conditions described in the ILA specific to the Zone.

To support the City's efforts in this regard, the Administration recommends that City Council approve the Second Amended Plan for the Zone, extend the duration of the Zone by an additional 11 years from December 31, 2029 to December 31, 2040, and allow the Authority to issue total bonds and notes up to \$50 million.

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

REQUIRED AUTHORIZATION

Finance Director:

Other Authorization:

Other Authorization:



**TAX INCREMENT REINVESTMENT ZONE NUMBER FIFTEEN
CITY OF HOUSTON, TEXAS**

EAST DOWNTOWN ZONE

Second Amended
Project Plan and Reinvestment Zone Financing Plan

November 15, 2010

REINVESTMENT ZONE NUMBER FIFTEEN, CITY OF HOUSTON, TEXAS
 EAST DOWNTOWN ZONE, PART C PLAN
 Second Amended Project Plan and Reinvestment Zone

Financing Plan
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Exhibit 3 – Part C Revenue Transfer Schedule	
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Exhibit 6 – Part C Revenue Schedule – Harris County	

Tax Increment Reinvestment Zone Number Fifteen, City of Houston, Texas
East Downtown Redevelopment Authority
Plan C – Amendment 2010

INTRODUCTION

The purpose of the Project Plan and Reinvestment Zone Financing Plan (collectively, the Parts A and B Plans are the “Plans”) for Reinvestment Zone Number Fifteen, City of Houston, Texas and the East Downtown Zone (herein referred to as the “TIRZ”) is to set forth goals, expectations and redevelopment plans and programs necessary to create and support an environment attractive to private investment in the East Downtown area. The intent of the Plan is to ensure that the improvements will result in the long-term stability and viability of the area.

OVERVIEW

The City created the TIRZ by Ordinance No. 1999-708 adopted July 7, 1999 for the purposes of redevelopment in approximately 179 acres in an area generally referred to as “Old” Chinatown. A Project Plan and Reinvestment Zone Financing Plan (the “Part A Plan”) was adopted by City Council on July 21, 1999 by Ordinance no. 1999-757. The intent of the Plan was to provide for the repositioning of the East Downtown area by promoting and developing infrastructure improvements, parking facilities to support a major destination retail center, environmental mitigation and remediation, and which may be amended from time to time. Combined, these actions were taken to assist in the revitalization of Chinatown from an abandoned and deteriorated neighborhood into a mixed-use district that included retail, commercial, residential and entertainment development.

Subsequently, by Resolution No. 2000-27, dated June 6, 2000, the Houston City Council approved the creation of the East Downtown Redevelopment Authority. The Authority was established to assist the City and the Zone Board of Directors in implementing the TIRZ Project Plan & Financing Plan. On December 12, 2007 by Ordinance 2007-1441, City Council approved an annexation of an additional 422 acres into the Zone. On March 5, 2008, by Ordinance No. 2008-192 City Council approved an Amended Project Plan and Reinvestment Zone Financing Plan, (the “Part B Plan”).

The TIRZ and the City now desire to further amend the TIRZ Project Plan and Financing Plan as further described herein, (the “Part C Plan”).

Part A Plan: Project Plan Summary

The original Project Plan contemplated that significant commercial development would occur in the TIRZ related to both the expansion of the George R. Brown Convention Center and the construction of Minute Maid Park. For example, the Part A Plan estimated \$158 million of Captured Appraised Value (CAV) was projected to occur within the Zone by Tax Year 2009. Of that amount, an estimated \$30 million was attributable to the development of a large parking facility with ground-floor retail. The

remainder of the projected value was attributed to several multi-family residential developments that did not occur. Consequently, the actual Tax Year 2009 CAV of the Zone was \$112 million and/or approximately \$46 million less than what was projected in the Part A Plan. The lack of anticipated development as set forth in the original financing plan has resulted in significantly less increment revenue due to the Zone since it was created. Despite some improvements undertaken since its creation in 1999, The TIRZ still presents a visibly deteriorated face with a lack of adequate roads, sidewalks, storm sewer, wastewater, and water systems.

Part B Plan: Project Plan Summary

The Part B Plan sought to build upon the goals previously defined in the Part A Plan and included provisions for the December 2, 2007 expansion of the TIRZ. The geographic area covered by the Part B Plan included the areas of the Part A, as well as the recently annexed 422 acres into the Zone. The new public improvements category included in the Part B Plan consisted of:

Cultural and Public Facilities: The Zone desires to promote the development of cultural and public facilities and economic development. The Zone and City may use any available legal authority to facilitate the development of such cultural and public facilities and economic development in the area surrounding such facilities. One specific project within this category is a planned public destination facility to be constructed in a 6-block area bounded by Texas Avenue, Walker Avenue, Hutchins Street, and Dowling Street. An additional element of the project is that the Zone and City may use its resources and powers to: 1) facilitate the public facility development as a catalyst project in the Zone; and 2) attract and incentivize substantial economic development from private sector commercial and retail investment in the surrounding area.

Part C Plan Initiatives:

The Part C Plan will remedy recent and historic negative trends within the East Downtown area by creating a viable and attractive environment for new investment and reinvestment. In addition, the amendments in the Part C Amendment both restates and redefines the Part A and Part B Project Costs infrastructure categories to be more consistent with standard City of Houston Public Works and Engineering Department nomenclature thus making the intent more specific. The project costs associated with each category were also modified to allow for the integration of updated infrastructure costs included in the 2009 Infrastructure Assessment Study conducted by HNTB Corporation. The proposed Part C Plan project costs include provisions for upgrades and improvements to public utility systems, public roadways and thoroughfares, parks, provisions for public art, lighting, landscaping, and environmental remediation. The geographical area covered by the Part C Plan includes the areas covered by the Parts A and B Plans. The goal of the TIRZ is to create a new urban neighborhood; create gateways between East Downtown and adjacent districts through the development of connections with other neighborhoods and activity centers; produce a project unique to East Downtown; and enhance the sense of civic pride for area residents.

Public improvements proposed in the Part C Plan are in relationship with the original goals of the Zone and are as follows:

Goal 1: Infrastructure improvements. Public roadways and public utilities systems are required to create an environment that will stimulate private investment in retail, residential, commercial, and mixed-use developments. Reconstruction of utility systems will be taken to improve functionality and replace aged facilities. All roadway improvements will be integrated with street reconstruction projects of the City of Houston, METRO, TxDOT, and other public entities, and where possible include elements not included in those programs.

Goal 2: Pedestrian-friendly environments with ample lighting and streetscape amenities. Streetscape enhancements are required to create an environment that will help stimulate investment in retail, residential, and commercial developments. Enhanced streetscape components include: sidewalks, lighting, signage, street trees, landscaping, benches and other pedestrian amenities. The reconstruction of key streets and major thoroughfares will enhance the level of service in the area. The construction of sidewalk systems including ADA compliant ramps and other treatments will improve pedestrian safety, enhance the visual environment and provide connectivity both within the community and to adjacent districts.

Goal 3: Parks and related amenities. The development of public green space through land acquisition, the dedication of public easements, dedicated parking, and the construction of enhancements. All improvements will be integrated with adjacent land uses and provided with upgrades focused on connectivity, pedestrian safety, and the visual environment.

Goal 4: The reinforcement of pedestrian-attractive retail developments. The retention and expansion of the retail and commercial developments in the East Downtown area including the Bastrop, Saint Emanuel, Dowling, Hutchins, Texas and Chartres corridors is of key importance to the successful redevelopment of the area. The provision of base level retail functionality is essential to the continued expansion of mixed use residential projects in the area. In particular, it is envisioned to assist in the development of primary commercial and retail corridors through the implementation of an enhanced pedestrian environment with an emphasis on parking, landscaping, wide sidewalks, public art and adequate pedestrian amenities.

Goal 5: Complementing revitalization activities proposed to occur along future/proposed METRO mass transit alignments within the boundaries of the TIRZ. METRO funding of public transit systems can be complimented by TIRZ activities including the funding of alignment improvements, upgrades, right-of-way acquisition, and provisions for public art. Future METRO stations within the boundaries of the TIRZ could spur redevelopment while benefiting existing businesses. The METRO Solutions Southeast and East End alignments will include station locations within the boundaries of the TIRZ. The TIRZ will look for specific key economic development opportunities and capitalize on METRO's revitalization of key corridors included in the TIRZ.

Goal 6: Economic Development. In cases where improving public infrastructure alone is insufficient or inadequate to stimulate private investment and economic development, the TIRZ would seek to fund an economic development program that would directly incentivize private enterprise that affects the TIRZ and serve as a catalyst for other business developments. Examples of how the program would be used including funding for business development and retention, business loss mitigation in cases where large public construction projects disrupt access to and operation of businesses, economic development grants to catalyze investments, and matching grants to provide leverage for other economic development funds, such as state enterprise projects, state economic development bank funds and new market tax credit allocations. An appropriate economic development program would be created by the TIRZ and subject to City approval.

Goal 7: Affordable Housing. The TIRZ projects it will fund Affordable Housing initiatives inside and outside the Zone. The Affordable Housing projects could include a supportive housing program designed to develop supportive housing and services that allow homeless persons to live as independently as possible. Emphasis could be placed on supportive services needed to assist homeless persons in the transition from homelessness to self-sufficiency.

Other Project Plan Provisions:

Existing and Proposed Uses of Land Within the Zone: A map of existing land uses within the Zone and of proposed improvements to and proposed uses of property within the zone is included in this Part C Plan.

Estimated Non-Project Cost Items: It is estimated that the East Downtown Management District will generate approximately \$400,000 in annual revenues in tax year 2010, a portion of which will be expended within the Zone to fund public safety programs, graffiti abatement, landscape maintenance, and illegal dumping cleanup programs.

Proposed Changes of Zoning Ordinances, Master Plan of Municipality, Building Codes, and other Municipal Ordinances: All construction will be done in conformance with existing rules and regulations of the City of Houston. There are no proposed changes of any city ordinance, master plan, or building codes.

Statement of Method of Relocating Persons to be Displaced as a Result of Implementing the Plan: It is not anticipated that residents will be displaced by any of the projects to be undertaken by the Zone.

Financing Plan:

Estimated Project Costs: Exhibit 1 is a detailed listing of the proposed project costs including administrative and educational project costs included in this Part C Plan. The project descriptions in Part A and Part B of the Project and Financing Plan remain valid for those projects at this time.

Economic Feasibility: Exhibits 2, 3, 4, 5, and 6 are updated revenue estimates for both the original Zone territory and the areas annexed in December of 2007. These estimates detail the expected total appraised value, the captured appraised value and the net revenue from each taxing entity participating in the Zone over the remaining life of the Zone.

Bond Indebtedness/Methods of Financing: It is anticipated that Notes will be issued by the TIRZ. The value and timing of these future notes and bonds issues will correlate to the debt capacity as derived from the revenue and project schedules attached herein, and by actual market conditions for the issue and sale of such notes and bonds. The TIRZ will explore other financing methods including developer agreement financing and collaboration with other entities for grant funding and partnerships.

Reinvestment Zone Duration: When initially created by City Council on July 7, 1999, the term of the Zone was established at 30 years. Due to the magnitude of anticipated development to occur within the TIRZ, it is expected a greater demand will be placed on the already TIRZ distressed infrastructure. The proposed improvements extending beyond the 2028 projects include in the Parts A and B Plans as well as those needed to adequately address future drainage, mobility and quality of life issues resulting from existing and projected densities. It is therefore recommended that the life of the TIRZ be extended to December 31, 2040 as part of this Part C Plan.

Taxing Jurisdiction Participation: Property valuation of the Zone is projected to increase from \$32,031,620, the Zone Base Year (1999) to \$298,265,477 in Tax Year 2010. The 2010 incremental revenue estimate from all participating jurisdictions is sufficient to cover the costs of the proposed redevelopment as well as to support the public improvement projects proposed for the Zone. The Project Plan and Reinvestment Zone Financing Plan estimates a total project costs of \$152,787,949.

Exhibit 1 – Parts A, B and C Project Costs

Project Cost Amendments: The following table includes the approved project cost for Parts A and B and the changes made to those budgets through this Part C amendment:

	Estimated Costs 1999 Plan	Estimated Costs 2008 Plan	Estimated Costs 2010 Plan	Cumulative
Infrastructure Improvements:				
Public Utilities - Parts A and B				
Design and Construction of Water Lines	\$ 1,230,500	\$ 1,230,500	\$ -	\$ 1,230,500
Design and Construction of Storm Sewer	\$ 2,209,400	\$ 2,209,400	\$ -	\$ 2,209,400
Design and Construction of Sanitary Sewer	\$ 1,113,950	\$ 1,113,950	\$ -	\$ 1,113,950
Public Utilities - Part C				
Public Utilities	\$ -	\$ -	\$ 15,000,000	\$ 15,000,000
Total Public Utilities - Parts A, B and C	\$ 4,553,850	\$ 4,553,850	\$ 15,000,000	\$ 19,553,850
Roadway and Sidewalk Improvements - Parts A and B				
Design and Construction of Street Paving	\$ 9,845,750	\$ 9,845,750	\$ -	\$ 9,845,750
Design and Construction of Sidewalks	\$ 774,000	\$ 774,000	\$ -	\$ 774,000
Roadway and Sidewalk Improvements - Part C				
Roadway, Sidewalks, Lighting, Pedestrian and Transit Amenities	\$ -	\$ -	\$ 25,500,000	\$ 25,500,000
Total Roadway and Sidewalk Improvements - Parts A, B and C	\$ 10,619,750	\$ 10,619,750	\$ 25,500,000	\$ 36,119,750
Infrastructure Improvements associated with Cultural and Public Facilities Costs:				
Cultural and Public Facilities Infrastructure Improvements	\$ -	\$ 20,000,000	\$ -	\$ 20,000,000
Land Acquisition for Cultural and Public Facilities Improvements	\$ -	\$ -	\$ 16,000,000	\$ 16,000,000
Total Cultural and Public Facilities Infrastructure Improvements- Parts B & C	\$ -	\$ 20,000,000	\$ 16,000,000	\$ 36,000,000
Total Infrastructure Improvements - Parts A, B and C	\$ 15,173,600	\$ 35,173,600	\$ 56,500,000	\$ 91,673,600
Other Project Costs:				
Parking Facilities to Support a Major Destination Retail Center - Parts A & B				
Parking Facilities	\$ 30,500,000	\$ 30,500,000	\$ (30,500,000)	\$ -
Total Parking Facilities - Parts A & B	\$ 30,500,000	\$ 30,500,000	\$ (30,500,000)	\$ -
Parks and Plazas				
Parks and Recreational Facilities	\$ -	\$ -	\$ 5,000,000	\$ 5,000,000
Total Parks and Plazas - Part C	\$ -	\$ -	\$ 5,000,000	\$ 5,000,000
Environmental Clean-up Parts - A & B				
Environmental Clean-up (Mitigation and Remediation)	\$ 1,000,000	\$ 1,000,000	\$ -	\$ 1,000,000
Total Environmental Clean-up - Parts A & B	\$ 1,000,000	\$ 1,000,000	\$ -	\$ 1,000,000
Affordable Housing - Parts C				
Affordable Housing - Homeless Initiatives	\$ -	\$ -	\$ 8,000,000	\$ 8,000,000
Total Affordable Housing - Part C	\$ -	\$ -	\$ 8,000,000	\$ 8,000,000
Project Financing Costs - Parts A & B				
Project Financing Costs	\$ 23,822,727	\$ 23,822,727	\$ 7,000,000	\$ 30,822,727
Total Project Financing Costs - Parts A & B	\$ 23,822,727	\$ 23,822,727	\$ 7,000,000	\$ 30,822,727
TIRZ Creation - Parts A & B				
TIRZ Creation	\$ 120,000	\$ 120,000	\$ -	\$ 120,000
Total TIRZ Creation - Parts A & B	\$ 120,000	\$ 120,000	\$ -	\$ 120,000
TIRZ Management				
TIRZ Administration and Management - Parts A & B	\$ 720,000	\$ 720,000	\$ -	\$ 720,000
TIRZ Administration and Management - Part C	\$ -	\$ -	\$ 2,250,000	\$ 2,250,000
Total TIRZ Management - Parts A, B & C	\$ 720,000	\$ 720,000	\$ 2,250,000	\$ 2,970,000
Educational Project Costs - Parts A & B				
Design and Construction of Educational Facilities	\$ 13,201,622	\$ 13,201,622	\$ -	\$ 13,201,622
Total Educational Project Costs - Parts A & B	\$ 13,201,622	\$ 13,201,622	\$ -	\$ 13,201,622
PROJECT PLAN TOTAL	\$ 84,537,949	\$ 104,537,949	\$ 48,250,000	\$ 152,787,949

Exhibit 2
Part C Revenue Schedule – All Entities

**EXHIBIT 2: TIRZ 15 East Downtown Revenue Schedule
2010 Second Amended Project Plan and Reinvestment Zone Financing Plan (PART C)**

Tax Year (1)	Increment Revenue					Net Revenue (Total Increment Revenue Less Transfers)
	City	Houston ISD (2)	Harris County Land/Infrastructure (3)	Harris County Homeless Housing (4)	Total Increment Revenue	
2010	\$ 1,013,249	\$ 946,010	\$ 285,802	\$ 16,812	\$ 2,261,873	\$ 1,805,147
2011	\$ 1,100,632	\$ 987,429	\$ 331,413	\$ 19,495	\$ 2,438,969	\$ 1,949,661
2012	\$ 1,192,383	\$ 1,051,400	\$ 379,304	\$ 22,312	\$ 2,645,400	\$ 2,121,881
2013	\$ 1,288,723	\$ 1,118,570	\$ 429,589	\$ 25,270	\$ 2,862,152	\$ 2,302,713
2014	\$ 1,389,879	\$ 1,189,098	\$ 482,389	\$ 28,376	\$ 3,089,743	\$ 2,492,585
2015	\$ 1,496,094	\$ 1,263,153	\$ 537,829	\$ 31,637	\$ 3,328,712	\$ 2,691,952
2016	\$ 1,607,619	\$ 1,340,910	\$ 596,041	\$ 35,061	\$ 3,579,631	\$ 2,901,286
2017	\$ 1,724,720	\$ 1,422,555	\$ 657,164	\$ 38,657	\$ 3,843,095	\$ 3,121,088
2018	\$ 1,847,676	\$ 1,448,256	\$ 721,342	\$ 42,432	\$ 4,059,706	\$ 3,314,363
2019	\$ 1,976,780	\$ 1,448,256	\$ 788,730	\$ 46,396	\$ 4,260,162	\$ 3,500,435
2020	\$ 2,112,339	\$ 1,448,256	\$ 859,487	\$ 50,558	\$ 4,470,640	\$ 3,695,811
2021	\$ 2,254,676	\$ 1,448,256	\$ 933,782	\$ 54,928	\$ 4,691,642	\$ 3,900,956
2022	\$ 2,404,131	\$ 1,448,256	\$ 1,011,791	\$ 59,517	\$ 4,923,695	\$ 4,116,358
2023	\$ 2,561,057	\$ 1,448,256	\$ 1,093,701	\$ 64,335	\$ 5,167,350	\$ 4,342,530
2024	\$ 2,725,830	\$ 1,448,256	\$ 1,179,707	\$ 69,395	\$ 5,423,188	\$ 4,580,011
2025	\$ 2,898,842	\$ 1,448,256	\$ 1,270,013	\$ 74,707	\$ 5,691,817	\$ 4,829,366
2026	\$ 3,080,505	\$ 1,448,256	\$ 1,364,834	\$ 80,284	\$ 5,973,879	\$ 5,091,189
2027	\$ 3,271,250	\$ 1,448,256	\$ 1,464,396	\$ 86,141	\$ 6,270,043	\$ 5,366,102
2028	\$ 3,471,533	\$ 1,448,256	\$ 1,568,936	\$ 92,290	\$ 6,581,015	\$ 5,654,762
2029	\$ 3,681,830	\$ 1,448,256	\$ 1,678,703	\$ 98,747	\$ 6,907,536	\$ 5,957,854
2030	\$ 3,902,642		\$ 1,793,959	\$ 105,527	\$ 5,802,127	\$ 5,395,941
2031	\$ 4,134,494		\$ 1,914,977	\$ 112,646	\$ 6,162,117	\$ 5,730,101
2032	\$ 4,377,939		\$ 2,042,047	\$ 120,120	\$ 6,540,106	\$ 6,080,968
2033	\$ 4,633,556		\$ 2,175,469	\$ 127,969	\$ 6,936,994	\$ 6,449,379
2034	\$ 4,901,954		\$ 2,315,563	\$ 136,210	\$ 7,353,727	\$ 6,836,210
2035	\$ 5,183,772		\$ 2,462,662	\$ 144,862	\$ 7,791,296	\$ 7,242,383
2036	\$ 5,479,681		\$ 2,617,115	\$ 153,948	\$ 8,250,744	\$ 7,668,864
2037	\$ 5,790,385		\$ 2,779,292	\$ 163,488	\$ 8,733,165	\$ 8,116,670
2038	\$ 6,116,625		\$ 1,063,964	\$ 173,505	\$ 7,354,093	\$ 6,701,253
2039	\$ 6,459,176			\$ 184,022	\$ 6,643,198	\$ 5,952,195
2040	\$ 6,818,855			\$ 195,066	\$ 7,013,921	\$ 6,282,847
	\$ 100,898,827	\$ 26,698,197	\$ 36,800,000	\$ 2,654,712	\$ 167,051,737	\$ 146,192,862

Notes:

- (1) Redevelopment Authority is scheduled to terminate in Tax Year 2040
- (2) Houston ISD participation terminates at the end of Tax Year 2029
- (3) Harris County Land/Infrastructure participation is at 85% and County Land/Infrastructure participation terminates when the CAP is reached, \$36,800,000
- (4) Harris County Homeless Housing participation is at 5%
- (5) Per Section 311.0213 Sales Tax Increment, Chapter 311, of the Tax Increment Financing Act, the City of Houston may incorporate municipal sales and use tax into the East Downtown Zone increment revenues for the purposes of paying project costs and will bring forth a program at a later date.

Exhibit 3 Part C Revenue – Transfer Schedule

**EXHIBIT 3: TIRZ 15 East Downtown Revenue Schedule
2010 Second Amended Project Plan and Reinvestment Zone Financing Plan (PART C)**

Tax Year (1)	Increment Revenue					Transfers						Net Revenue (Total Increment Revenue less Total Transfers)
	City	Houston ISD(2)	Harris County Land/ Infrastructure (3)	Harris County Homeless Housing (4)	Total Increment Revenue	Houston ISD Educational	Admin Fees			Total Transfers		
							City	Houston ISD	Harris County (5)		Total	
2010	\$ 1,013,249	\$ 946,010	\$ 285,802	\$ 16,812	\$ 2,261,873	\$ 347,439	\$ 50,662	\$ 25,000	\$ 33,624	\$ 109,286	\$ 456,725	\$ 1,805,147
2011	\$ 1,100,632	\$ 987,429	\$ 331,413	\$ 19,495	\$ 2,438,969	\$ 370,286	\$ 55,032	\$ 25,000	\$ 38,990	\$ 119,021	\$ 489,307	\$ 1,949,661
2012	\$ 1,192,383	\$ 1,051,400	\$ 379,304	\$ 22,312	\$ 2,645,400	\$ 394,275	\$ 59,619	\$ 25,000	\$ 44,624	\$ 129,243	\$ 523,518	\$ 2,121,881
2013	\$ 1,288,723	\$ 1,118,570	\$ 429,589	\$ 25,270	\$ 2,862,152	\$ 419,464	\$ 64,436	\$ 25,000	\$ 50,540	\$ 139,976	\$ 559,440	\$ 2,302,713
2014	\$ 1,389,879	\$ 1,189,098	\$ 482,389	\$ 28,376	\$ 3,089,743	\$ 445,912	\$ 69,494	\$ 25,000	\$ 56,752	\$ 151,246	\$ 597,157	\$ 2,492,585
2015	\$ 1,496,094	\$ 1,263,153	\$ 537,829	\$ 31,637	\$ 3,328,712	\$ 473,682	\$ 74,805	\$ 25,000	\$ 63,274	\$ 163,079	\$ 636,761	\$ 2,691,952
2016	\$ 1,607,619	\$ 1,340,910	\$ 596,041	\$ 35,061	\$ 3,579,631	\$ 502,841	\$ 80,381	\$ 25,000	\$ 70,122	\$ 175,503	\$ 678,345	\$ 2,901,286
2017	\$ 1,724,720	\$ 1,422,555	\$ 657,164	\$ 38,657	\$ 3,843,095	\$ 533,458	\$ 86,236	\$ 25,000	\$ 77,313	\$ 188,549	\$ 722,007	\$ 3,121,088
2018	\$ 1,847,676	\$ 1,448,256	\$ 721,342	\$ 42,432	\$ 4,059,706	\$ 543,096	\$ 92,384	\$ 25,000	\$ 84,864	\$ 202,248	\$ 745,344	\$ 3,314,363
2019	\$ 1,976,780	\$ 1,448,256	\$ 788,730	\$ 46,396	\$ 4,260,162	\$ 543,096	\$ 98,839	\$ 25,000	\$ 92,792	\$ 216,631	\$ 759,727	\$ 3,500,435
2020	\$ 2,112,339	\$ 1,448,256	\$ 859,487	\$ 50,558	\$ 4,470,640	\$ 543,096	\$ 105,617	\$ 25,000	\$ 101,116	\$ 231,733	\$ 774,829	\$ 3,695,811
2021	\$ 2,254,676	\$ 1,448,256	\$ 933,782	\$ 54,928	\$ 4,691,642	\$ 543,096	\$ 112,734	\$ 25,000	\$ 109,857	\$ 247,590	\$ 790,686	\$ 3,900,956
2022	\$ 2,404,131	\$ 1,448,256	\$ 1,011,791	\$ 59,517	\$ 4,923,695	\$ 543,096	\$ 120,207	\$ 25,000	\$ 119,034	\$ 264,241	\$ 807,337	\$ 4,116,358
2023	\$ 2,561,057	\$ 1,448,256	\$ 1,093,701	\$ 64,335	\$ 5,167,350	\$ 543,096	\$ 128,053	\$ 25,000	\$ 128,671	\$ 281,724	\$ 824,820	\$ 4,342,530
2024	\$ 2,725,830	\$ 1,448,256	\$ 1,179,707	\$ 69,395	\$ 5,423,188	\$ 543,096	\$ 136,292	\$ 25,000	\$ 138,789	\$ 300,081	\$ 843,177	\$ 4,580,011
2025	\$ 2,898,642	\$ 1,448,256	\$ 1,270,013	\$ 74,707	\$ 5,691,817	\$ 543,096	\$ 144,942	\$ 25,000	\$ 149,413	\$ 319,355	\$ 862,451	\$ 4,829,366
2026	\$ 3,080,505	\$ 1,448,256	\$ 1,364,834	\$ 80,284	\$ 5,973,879	\$ 543,096	\$ 154,025	\$ 25,000	\$ 160,569	\$ 339,594	\$ 882,690	\$ 5,091,189
2027	\$ 3,271,250	\$ 1,448,256	\$ 1,464,396	\$ 86,141	\$ 6,270,043	\$ 543,096	\$ 163,563	\$ 25,000	\$ 172,282	\$ 360,844	\$ 903,940	\$ 5,366,102
2028	\$ 3,471,533	\$ 1,448,256	\$ 1,568,936	\$ 92,290	\$ 6,581,015	\$ 543,096	\$ 173,577	\$ 25,000	\$ 184,581	\$ 383,157	\$ 926,253	\$ 5,654,762
2029	\$ 3,681,830	\$ 1,448,256	\$ 1,678,703	\$ 98,747	\$ 6,907,536	\$ 543,096	\$ 184,091	\$ 25,000	\$ 197,494	\$ 406,586	\$ 949,682	\$ 5,957,854
2030	\$ 3,902,642		\$ 1,793,959	\$ 105,527	\$ 7,352,127		\$ 195,132		\$ 211,054	\$ 406,186	\$ 406,186	\$ 5,395,941
2031	\$ 4,134,494		\$ 1,914,977	\$ 112,646	\$ 7,822,117		\$ 206,725		\$ 225,291	\$ 432,016	\$ 432,016	\$ 5,730,101
2032	\$ 4,377,939		\$ 2,042,047	\$ 120,120	\$ 8,340,106		\$ 218,897		\$ 240,241	\$ 459,138	\$ 459,138	\$ 6,080,968
2033	\$ 4,633,556		\$ 2,175,469	\$ 127,969	\$ 8,936,994		\$ 231,678		\$ 255,938	\$ 487,615	\$ 487,615	\$ 6,449,379
2034	\$ 4,901,954		\$ 2,315,563	\$ 136,210	\$ 9,583,727		\$ 245,098		\$ 272,419	\$ 517,517	\$ 517,517	\$ 6,836,210
2035	\$ 5,183,772		\$ 2,462,662	\$ 144,862	\$ 10,291,296		\$ 259,189		\$ 289,725	\$ 548,914	\$ 548,914	\$ 7,242,383
2036	\$ 5,479,681		\$ 2,617,115	\$ 153,948	\$ 11,060,744		\$ 273,984		\$ 307,886	\$ 581,880	\$ 581,880	\$ 7,666,864
2037	\$ 5,790,385		\$ 2,779,292	\$ 163,488	\$ 11,913,165		\$ 289,519		\$ 326,975	\$ 616,495	\$ 616,495	\$ 8,116,670
2038	\$ 6,116,625		\$ 1,063,964	\$ 173,505	\$ 12,954,093		\$ 305,831		\$ 347,009	\$ 652,840	\$ 652,840	\$ 8,701,253
2039	\$ 6,459,176			\$ 184,022	\$ 13,643,198		\$ 322,959		\$ 368,044	\$ 691,003	\$ 691,003	\$ 9,252,195
2040	\$ 6,818,855			\$ 195,066	\$ 14,638,321		\$ 340,943		\$ 390,131	\$ 731,074	\$ 731,074	\$ 9,867,247
	\$ 100,898,827	\$ 26,698,197	\$ 36,800,000	\$ 2,654,712	\$ 167,051,737	\$ 10,004,509	\$ 5,044,941	\$ 500,000	\$ 5,309,424	\$ 10,854,365	\$ 20,858,875	\$ 146,192,862

Notes:

- (1) Redevelopment Authority is scheduled to terminate in Tax Year 2040
- (2) Houston ISD participation terminates at the end of Tax Year 2029
- (3) Harris County Land/Infrastructure participation is at 85% and County Land/Infrastructure participation terminates when the CAP is reached, \$36,800,000
- (4) Harris County Homeless Housing participation is at 5%
- (5) Harris County Admin Fee is at 10% and is remitted to Harris County

Exhibit 4
Part C Revenue Schedule – City of Houston

**EXHIBIT 4: TIRZ 15 East Downtown Revenue Schedule
City of Houston Jurisdiction
2010 Second Amended Project Plan and Reinvestment Zone Financing Plan (PART C)**

Tax Year(1)	Base Value (2)	Projected Value (3)	Captured Appraised Value	Collection Rate (4)	Tax Rate	Increment Revenue
2010	\$ 121,026,714	\$ 288,005,631	\$ 166,978,917	95.00%	0.63875	\$ 1,013,249
2011	\$ 121,026,714	\$ 302,405,913	\$ 181,379,199	95.00%	0.63875	\$ 1,100,632
2012	\$ 121,026,714	\$ 317,526,208	\$ 196,499,494	95.00%	0.63875	\$ 1,192,383
2013	\$ 121,026,714	\$ 333,402,519	\$ 212,375,805	95.00%	0.63875	\$ 1,288,723
2014	\$ 121,026,714	\$ 350,072,645	\$ 229,045,931	95.00%	0.63875	\$ 1,389,879
2015	\$ 121,026,714	\$ 367,576,277	\$ 246,549,563	95.00%	0.63875	\$ 1,496,094
2016	\$ 121,026,714	\$ 385,955,091	\$ 264,928,377	95.00%	0.63875	\$ 1,607,619
2017	\$ 121,026,714	\$ 405,252,845	\$ 284,226,131	95.00%	0.63875	\$ 1,724,720
2018	\$ 121,026,714	\$ 425,515,487	\$ 304,488,773	95.00%	0.63875	\$ 1,847,676
2019	\$ 121,026,714	\$ 446,791,262	\$ 325,764,548	95.00%	0.63875	\$ 1,976,780
2020	\$ 121,026,714	\$ 469,130,825	\$ 348,104,111	95.00%	0.63875	\$ 2,112,339
2021	\$ 121,026,714	\$ 492,587,366	\$ 371,560,652	95.00%	0.63875	\$ 2,254,676
2022	\$ 121,026,714	\$ 517,216,734	\$ 396,190,020	95.00%	0.63875	\$ 2,404,131
2023	\$ 121,026,714	\$ 543,077,571	\$ 422,050,857	95.00%	0.63875	\$ 2,561,057
2024	\$ 121,026,714	\$ 570,231,450	\$ 449,204,736	95.00%	0.63875	\$ 2,725,830
2025	\$ 121,026,714	\$ 598,743,022	\$ 477,716,308	95.00%	0.63875	\$ 2,898,842
2026	\$ 121,026,714	\$ 628,680,173	\$ 507,653,459	95.00%	0.63875	\$ 3,080,505
2027	\$ 121,026,714	\$ 660,114,182	\$ 539,087,468	95.00%	0.63875	\$ 3,271,250
2028	\$ 121,026,714	\$ 693,119,891	\$ 572,093,177	95.00%	0.63875	\$ 3,471,533
2029	\$ 121,026,714	\$ 727,775,886	\$ 606,749,172	95.00%	0.63875	\$ 3,681,830
2030	\$ 121,026,714	\$ 764,164,680	\$ 643,137,966	95.00%	0.63875	\$ 3,902,642
2031	\$ 121,026,714	\$ 802,372,914	\$ 681,346,200	95.00%	0.63875	\$ 4,134,494
2032	\$ 121,026,714	\$ 842,491,559	\$ 721,464,845	95.00%	0.63875	\$ 4,377,939
2033	\$ 121,026,714	\$ 884,616,137	\$ 763,589,423	95.00%	0.63875	\$ 4,633,556
2034	\$ 121,026,714	\$ 928,846,944	\$ 807,820,230	95.00%	0.63875	\$ 4,901,954
2035	\$ 121,026,714	\$ 975,289,292	\$ 854,262,578	95.00%	0.63875	\$ 5,183,772
2036	\$ 121,026,714	\$ 1,024,053,756	\$ 903,027,042	95.00%	0.63875	\$ 5,479,681
2037	\$ 121,026,714	\$ 1,075,256,444	\$ 954,229,730	95.00%	0.63875	\$ 5,790,385
2038	\$ 121,026,714	\$ 1,129,019,266	\$ 1,007,992,552	95.00%	0.63875	\$ 6,116,625
2039	\$ 121,026,714	\$ 1,185,470,229	\$ 1,064,443,515	95.00%	0.63875	\$ 6,459,176
2040	\$ 121,026,714	\$ 1,244,743,741	\$ 1,123,717,027	95.00%	0.63875	\$ 6,818,855
						\$ 100,898,827

Notes:

- (1) Redevelopment Authority is scheduled to terminate in Tax Year 2040
- (2) Base Year is Tax Year 1999
- (3) Tax Year 2010 Certified Property Values based on Harris County Appraisal District Report dated September 17, 2010
For Tax Years 2011 to 2040, the property value increases at an annual rate of 5%
- (4) Collection rate for Tax Year 2010 to Tax Year 2040 estimated at 95%

Exhibit 5
Part C Revenue Schedule – Houston Independent School District

**EXHIBIT 5: TIRZ 15 East Downtown Revenue Schedule
Houston Independent School District Jurisdiction
2010 Second Amended Project Plan and Reinvestment Zone Financing Plan (PART C)**

Tax Year(1)	Base Value (2)	Lesser of:			Collection Rate (4)	Tax Rate	Increment Revenue
		Captured Appraised Value		Project Plan Appraised Value			
		Projected Value	Captured Appraised Value				
2010	\$ 32,016,620	\$ 133,607,035	\$ 101,590,415	\$ 158,800,000	97.00%	0.9600	\$ 946,010
2011	\$ 32,016,620	\$ 140,287,387	\$ 108,270,767	\$ 158,800,000	95.00%	0.9600	\$ 987,429
2012	\$ 32,016,620	\$ 147,301,756	\$ 115,285,136	\$ 158,800,000	95.00%	0.9600	\$ 1,051,400
2013	\$ 32,016,620	\$ 154,666,844	\$ 122,650,224	\$ 158,800,000	95.00%	0.9600	\$ 1,118,570
2014	\$ 32,016,620	\$ 162,400,186	\$ 130,383,566	\$ 158,800,000	95.00%	0.9600	\$ 1,189,098
2015	\$ 32,016,620	\$ 170,520,195	\$ 138,503,575	\$ 158,800,000	95.00%	0.9600	\$ 1,263,153
2016	\$ 32,016,620	\$ 179,046,205	\$ 147,029,585	\$ 158,800,000	95.00%	0.9600	\$ 1,340,910
2017	\$ 32,016,620	\$ 187,998,515	\$ 155,981,895	\$ 158,800,000	95.00%	0.9600	\$ 1,422,555
2018	\$ 32,016,620	\$ 197,398,441	\$ 165,381,821	\$ 158,800,000	95.00%	0.9600	\$ 1,448,256
2019	\$ 32,016,620	\$ 207,268,363	\$ 175,251,743	\$ 158,800,000	95.00%	0.9600	\$ 1,448,256
2020	\$ 32,016,620	\$ 217,631,781	\$ 185,615,161	\$ 158,800,000	95.00%	0.9600	\$ 1,448,256
2021	\$ 32,016,620	\$ 228,513,370	\$ 196,496,750	\$ 158,800,000	95.00%	0.9600	\$ 1,448,256
2022	\$ 32,016,620	\$ 239,939,039	\$ 207,922,419	\$ 158,800,000	95.00%	0.9600	\$ 1,448,256
2023	\$ 32,016,620	\$ 251,935,991	\$ 219,919,371	\$ 158,800,000	95.00%	0.9600	\$ 1,448,256
2024	\$ 32,016,620	\$ 264,532,791	\$ 232,516,171	\$ 158,800,000	95.00%	0.9600	\$ 1,448,256
2025	\$ 32,016,620	\$ 277,759,430	\$ 245,742,810	\$ 158,800,000	95.00%	0.9600	\$ 1,448,256
2026	\$ 32,016,620	\$ 291,647,402	\$ 259,630,782	\$ 158,800,000	95.00%	0.9600	\$ 1,448,256
2027	\$ 32,016,620	\$ 306,229,772	\$ 274,213,152	\$ 158,800,000	95.00%	0.9600	\$ 1,448,256
2028	\$ 32,016,620	\$ 321,541,260	\$ 289,524,640	\$ 158,800,000	95.00%	0.9600	\$ 1,448,256
2029	\$ 32,016,620	\$ 337,618,323	\$ 305,601,703	\$ 158,800,000	95.00%	0.9600	\$ 1,448,256
							\$ 26,698,197

Notes:

- (1) Houston Independent School District participation in the Reinvestment Zone ends with the collection of the Tax Year 2029 payment
- (2) Base Year is Tax Year 1999
- (3) Tax Year 2010 Certified Property Values based on Harris County Appraisal District Report dated September 17, 2010
For Tax Years 2011 to 2029, the property value increases at an annual rate of 5%
- (4) Collection rate for Tax Year 2010 to Tax Year 2029 estimated at 95%

Exhibit 6 Part C Revenue Schedule –Harris County

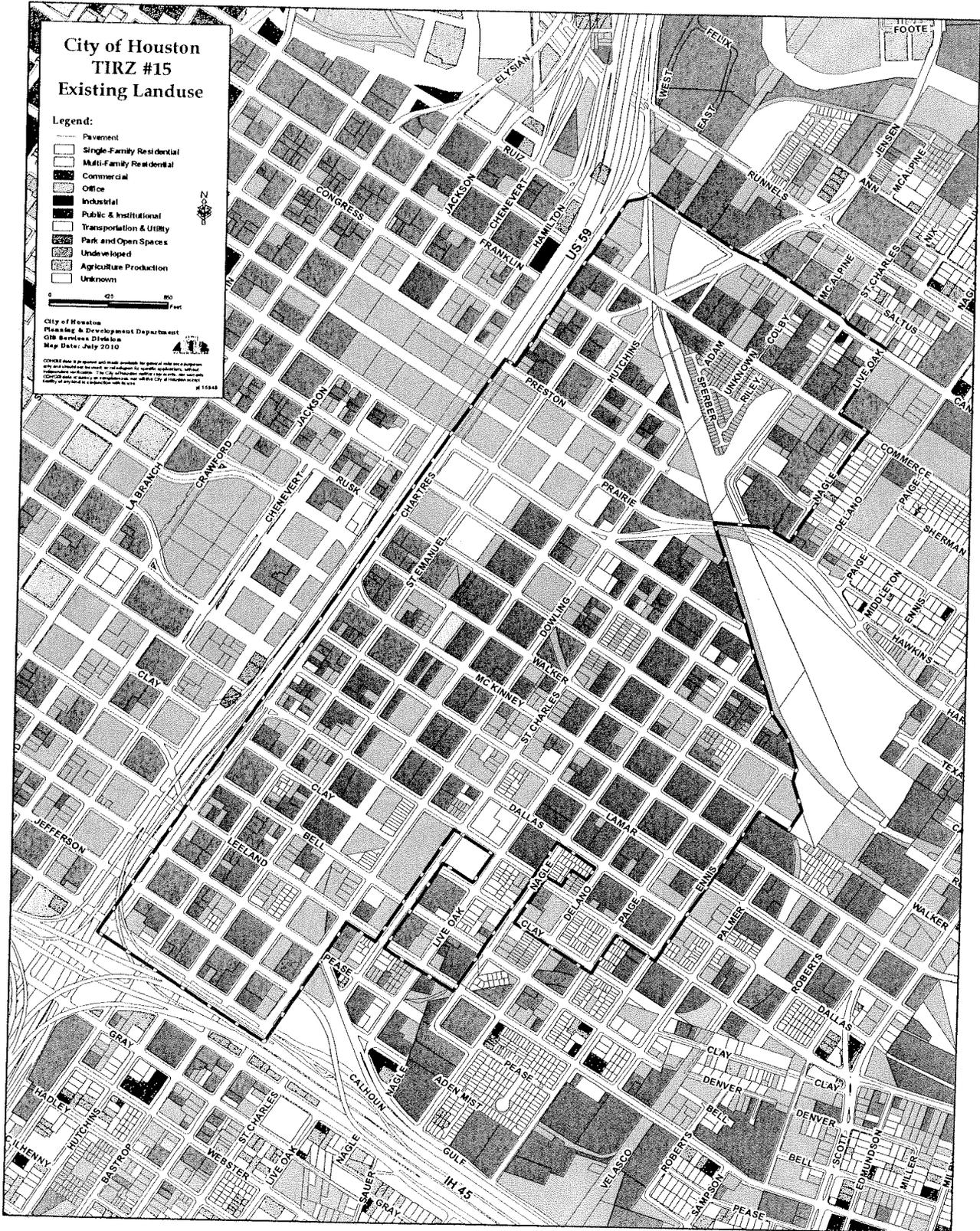
**EXHIBIT 6: TIRZ 15 East Downtown Revenue Schedule
Harris County Jurisdiction
2010 Second Amended Project Plan and Reinvestment Zone Financing Plan (PART C)**

Tax Year(1)	Base Value (2)	Projected Value (3)	Captured Appraised Value	Collection Rate (4)	Tax Rate	Harris County Land/ Infrastructure (5)	Harris County Land/ Infrastructure Increment Revenue(6)	Harris County Admin	Harris County Admin Fees (7)	Harris County Homeless Housing (8)	Harris County Homeless Housing Increment Revenue
2010	\$ 197,771,449	\$ 288,005,631	\$ 90,234,182	95.00%	0.39224	85.00%	\$ 285,802	10.00%	\$ 33,624	5.00%	\$ 16,812
2011	\$ 197,771,449	\$ 302,405,913	\$ 104,634,464	95.00%	0.39224	85.00%	\$ 331,413	10.00%	\$ 38,990	5.00%	\$ 19,495
2012	\$ 197,771,449	\$ 317,526,208	\$ 119,754,759	95.00%	0.39224	85.00%	\$ 379,304	10.00%	\$ 44,624	5.00%	\$ 22,312
2013	\$ 197,771,449	\$ 333,402,519	\$ 135,631,070	95.00%	0.39224	85.00%	\$ 429,589	10.00%	\$ 50,540	5.00%	\$ 25,270
2014	\$ 197,771,449	\$ 350,072,645	\$ 152,301,196	95.00%	0.39224	85.00%	\$ 482,389	10.00%	\$ 56,752	5.00%	\$ 28,376
2015	\$ 197,771,449	\$ 367,576,277	\$ 169,804,828	95.00%	0.39224	85.00%	\$ 537,829	10.00%	\$ 63,274	5.00%	\$ 31,637
2016	\$ 197,771,449	\$ 385,955,091	\$ 188,183,642	95.00%	0.39224	85.00%	\$ 596,041	10.00%	\$ 70,122	5.00%	\$ 35,061
2017	\$ 197,771,449	\$ 405,252,845	\$ 207,481,396	95.00%	0.39224	85.00%	\$ 657,164	10.00%	\$ 77,313	5.00%	\$ 38,657
2018	\$ 197,771,449	\$ 425,515,487	\$ 227,744,038	95.00%	0.39224	85.00%	\$ 721,342	10.00%	\$ 84,864	5.00%	\$ 42,432
2019	\$ 197,771,449	\$ 446,791,262	\$ 249,019,813	95.00%	0.39224	85.00%	\$ 788,730	10.00%	\$ 92,792	5.00%	\$ 46,396
2020	\$ 197,771,449	\$ 469,130,825	\$ 271,359,376	95.00%	0.39224	85.00%	\$ 859,487	10.00%	\$ 101,116	5.00%	\$ 50,558
2021	\$ 197,771,449	\$ 492,587,366	\$ 294,815,917	95.00%	0.39224	85.00%	\$ 933,782	10.00%	\$ 109,857	5.00%	\$ 54,928
2022	\$ 197,771,449	\$ 517,216,734	\$ 319,445,285	95.00%	0.39224	85.00%	\$ 1,011,791	10.00%	\$ 119,034	5.00%	\$ 59,517
2023	\$ 197,771,449	\$ 543,077,571	\$ 345,306,122	95.00%	0.39224	85.00%	\$ 1,093,701	10.00%	\$ 128,671	5.00%	\$ 64,335
2024	\$ 197,771,449	\$ 570,231,450	\$ 372,460,001	95.00%	0.39224	85.00%	\$ 1,179,707	10.00%	\$ 138,789	5.00%	\$ 69,395
2025	\$ 197,771,449	\$ 598,743,022	\$ 400,971,573	95.00%	0.39224	85.00%	\$ 1,270,013	10.00%	\$ 149,413	5.00%	\$ 74,707
2026	\$ 197,771,449	\$ 628,680,173	\$ 430,908,724	95.00%	0.39224	85.00%	\$ 1,364,834	10.00%	\$ 160,569	5.00%	\$ 80,284
2027	\$ 197,771,449	\$ 660,114,182	\$ 462,342,733	95.00%	0.39224	85.00%	\$ 1,464,396	10.00%	\$ 172,282	5.00%	\$ 86,141
2028	\$ 197,771,449	\$ 693,119,891	\$ 495,348,442	95.00%	0.39224	85.00%	\$ 1,568,936	10.00%	\$ 184,581	5.00%	\$ 92,290
2029	\$ 197,771,449	\$ 727,775,886	\$ 530,004,437	95.00%	0.39224	85.00%	\$ 1,678,703	10.00%	\$ 197,494	5.00%	\$ 98,747
2030	\$ 197,771,449	\$ 764,164,680	\$ 566,393,231	95.00%	0.39224	85.00%	\$ 1,793,959	10.00%	\$ 211,054	5.00%	\$ 105,527
2031	\$ 197,771,449	\$ 802,372,914	\$ 604,601,465	95.00%	0.39224	85.00%	\$ 1,914,977	10.00%	\$ 225,291	5.00%	\$ 112,646
2032	\$ 197,771,449	\$ 842,491,559	\$ 644,720,110	95.00%	0.39224	85.00%	\$ 2,042,047	10.00%	\$ 240,241	5.00%	\$ 120,120
2033	\$ 197,771,449	\$ 884,616,137	\$ 686,844,688	95.00%	0.39224	85.00%	\$ 2,175,469	10.00%	\$ 255,938	5.00%	\$ 127,969
2034	\$ 197,771,449	\$ 928,846,944	\$ 731,075,495	95.00%	0.39224	85.00%	\$ 2,315,563	10.00%	\$ 272,419	5.00%	\$ 136,210
2035	\$ 197,771,449	\$ 975,289,292	\$ 777,517,843	95.00%	0.39224	85.00%	\$ 2,462,662	10.00%	\$ 289,725	5.00%	\$ 144,862
2036	\$ 197,771,449	\$ 1,024,053,756	\$ 826,282,307	95.00%	0.39224	85.00%	\$ 2,617,115	10.00%	\$ 307,896	5.00%	\$ 153,948
2037	\$ 197,771,449	\$ 1,075,256,444	\$ 877,484,995	95.00%	0.39224	85.00%	\$ 2,779,292	10.00%	\$ 326,975	5.00%	\$ 163,488
2038	\$ 197,771,449	\$ 1,129,019,266	\$ 931,247,817	95.00%	0.39224	85.00%	\$ 1,063,964	10.00%	\$ 347,009	5.00%	\$ 173,505
2039	\$ 197,771,449	\$ 1,185,470,229	\$ 987,698,780	95.00%	0.39224	85.00%		10.00%	\$ 368,044	5.00%	\$ 184,022
2040	\$ 197,771,449	\$ 1,244,743,741	\$ 1,046,972,292	95.00%	0.39224	85.00%		10.00%	\$ 390,131	5.00%	\$ 195,066
							\$ 36,800,000		\$ 5,309,424		\$ 2,654,712

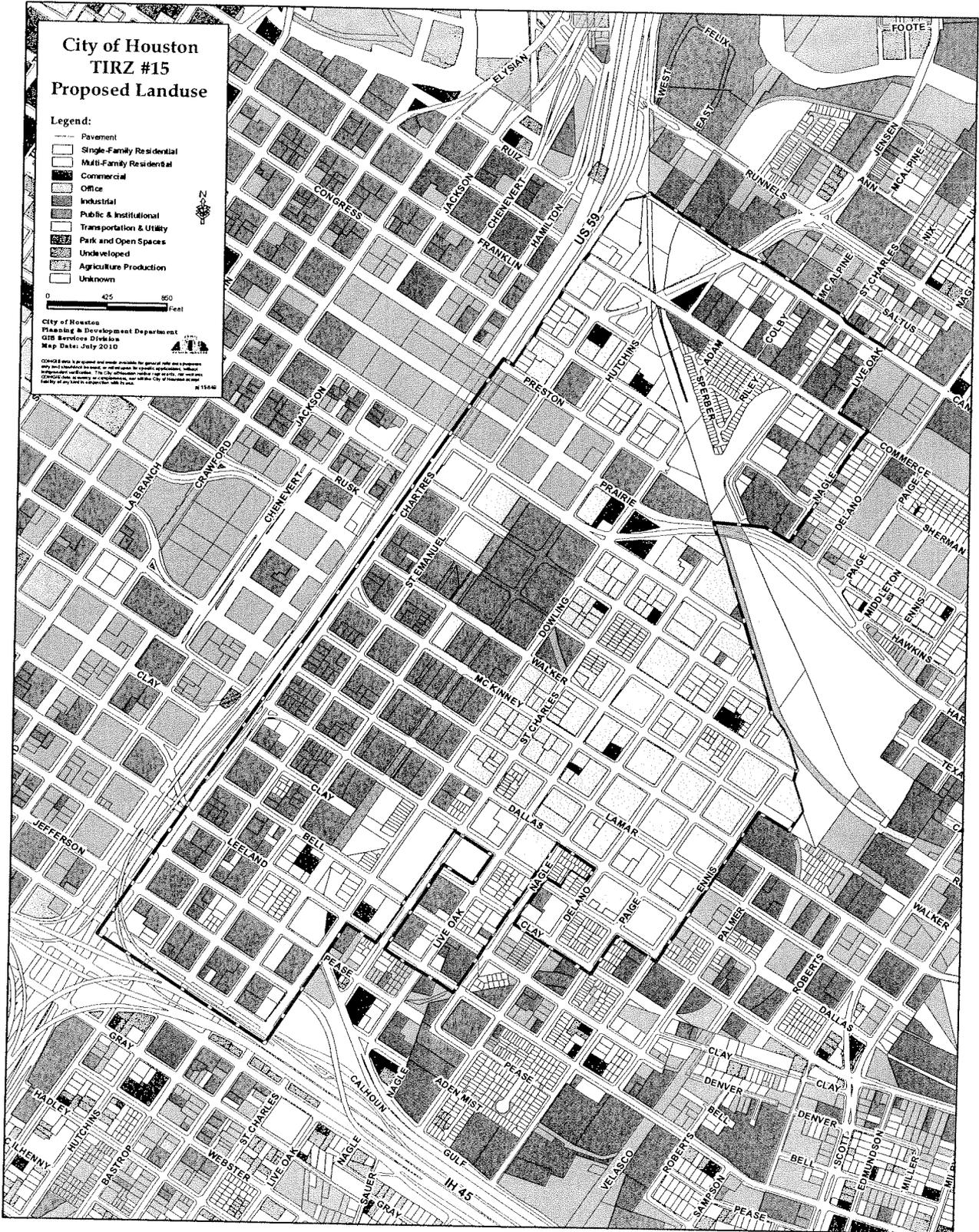
Notes:

- (1) Redevelopment Authority is scheduled to terminate in Tax Year 2040
- (2) Base Year is Tax Year 2007
- (3) Tax Year 2010 Certified Property Values based on Harris County Appraisal District Report dated September 17, 2010
For Tax Years 2011 to 2040, the property value increases at an annual rate of 5%
- (4) Collection rate for Tax Year 2010 to Tax Year 2040 estimated at 95%
- (5) Harris County Land/Infrastructure participation is at 85%
- (6) Harris County Land/Infrastructure participation terminates when the CAP is reached, \$36,800,000
- (7) Harris County Admin fee is at 10% and is remitted to Harris County
- (8) Harris County Homeless Housing participation is at 5%

Map 1 – Map showing existing land uses in the Zone



Map 2 – Map showing Proposed Part C Plan land uses in the Zone



REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA #

SUBJECT: Approve a Funding Agreement for Project Design and Construction between the City of Houston, the East Downtown Redevelopment Authority and Reinvestment Zone Number Fifteen (East Downtown Zone).

Category #

Page
1 of 1

Agenda Item#

18

FROM: (Department or other point of origin):

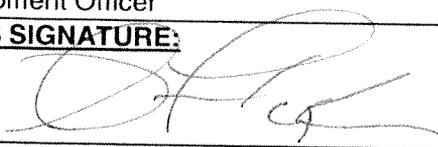
Andrew F. Icken
Chief Development Officer

Origination Date

Agenda Date

JAN 05 2011

DIRECTOR'S SIGNATURE:



Council Districts affected:

H, I

For additional information contact:

Ralph De Leon

Phone: (713) 837-9573

Tim Douglass

(713) 837-9857

Date and identification of prior authorizing Council Action:

Ord. No. 1999-708, 7/07/99; Ord. No. 1999-757, 7/21/99; Res. 2000-0027, 6/07/00; Ord. No. 2000-663, 7/19/00; Ord. No., 2008-192, 3/05/08; Ord. No. 2010-265, 4/07/10

RECOMMENDATION: (Summary)

City Council adopt an Ordinance approving a Funding Agreement for Project Design and Construction among the City of Houston, the East Downtown Redevelopment Authority, and Reinvestment Zone Number Fifteen (East Downtown Zone).

Funding: No Funding Required

Finance Budget:

SOURCE OF FUNDING: General Fund Grant Fund Enterprise Fund N/A

EXPLANATION:

The City of Houston ("City") created Tax Increment Reinvestment Zone Number Fifteen, the East Downtown Zone ("Zone") by Ordinance No. 1999-708 on June 7, 1999. Subsequently, City Council approved a Project Plan and Reinvestment Zone Financing Plan for the Zone by Ordinance No. 1999-757 on July 21, 1999 ("Plan"), and created the East Downtown Redevelopment Authority ("Authority") by Resolution 2000-0027 on June 7, 2000 to help implement the Plan. By Ordinance No. 1998-681 adopted on June 7, 2000, City Council approved the Tri-Party Agreement among City, the Zone, and the Authority. On March 5, 2008, City Council approved an amendment to the Plan by Ordinance No. 2008-192.

By Ordinance No. 2008-189 adopted March 5, 2008, in anticipation of the construction of a future public professional soccer stadium in the East Downtown Zone, the City encumbered \$15,942,042.00 from the Reimbursement of Equipment/Projects Fund ("Fund 1850") and authorized the City to purchase land known as Blocks 203,204, 205, 218, and 219 ("Blocks"). Of this amount \$14,215,076.20 was spent. The remaining budget of \$1,726,965.80 was released in Fund 1850, but earmarked to be appropriated and spent on preliminary infrastructure improvements associated with the development of the future stadium site. To date, \$170,500.00 has been authorized to be used for preliminary utility work. The City and the Zone now desire to transfer to the Authority the \$1,556,465.80 remaining from the original encumbered amount to pay for costs related to roadway and sidewalk improvements in and around the future stadium site.

The Parties agree that the Authority shall cause the design and construction of, and the City shall finance infrastructure improvements as described in the Zone's Fiscal Years 2011-2015 CIP Budget, in and around the future stadium site. To support the City's efforts in this regard, the Administration recommends that City Council approve the attached Funding Agreement for Project Design and Construction.

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

REQUIRED AUTHORIZATION

Finance Director:

Other Authorization:

Other Authorization:

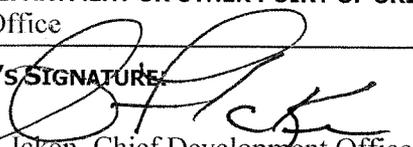


TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Ordinance approving the annexation of the Dynamo Stadium property into the East Side Sports and Convention Complex District.	Category #	Page 1 of 1	AGENDA ITEM # 19
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FROM (DEPARTMENT OR OTHER POINT OF ORIGIN): Mayor's Office	ORIGINATION DATE	AGENDA DATE JAN 05 2011
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DIRECTOR'S SIGNATURE:  Andrew F. Icken, Chief Development Officer	COUNCIL DISTRICT AFFECTED: District I
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FOR ADDITIONAL INFORMATION CONTACT: Tim Douglass - 713-837-9857 	DATE AND IDENTIFICATION OF PRIOR AUTHORIZING COUNCIL ACTION:
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RECOMMENDATION: Approve an ordinance annexing the Dynamo Stadium property into the East Side Sports and Convention Complex District.

AMOUNT OF FUNDING: N/A	FINANCE BUDGET:
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SPECIFIC EXPLANATIONS:

The Houston Sign Code Section 4620 describes the qualifications and allowances for the East Side Sports and Convention Complex District. Currently, the District covers existing downtown stadiums, Toyota Center and Minute Maid Park, as well as the Convention Center. It describes the limits of on-premise signage permitted for these facilities

There is a six-block portion of property bounded by Texas Avenue, Dowling Street, Walker Street and Hutchins Avenue for which the City Council and the Harris County Commissioner's Court have approved a ground lease for the purpose of the construction of a stadium primarily for the use of the Houston Dynamo.

As this property is immediately adjacent to the East Side Sports and Convention Center Complex District and its use will be for sporting events, it is beneficial to include this property into the district, so that the property will be subject to the same rights and responsibilities as those regulating the city's other sports venues.

The property is located in TIRZ 15.

REQUIRED AUTHORIZATION

FINANCE DEPARTMENT:	OTHER AUTHORIZATION:	OTHER AUTHORIZATION:
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SECTION 4620--SPECIAL DISPLAY SIGNS AT CERTAIN FACILITIES

(a) **Definitions.** The following definitions shall apply to this section:

COUNTY COMPLEX shall mean a sports, convention, and entertainment complex of more than 300 acres of land owned by a county, with three or more buildings housing three or more venues that collectively attract more than 2,000,000 visitors per year.

COUNTY COMPLEX DISPLAY SIGN shall mean an on-premise sign at a county complex that displays automatically changing information, changes more often than once every five minutes, and advises viewers as to the name, time, sponsor or other information related to sports or other entertainment or convention events to be held at such county complex, provided that:

- (1) No change in illumination produces an apparent motion of the visual image, including, but not limited to, illusion of moving objects, moving patterns or bands of light, expanding or contracting shapes, rotation, scrolling, or any similar effect of animation;
- (2) No change of message or picture occurs more often than once every 3 seconds for those portions of a sign that convey date, time, and temperature information brief weather reports, or stock market quotations, more often than every 10 seconds for those portions of a sign that contain traffic or directional information, or more than once every 20 seconds for all other information on the sign;
- (3) No portion of the sign, as measured within any circular area of two feet in diameter, has a luminance greater than 200 foot-lamberts when all elements of the sign are fully and steadily illuminated; and
- (4) The authorized display sign shall not exceed 700 square feet in size and may be constructed as a stand-alone sign or as a contiguous component of a larger sign.

EAST SIDE SPORTS AND CONVENTION COMPLEX DISTRICT shall mean the area contained within the following metes and bounds description:

Tract 1:

BEGINNING at the intersection of the center line of the right-of-way of Congress Avenue with the center line of the right-of-way of Hamilton Street,

Thence in a southwesterly direction along the center line of the right-of-way of Hamilton Street to its intersection with the center line of the right-of-way of Preston Avenue,

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Thence in a southeasterly direction along the center line of the right-of-way of Preston Avenue to its intersection with the center line of the right-of-way of Bastrop Street,

Thence in a southwesterly direction along the center line of the right-of-way of Bastrop Street to its intersection with the center line of the right-of-way of Texas Avenue,

Thence in a northwesterly direction along the center line of the right-of-way of Texas Avenue to its intersection with the center line of the right-of-way of Hamilton Street,

Thence in a southwesterly direction along the center line of the right-of-way of Hamilton Street to its intersection with the center line of the right-of-way of Capitol Avenue,

Thence in a southeasterly direction along the center line of the right-of-way of Capitol Avenue to its intersection with the center line of the right-of-way of Chartres Street,

Thence in a southwesterly direction along the center line of the right-of-way of Chartres Street to its intersection with the center line of the right-of-way of Clay Avenue,

Thence in a northwesterly direction along the center line of the right-of-way of Clay Avenue to its intersection with the center line of the right-of-way of Jackson Street,

Thence in a southwesterly direction along the center line of the right-of-way of Jackson Street to its intersection with the center line of the right-of-way of Leeland Avenue,

Thence in a northwesterly direction along the center line of the right-of-way of Leeland Avenue to its intersection with the center line of the right-of-way of Labranch Street,

Thence in a northeasterly direction along the center line of the right-of-way of Labranch Street to its intersection with the center line of the right-of-way line of Polk Avenue,

Thence in a southeasterly direction along the center line of the right-of-way line of Polk Avenue to its intersection with the center line of the right-of-way of Crawford Street,

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Thence in a northeasterly direction along the center line of the right-of-way of Crawford Street to its intersection with the center line of the right-of-way of Lamar Avenue,

Thence in a southeasterly direction along the center line of the right-of-way of Lamar Avenue to its intersection with the center line of the right-of-way of Avenida de las Americas,

Thence in a northeasterly direction along the center line of the right-of-way and then a projection of the center line of the right-of-way of Avenida de las Americas to its intersection with the center line of the right-of-way of Capitol Avenue,

Thence in a southeasterly direction along the center line of the right-of-way of Capitol Avenue to its intersection with the west right-of-way line of Hamilton Street,

Thence in a northeasterly direction along the west right-of-way line of Hamilton Street to its intersection with the center line of the right-of-way of Texas Avenue,

Thence in a northwesterly direction along the center line of the right-of-way of Texas Avenue to its intersection with the center line of the right-of-way of Crawford Street,

Thence in a northeasterly direction along the center line of the right-of-way of Crawford Street to its intersection with the center line of the right-of-way of Congress Avenue,

Thence in a southeasterly direction along the center line of the right-of-way of Congress Avenue to its intersection with the center line of the right-of-way of Hamilton Street to the Point of Beginning, including, without limitation, all air space above and all subsurface below said property and excluding Lots 1 through 5A of Block 164, of the City of Houston on the South Side of Buffalo Bayou.

Tract 2:

All of the land included within the area bounded by Avenida de las Americas on the East, Lamar Avenue on the South, LaBranch Street on the West and McKinney Avenue on the North, all in the City of Houston, Harris County, Texas, and recorded by plat on September 11, 2009, under Film Code Number 631237, of the Map Records of Harris County, Texas.

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Tract 3:

BEGINNING at the intersection of the center line of the right-of-way line of Texas Avenue with the center line of the right-of-way line of Dowling Street;

THENCE, proceeding in a southwesterly direction along the center line of the right-of-way line of Dowling Street to the intersection with the centerline of the right-of-way line of Walker Avenue;

THENCE, proceeding in a northwesterly direction along the center line of the right-of-way line of Walker Avenue to the intersection with a projection of the southwest corner of a Lot described as Tract A (G/O*001199000012) ADJ Abandoned ROW SSBB;

THENCE, proceeding in a northeasterly direction to the southwest corner of said Tract A (G/O*001199000012) ADJ Abandoned ROW SSBB;

THENCE, proceeding in a northeasterly direction along the west property line of said Tract A (G/O*001199000012) ADJ Abandoned ROW SSBB, to the northwest corner of said Tract A (G/O*001199000012) ADJ Abandoned ROW SSBB;

THENCE, proceeding in a northeasterly direction to the southwest corner of a Lot described as Tract R10 & ADJ Abandoned ROW SSBB;

THENCE, proceeding in a northeasterly direction along the west property line of said Tract R10 & ADJ Abandoned ROW SSBB to the northwest corner of said Tract R10 & ADJ Abandoned ROW SSBB;

THENCE, a projection in a northeasterly direction to the center line of the right-of-way line of Texas Avenue, same being the south boundary line of the EAST SIDE SPORTS AND CONVENTION COMPLEX DISTRICT;

THENCE, proceeding in a southeasterly direction along the center line of the right-of-way line of Texas Avenue to the intersection with the center line of the right-of-way line of Dowling Street, the POINT OF BEGINNING, including, without limitation, all air space above and all subsurface below said property.

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PARK DISPLAY SIGN shall mean a banner(s) that:

- (1) Is affixed to an inflatable device that is operated solely as a non-profit fund-raising activity;
- (2) Is located in a public park within the boundaries of the East Side Sports and Convention Complex District, held on a tether and moved up and down from a stationary location;
- (3) Bears the name of the sponsor(s) of the fund-raising activity associated with the operation of the inflatable device;
- (4) Is displayed during the period beginning on November 1 of a calendar year and ending on March 1 of the following calendar year;
- (5) Is no larger than 15 feet tall and 190 feet in circumference; and
- (6) Is not an electronic sign, a spectacular sign, a changeable message sign or a high technology sign.

RETAIL AND ENTERTAINMENT DISTRICT shall mean that area located within and supported by a downtown tax increment reinvestment zone and contained within the following metes and bounds description:

BEGINNING at the intersection of the center line of the right-of-way of Main Street with the center line of the right-of-way of Dallas Avenue,

Thence in a southeasterly direction along the center line of the right-of-way of Dallas Avenue to its intersection with the center line of the right of way of Caroline Street,

Thence in a southwesterly direction along the center line of the right-of-way of Caroline Street to its intersection with the center line of the right of way of Polk Avenue,

Thence in a northwesterly direction along the center line of the right-of-way of Polk Avenue to its intersection with the center line of the right of way of Main Street,

Thence in a northeasterly direction along the center line of the right-of-way of Main Street to its intersection with the center line of the right of way of Dallas Street to the Point of Beginning, including, without limitation, all air space above and all subsurface below said property.

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SPECIAL FACILITY shall mean an enclosed theater, sports, or convention/trade show venue, restaurant/entertainment venue, retail venue, hotel or any combination thereof that is situated within the boundaries of the Theater District, the Retail and Entertainment District, or the East Side Sports and Convention Complex District upon land contained within the boundaries of any one or more of the districts as defined herein, including but not limited to land owned by a nonprofit organization, a governmental entity, or a for-profit entity located within and supported by a downtown tax increment reinvestment zone, provided that within the Theater District or the East Side Sports and Convention Complex District, the venue:

- (1) If a theater, seats at least 750 persons and is primarily used for live performances of a performing arts nature;
- (2) If a sports venue, seats at least 750 persons and is primarily used for professional sporting events;
- (3) If a restaurant/entertainment venue, includes one or more restaurants as well as one or more public amusement or educational features, such as carnival-type rides, zoological or horticultural exhibits or museum-type exhibits;
- (4) If either a restaurant/entertainment venue or a hotel, includes one or more ballrooms, special functions rooms, or banquet rooms that have a total combined seating capacity of 750 or more persons and are regularly made available for rent to the public with food catering for meetings, receptions, and other events; and
- (5) If a convention center complex, has over 1,500,000 gross square feet of space and is primarily used for convention/trade show functions.

A facility with a movable roof that closes and a facility that is not fully enclosed by its roof shall be considered to be enclosed but parks and plazas that are not otherwise fully covered and enclosed shall not be.

SPECIAL FACILITY DISPLAY SIGN shall mean an on-premise sign that displays automatically changing information at a special facility that changes more often than once every five minutes and that displays only information regarding a performance or event at the special facility and associated sponsor information for the performance or event, provided that:

- (1) No change of displayed information may occur more often than

Section 4620

once every 8 seconds. This requirement shall not preclude a display in the nature of a photograph or still video, provided that the display remains static between changes and changes at intervals of not less than 8 seconds;

- (2) The sign display remains static between changes and contains no blinking, rotating, moving, chasing, flashing, scrolling, glaring, strobe, scintillating, or spot lights or similar devices;
- (3) Any display of sponsor information shall be limited to identification of the sponsor by name or logo and shall be a part of a message text providing information about the sponsored performance or event; sponsorship information shall be integral to performance information and may not be displayed as a separate message. For purposes of the foregoing provision, a "logo" may be the sponsor's registered trademark or another symbol customarily used by the sponsor in its general advertising;
- (4) Except as otherwise provided herein, the sign shall be a ground sign, a marquee sign, or a wall sign:
 - a. Within the East Side Sports and Convention Complex District, the size of the sign if a wall sign shall not exceed 1000 square feet, and the size of the sign if a ground or marquee sign shall not exceed 250 square feet at convention center facility venues or 400 square feet at other types of venues;
 - b. Within the Theater District, the size of the sign if a ground or marquee sign shall not exceed 250 square feet, and the size of the sign if a wall sign shall not exceed 500 square feet;
 - c. Within the Retail and Entertainment District, there shall be only wall signs, no more than two, located on adjacent walls, not to exceed 250 square feet in size per sign;
- (5) The height of the sign shall not exceed the following, as applicable, when measured from the highest point on the sign to the grade level of the ambient ground surface:
 - a. In the Theater District, wall signs may be up to 50 feet high;
 - b. In the East Side Sports and Convention Center Complex District, wall signs may be up to 50 feet high for convention

Section 4620

center venues and up to 42½ feet high for other types of venues;

- c. In the Theater District, ground or marquee signs may be up to 24 feet high;
 - d. In the East Side Sports and Convention Center Complex District, ground or marquee signs may be up to 24 feet high for convention center venues and up to 42½ feet high for other venues;
 - e. In the Retail and Entertainment District, the maximum height above grade for the two special facility display signs shall not exceed 42½ feet;
- (6) No portion of the sign, as measured within any circular area of two feet in diameter, shall have a luminance greater than 6000 nits when all elements of the sign are fully and steadily illuminated between the hours of sunrise and sundown, nor greater than 3500 nits when all elements of the sign are fully and steadily illuminated between the hours of sundown and sunrise; in addition to the foregoing brightness limitations, the sign shall be equipped with automatic brightness compensation features to adjust the brightness to compensate for sun angle and ambient light conditions and ensure that the sign is visible but not unnecessarily radiant;
- (7) No special facility display sign shall be placed so as to be visible from an elevation five feet above any travel lane of any freeway. This requirement shall not preclude visibility of the sign's cabinet or the sign's face, provided that the sign is at least 2000 feet distant or is at an oblique angle, in either case so that it is not practicably viewable and readable; and
- (8) In addition to providing information about its own performances and events, a live performing arts theater special facility's sign may also be utilized to provide information about live performing arts performances and events at another live performing arts theater situated in the same structure or contiguous complex of structures, including live performances and events at secondary theaters that may have fewer than 750 seats.

THEATER DISTRICT shall mean the area contained within the following metes and bounds description:

Section 4620

BEGINNING at a point at the intersection of the center line of the right-of-way of Interstate Highway 45 with the center line of the right-of-way of Franklin Avenue,

Thence in an easterly direction along the center line of the right-of-way of Franklin Avenue to its intersection with the center line of the southbound ramp to Interstate Highway 10, a continuation of Smith Street,

Thence in a southwesterly direction along the center line of the right-of-way of Smith Street to its intersection with the center line of the right-of-way of Prairie Avenue,

Thence in a southeasterly direction along the center line of the right-of-way of Prairie Avenue to its intersection with the center line of the right-of-way of Louisiana Street,

Thence in a southwesterly direction along the center line of the right-of-way of Louisiana Street to its intersection with the center line of the right-of-way of Texas Avenue,

Thence in a southeasterly direction along the center line of the right-of-way of Texas Avenue to its intersection with the center line of the right-of-way of Milam Street,

Thence in a southwesterly direction along the center line of the right-of-way of Milam Street to its intersection with the center line of the right-of-way of Capitol Avenue,

Thence in a northwesterly direction along the center line of the right-of-way of Capitol Avenue to its intersection with the center line of the right-of-way of Smith Street,

Thence in a southwesterly direction along the center line of the right-of-way of Smith Street to its intersection with the center line of the right-of-way of Walker Avenue,

Thence in a northwesterly direction along the center line and then a projection of the center line of Walker Avenue to its intersection with the center line of the right-of-way of Interstate Highway 45,

Thence in a northeasterly direction along the center line of the right-of-way of Interstate 45 to its intersection with the center line of the right-of-way of Franklin Avenue, the point of Beginning, including, without

Section 4620

limitation, all air space above and all subsurface below said property.

(b) Notwithstanding any provision of this code governing spectacular signs, signs on lighter- or heavier-than-air craft, or the use of motion picture machines to the contrary, county complex display signs, park display signs and special facility display signs shall be authorized in the manner defined in this section. The number of county complex display signs authorized under this section shall not exceed three per county complex. The number of park display signs authorized under this section shall be limited to one per park. The number of special facility display signs authorized under this section in the Retail and Entertainment District shall be limited to two, which shall be wall signs located on adjacent walls. Otherwise, the number of special facility display signs authorized under this section shall not exceed two per special facility, except that a convention center complex with over 1,500,000 gross square feet of space may have a maximum of eight signs to include not more than seven ground or marquee signs and one wall sign. A hotel that is associated with a convention center complex may have two special facility display signs in addition to those otherwise authorized for the convention center complex.

With respect to special facilities, the provisions of the foregoing paragraph are not intended to allow more than the number of signs authorized therein to be placed for or upon any structure or attached and contiguous complex of structures even if the structure or structures contain two or more venues that constitute special facilities.

Exception: Where the special facility venues do not share the same primary lobby or have contiguous lobbies and the primary public entrances to the primary lobbies of the venues are on different streets or different block faces of the same street, then each special facility venue may have the number of special facility display signs authorized in this subsection.

(c) The Sign Administrator shall have the right to revoke the permit for any county complex display sign, park display sign or special facility display sign that is erected or utilized in any manner that is inconsistent with this section or any other applicable provision of this code. Any such revocation shall be subject to the sign owner's rights under this code, including appeals to the General Appeals Board and City Council, as provided in Section 4604. Upon revocation of the permit for any sign governed by this section and conclusion of any appeals that may be timely initiated as authorized in Section 4604, or upon expiration of the permit if not timely renewed, the owner of the sign shall cause the sign to be removed from the county complex, public park or special facility within 30 days. If the owner fails to timely remove the sign, the Sign Administrator shall have the right to enter upon the property upon which the sign is situated and remove the sign at the permit holder's sole risk and expense. The Sign Administrator and his contractors or agents shall exercise reasonable care, consistent with standard construction practices, in removing the sign, but shall not be responsible for any consequential damage to the sign or the special facility, public park or county

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complex that is caused by the removal process. Each permit for a special facility sign, park display sign or county complex display sign shall be secured by a right of entry agreement executed by the owner of the property (if not the City or a contractor of the City or political subdivisions of the State of Texas such as counties) and any lessees and other persons having a right of possession, control, or use of the property upon which the sign will be situated. If the sign and the property upon which it is situated are not also under the ownership, operation, and control of the City or a contractor of the City or political subdivisions of the State of Texas such as counties, then the permit shall additionally be secured by a removal bond executed by the sign operator as principal and a corporate surety authorized to transact business in Texas. The amount of the bond shall be equal to one and one-half times the cost of removing the sign as estimated by the Sign Administrator and the penal condition of the bond shall be that the surety will cause the sign to be removed or reimburse the City for the expense thereof, at the City's option, if the sign is not timely removed by the principal as required by this subsection. All bonds and agreements required under this subsection shall be in a form approved by the City Attorney. Where the same person or persons hold permits for two or more signs, the agreement and bond may be combined.

(d) Save and except for the special facility display signs located in the Retail and Entertainment District, which shall be governed by the other provisions of this Section 4620, and save and except for signage on the office tower located in the Retail and Entertainment District, the following provisions shall apply to signs located in the Retail and Entertainment District:

- (1) The limitations of Section 4611(c)(3) shall not apply, provided:
 - a. For wall signs, direct lighting shall not be used to illuminate more than fifty-percent (50%) of the total surface area of any given wall, and the total square footage of wall signs illuminated by direct lighting shall not in the aggregate exceed thirty-three percent (33%) of the total outer wall surface in the district, excluding the outer wall surface of the office tower;
 - b. No direct lighting shall be used for ground or marquee signs in excess of 200 square feet in size.
- (2) The size of any wall sign shall not exceed 1000 square feet, the size of any ground or marquee sign shall not exceed 400 square feet, and the size any of projecting sign shall not exceed 200 square feet.
- (3) The maximum height above grade for wall signs and projecting signs for each respective business shall not exceed the maximum ceiling height of that portion of the building used for that business and approved for retail use under the City of Houston Building Code.

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Ordinance approving and authorizing an agreement between the City of Houston and the Greater Houston Partnership.

Category #

Page 1 of 1

AGENDA ITEM # 20

FROM (DEPARTMENT OR OTHER POINT OF ORIGIN):
Mayor's Office

ORIGINATION DATE
12/30/2010

AGENDA DATE
JAN 05 2011

DIRECTOR'S SIGNATURE:

ANDREW F. ICKEN, CHIEF DEVELOPMENT OFFICER

COUNCIL DISTRICT AFFECTED:
All

FOR ADDITIONAL INFORMATION CONTACT:
Stephen W. Lewis (713 853-8888)

DATE AND IDENTIFICATION OF PRIOR AUTHORIZING COUNCIL ACTION:

RECOMMENDATION: Approve an ordinance authorizing a one year agreement between the City of Houston and the Greater Houston Partnership.

AMOUNT OF FUNDING: \$376,125 Civic Center Facility Revenue Fund (8601)

FINANCE BUDGET:

SPECIFIC EXPLANATIONS:

Historically the Convention and Entertainment Facilities Department (CEFD) and the Houston Airport System (HAS) have had a joint and equally funded contract with the Greater Houston Partnership (GHP) to promote economic development, new air services to the City of Houston and other specified services. It has been concluded that it is appropriate to separate these contracts and have specifically defined services for a contract between the CEFD and the GHP and a contract between the HAS and the GHP. The HAS contract is separately under development and involves considerable discussion with the FAA. We will shortly bring that contract forward for Council consideration.

The Director of CEFD recommends that City Council approve a one year agreement between the City and the GHP for services beginning January 1, 2011. Funding for the services in the subject agreement has been reduced by 15% from the previous year. More reliance on City economic development staff will compensate for any reduced service levels from GHP caused by the funding reduction.

The GHP is supported by funding from the City of Houston, Harris County and many of the city's private corporations. GHP has worked since 1991 to promote Houston as the location of choice for conducting business, with a focus on increasing Houston's economic prosperity. GHP's Economic Development Division, that includes its World Trade group, works to solicit site consultants and corporations to look to Houston for both expansions and relocations, to increase investment efforts and job creation in Houston and to provide various professional services to further augment the City's economic development efforts. The collateral impact of these GHP activities, plus the direct effect of publicizing and promoting Houston in GHP publications, web sites and other communications media, will promote and encourage tourism for the Houston area and is expected to enhance the City's ability to market its convention facilities.

The GHP makes its research capabilities available on a systematic basis to CEDF, HAS and the Greater Houston Convention and Visitors Bureau to facilitate the creation of professional, sophisticated marketing reports that include economic and demographic data, which are used for air service development efforts and as sales and marketing tools to sell the benefits and capabilities of the City to various convention, corporate meeting and sports related groups that represent potential clients for the George R. Brown Convention Center.

The GHP actively participates and coordinates activities with the Houston Minority Supplier Development Council as part of a joint effort to promote minority businesses in the Houston area. This effort will continue under the agreement to support the employment of minority firms that provide professional and other services. The Partnership efforts in this regard will continue to include the deliverables agreed upon by the Partnership and the Houston Minority Supplier Development Council.

This contract includes a 15% S/MWDBE goal and compliance will be monitored by Affirmative Action and Contract Compliance Division.

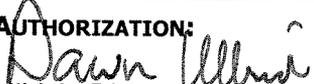
The proposed contract requires compliance with the City's 'Pay or Play' ordinance regarding health benefits for employees of City contractors. In this case, the contractor provides health benefits to eligible employees in compliance with City policy.

REQUIRED AUTHORIZATION

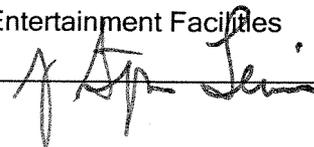
NOT

FINANCE DEPARTMENT:

OTHER AUTHORIZATION:


Dawn Ullrich, Director
Convention & Entertainment Facilities
Department

OTHER AUTHORIZATION:



20

SUBJECT:

The Municipal Courts Department (MCD) requests an ordinance be approved appropriating funds for conversion of data from the Municipal Court's Integrated Case Management System (ICMS) to its Court System Management and Resource Technology (CSMART) system under a contract approved by Ord. No. 2008-806; and providing funding for contingencies, salary recovery and related contract services..

Category #

Page 1 of 1

Agenda Item#

21

FROM: (Department or other point of origin):

Information and Technology Department

Origination Date

November 18, 2010

Agenda Date

JAN 05 2011

DIRECTOR'S SIGNATURE:

Donald Austin

Council Districts affected:

ALL

For additional information contact:

Rex Billings

Phone: (713) 247-8781

Date and identification of prior authorizing

Council Action: Ord. #2008-806 Sept. 10, 2008

Ord. #2010-150 Feb. 17, 2010

Motion #2010-0552 July 28, 2010

RECOMMENDATION: It is recommended that City Council approve an ordinance appropriating \$600,000 from the EAF Fund 1800 for the conversion of data from the Court's ICMS to CSMART system under a contract approved by Ord. No. 2008-806; and providing funding for contingencies, salary recovery and related contract services

Spending Authority:

\$600,000

Finance Budget:

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

\$600,000 Equipment Acquisition Consolidated Fund 1800

SPECIFIC EXPLANATION:

The City of Houston Municipal Courts is the largest fine-only court system in the United States. Its operations involve the interaction of six City Departments, processing 1.2 million cases annually. In September 2009, Council approved a contract with Sogeti USA, Inc. to assist City personnel with the design and development of a case management system that would fulfill the Courts' unique needs. CSMART is expected to be operational in early FY2012. Under the terms of a Compromise and Settlement Agreement with the prior vendor, Maximus, Inc., the City engaged CourtView Justice Solutions to be paid on a time and materials basis to perform proprietary work estimated at \$3 million dollars to support the existing ICMS system while the City transitions to the new CSMART system.

In February of 2010, Council approved Ordinance No. 2010-150 which removed the original \$3 million dollar spending cap, providing for Council to authorize funding annually. The ordinance approved a supplemental allocation of \$405,000 to cover FY10 costs. In July of 2010, Council approved Motion No. 2010-0552 for \$904,996 to cover FY11 payments for time and materials cost to maintain the stability/integrity of the CourtView system. Ongoing business needs assessments conducted by MCD, the Information Technology Department (ITD) and CSMART team members identified that an integral component of the success of the CSMART case management system project will depend on the City's ability to successfully convert data from the ICMS case management system to the CSMART case management system. To this end, MCD, ITD and the CSMART team have worked to develop a methodology for reviewing high priority case information to correct data exceptions in CourtView and ensure that cases adhere to consistent business rules which are required to ensure the integrity of data loaded into CSMART. Procurements for this effort will come from existing contracts; principally CourtView Justice Solutions and the City's mail processing contract with HOV Services. This initiative is expected to take ten months and will involve staff from MCD, CSMART and key contract personnel to provide the knowledge and skills necessary for project completion. Provided below is a breakdown of the anticipated budget for the effort:

Project Budget for CourtView Data Cleansing Initiative:

COH Staff	139,300
Consulting Services	333,400
Mail Services	<u>40,000</u>
Sub-total	512,700
Contingency	<u>87,300</u>
Total	600,000

REQUIRED AUTHORIZATION

Finance Director:

Other Authorization:

Other Authorization

Jack Alexander 12/29/10

[Signature]

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: De-appropriate/Appropriate Funds and approve Compromise & Settlement Agreement in connection with a Professional Architectural Services Contract with Pierce Goodwin Alexander and Linville, Inc. (PGAL); WBS No. R-000534-0001-3 Renovation and Addition of Cullen Maintenance Facility DivisionOne Construction LP; WBS No. R-000534-0001-4	Page 1 of 1	Agenda Item 22
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FROM (Department or other point of origin): General Services Department	Origination Date	Agenda Date JAN 05 2011
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DIRECTOR'S SIGNATURE:  12/15/10	Council District(s) affected: D
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For additional information contact: Jacquelyn L. Nisby  Phone: 832.393.8023	Date and identification of prior authorizing Council action: Ordinance No. 2005-0126; dated 02/16/05 Ordinance No. 2005-1006; dated 08/24/05 Ordinance No. 2007-0684; dated 06/13/07
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RECOMMENDATION: Approve an Ordinance (1) de-appropriating/appropriating the sum of \$85,168.00 from a construction contract with DivisionOne Construction LP, approved by Ordinance 2007-0684, to fund a Compromise & Settlement Agreement with PGAL ("CSA"); and (2) approve the attached form of CSA with PGAL.

Amount and Source of Funding: De-appropriate/Appropriate: \$ 85,168.00 PWE-W & S System Consolidated Construction Fund (8500)	Finance Budget:
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SPECIFIC EXPLANATION:

FOR SETTLEMENT PURPOSES ONLY

On February 16, 2005, Ordinance No. 2005-0126, City of Houston (Houston) entered into a contract with PGAL for professional architectural services to provide design and construction phase services for the renovation and addition of the Cullen Operation and Maintenance Wastewater Facility for the Department of Public Works & Engineering.

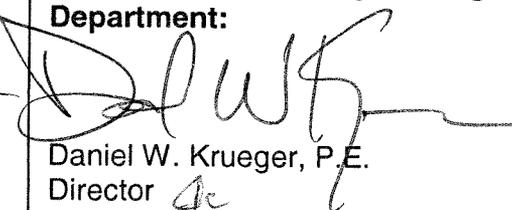
PGAL claims that during the term of the contract, it provided additional construction administration, construction management and design services for the project. Conversely, Houston alleges that PGAL made various design errors and omissions during the project (Claims). As a result of the Claims presented by both parties, a dispute has arisen between Houston and PGAL.

After a thorough review of the Claims and negotiations, both parties have agreed to settle the dispute for the amount of \$85,168.00, payable to PGAL.

The General Services Department recommends that City Council de-appropriate \$85,168.00 from the contingency established for the construction contract with DivisionOne Construction LP and re-appropriate that amount to fund a CSA with PGAL. The General Services Department also recommends approval of the form of CSA with PGAL attached hereto.

SM:JLN:RAV:MCP:mcp

c: Marty Stein, Willie Horton, Jacquelyn L. Nisby, Esq., James Tillman IV, Calvin Curtis, David Feldman, John Helms

REQUIRED AUTHORIZATION			CUIC ID # 25DSGN64
General Services Department:  Richard A. Vella Chief of Design & Construction Division	Legal Department:  David M. Feldman City Attorney	Public Works and Engineering Department:  Daniel W. Krueger, P.E. Director	



SUBJECT: First Amendment to License Agreement with American Towers, Inc. at 5525 County Road 48, Rosharon, Texas for the Radio Communications Division of the Information Technology Department		Page 1 of 1	Agenda Item <i>23</i>
FROM (Department or other point of origin): General Services Department	Origination Date <i>12/16/10</i>	Agenda Date <i>JAN 05 2011</i>	
DIRECTOR'S SIGNATURE: <i>SDM</i> <i>12/17/10</i> Scott Minnix	Council District affected: ETJ		
For additional information contact: Jacquelyn L. Nisby <i>JLN</i> Phone: 832-393-8023	Date and identification of prior authorizing Council action: Ordinance No. 2009-0880; 09/23/2009		
RECOMMENDATION: Approve and authorize a First Amendment to a License Agreement with American Towers, Inc., for communication tower and ground space at 5525 County Road 48, Rosharon, Texas for the Radio Communications Division of the Information Technology Department.			
Amount and Source Of Funding: FY2011 – \$87,138.00 Police Consolidated Construction Fund (4504) – (previously appropriated by Ordinance 2009-0713 and 2010-0648)		Finance Budget:	
SPECIFIC EXPLANATION: The City of Houston recently purchased a new radio system to replace the current outmoded Public Safety Radio system. The new radio system will have more channels, allowing radio service used by local government to serve the needs of a growing community. The new technology will be interoperable, allowing Fire, Police and Public Works to communicate more effectively with each other within the City and with other public safety entities. To facilitate this project, the Radio Communications Division of the Information Technology Department has entered into various license agreements to lease communication tower and ground space for the installation, operation and maintenance of antennas and other telecommunications equipment. It has now been determined that additional microwave dish capacity is required to provide adequate coverage for public safety purposes. <p>The proposed First Amendment will allow for the placement of five additional microwave dishes at the tower site. As consideration for the additional equipment, the current monthly license fee of \$4,635.00 will increase by \$2,700.00 per month, or \$7,335.00 monthly, with an annual escalator of 3% during the license term. The City will also pay \$20,000.00 for remediation costs associated with structural improvements to accommodate the additional equipment. The original License Agreement commenced on September 30, 2009, for a ten-year lease term with two ten-year automatic renewal options. All other terms and conditions of the original License Agreement remain the same.</p> <p>The General Services Department recommends approval of a First Amendment to the License Agreement with American Towers, Inc. for additional microwave dish capacity for the Radio Communications Division of the Information Technology Department.</p> <p>SM:BC:JLN:RB:npb</p> <p>xc: Marty Stein, Anna Russell, Jacquelyn L. Nisby and Tom Sorley</p>			
REQUIRED AUTHORIZATION		CUIC ID# 25 RB 98	
General Services Department: <i>Forest R. Christy, Jr.</i> Forest R. Christy, Jr., Director Real Estate Division	Information Technology Department: <i>Richard F. Lewis</i> Richard F. Lewis Director		



5525 County Road 48, Rosharon, TX 77583

©2010 Google

Imagery Date: Jan 5, 2010

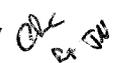
© 2010 Google
29°30'17.40" N 95°24'57.73" W elev 61 ft

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SUBJECT: Appropriate Additional Funds to the Energy Savings Performance Contract for Energy Conservation Measures with Siemens Industry, Inc. f/k/a Siemens Building Technologies, Inc. Implementation of Energy Conservation Measures at Solid Waste Management, Parks and Recreation and Health Department Facilities WBS No. D-000138-0005-4-01	Page 1 of 2	Agenda Item 24
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FROM (Department or other point of origin): General Services Department	Origination Date	Agenda Date JAN 05 2011
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DIRECTOR'S SIGNATURE Scott Minnix 	Council District(s) affected: All
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For additional information contact: Jacquelyn L. Nisby  Phone: 832-393-8023	Date and identification of prior authorizing Council action: Ordinance No. 2010-317; Dated April 28, 2010 Ordinance No. 2010-694; Dated September 1, 2010
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RECOMMENDATION: Appropriate additional funds for implementation of energy conservation measures at Parks and Recreation Department Facilities.

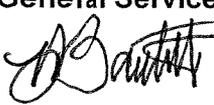
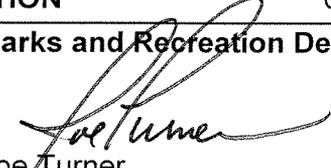
Amount and Source of Funding: Maximum contract amount: \$20,021,826.00 \$12,356,924.00 Reimbursement of Equipment /Projects Fund (1850) Previous Funding: \$7,664,558.00 Reimbursement of Equipment /Projects Fund (1850)	Finance Budget:
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SPECIFIC EXPLANATION: The General Services Department recommends that City Council appropriate an additional \$12,356,924.00 to the Energy Savings Performance Contract for Energy Conservation Measures with Siemens Industry, Inc. (Siemens) to implement energy conservation measures designed to improve the system infrastructure and operational efficiencies at the 26 Parks and Recreation Department facilities listed below. On April 28, 2010, Ordinance No. 2010-317, City Council approved the contract with Siemens and the first work order, which implemented energy conservation measures at the Solid Waste Management Department Facilities. On September 1, 2010, Ordinance 2010-694, City Council approved the second work order for the Health Department facilities. This action is the final of three work orders issued under the contract.

It is expected that the Reimbursement of Equipment/Projects Fund will be reimbursed from the guaranteed energy savings. The project will generate at least an annual savings of \$1,045,603.00 with \$615,915.00 of that amount derived from stipulated operational savings agreed upon between Siemens and the City. Siemens guarantees the City of Houston will save a total of \$15,991,952 over a 13 year period, which is the payback timeframe. The lifetime of the new equipment and systems installed and implemented during this project is between 20 and 25 years. If the cost savings are less than the guaranteed annual savings, Siemens will pay the City the difference.

PROJECT DESCRIPTION: Many Parks and Recreation Department facilities use older, inefficient lighting, mechanical systems and control systems. This project will upgrade these systems through the installation and implementation of measures to reduce energy, water consumption and/or operating costs of City facilities. Further, this project will replace several pieces of equipment that are at the end of their useful life, and if not included in this project, would have to be financed through the Capital Improvement Plan. Work is to begin within ten days of the effective date and will be completed within 450 days from the date of commencement.

REQUIRED AUTHORIZATION CUIC ID 25MSCL79 *Not*

General Services Department  Humberto Bautista, P.E. City Engineer		Parks and Recreation Department  Joe Turner Director
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Date:	SUBJECT: Appropriate Additional Funds to the Energy Savings Performance Contract for Energy Conservation Measures with Siemens Industry, Inc. f/k/a Siemens Building Technologies, Inc. Implementation of Energy Conservation Measures at Solid Waste Management, Parks and Recreation and Health Department Facilities WBS No. D-000138-0004-1-01	Originator's Initials HB	Page 2 of 2
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PROJECT LOCATIONS:

Location	Address	Council District	Key Map
Alief Park (Quillian)	11903 Bellaire Blvd	F	529E
Brock Golf Course	8201 John Ralston	B	456F
Cherryhurst Park	1700 Missouri	E	540H
Chimney Rock Park	11655 Chimney Rock	C	571B
Clark Park	9718 Clark	H	453B
Emancipation Park	3018 Dowling	I	493Y
Freed Park	7020 Shadyvilla Ln	A	451Y
Godwin Park	5101 Rutherglen	C	531U
Gus Wortham Golf Clubhouse	7000 Capitol	I	494Z
Hartman Park	9315 Avenue P	I	535C
Hermann Administration Building	6201 Golf Course Drive	D	533A
Independence Heights Park	601 East 35th St	H	453N
Lakewood Park	8811 Feland	B	455G
Memorial Fitness Center	6402 Arnot	G	492F
Memorial Golf	1001 East Memorial Loop	G	492F
Moody Park	3725 Fulton	H	453Y
North Shepherd Barn	417 North Shepherd	H	492M
River Oaks Park	3600 Locke Lane	G	492T
Robinson, Jr Park	2020 Herman Dr.	D	533B
Sabine Barn	115 Sabine	H	493K
Settegast Park	3000 Garrow	H	494N
Shady Lane Park	10220 Shady Lane	B	414W
Sharpstown Recreation and Golf Clubhouse	8200 Bellaire Blvd	F	530F
Stude Park	1030 Stude	H	493E
Sunny Side Park	3502 Belfort	C	532S
Woodland Park	212 Parkview	H	493C

FUNDING SUMMARY:

\$12,055,536.00 Construction Contract Services
\$ 301,388.00 2.5% Contingency
\$12,356,924.00 Total Appropriation

M/SBE PARTICIPATION: The original contract and this additional appropriation contain a 14% MBE goal and 10% SBE goal. To date, Siemens has 29.292 MBE participation and 12.27 SBE participation.

SM:JLN:HB:CRC:yb

c: Scott Minnix, Marty Stein, Jacquelyn L. Nisby, Martha Leyva, File

SUBJECT: Appropriate Funds BL Technology, Inc. Safety and Security Improvements at Northeast Service Center WBS No. L-0000NA-0009-5	Page 1 of 1	Agenda Item 25
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FROM (Department or other point of origin): General Services Department	Origination Date 12/28/10	Agenda Date JAN 05 2011
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DIRECTOR'S SIGNATURE: Scott Minnix <i>SD Minnix</i> 12/15/10	Council District affected: B
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For additional information contact: Jacquelyn L. Nisby <i>JLN</i> Phone: 832-393-8023	Date and identification of prior authorizing Council action: Ordinance No. 2007-0972; August 29, 2007
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RECOMMENDATION: Appropriate funds for the project.

Amount and Source Of Funding: \$30,693.00- Solid Waste Consolidated Construction Fund (4503)	Finance Budget: <i>Km D</i>
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SPECIFIC EXPLANATION: The General Services Department recommends that City Council appropriate \$30,693.00 to the existing citywide contract with BL Technology, Inc. to furnish and install CCTV and access control security equipment at the Northeast Service Center for the Solid Waste Management Department.

PROJECT LOCATION: 5614 Neches (454S)

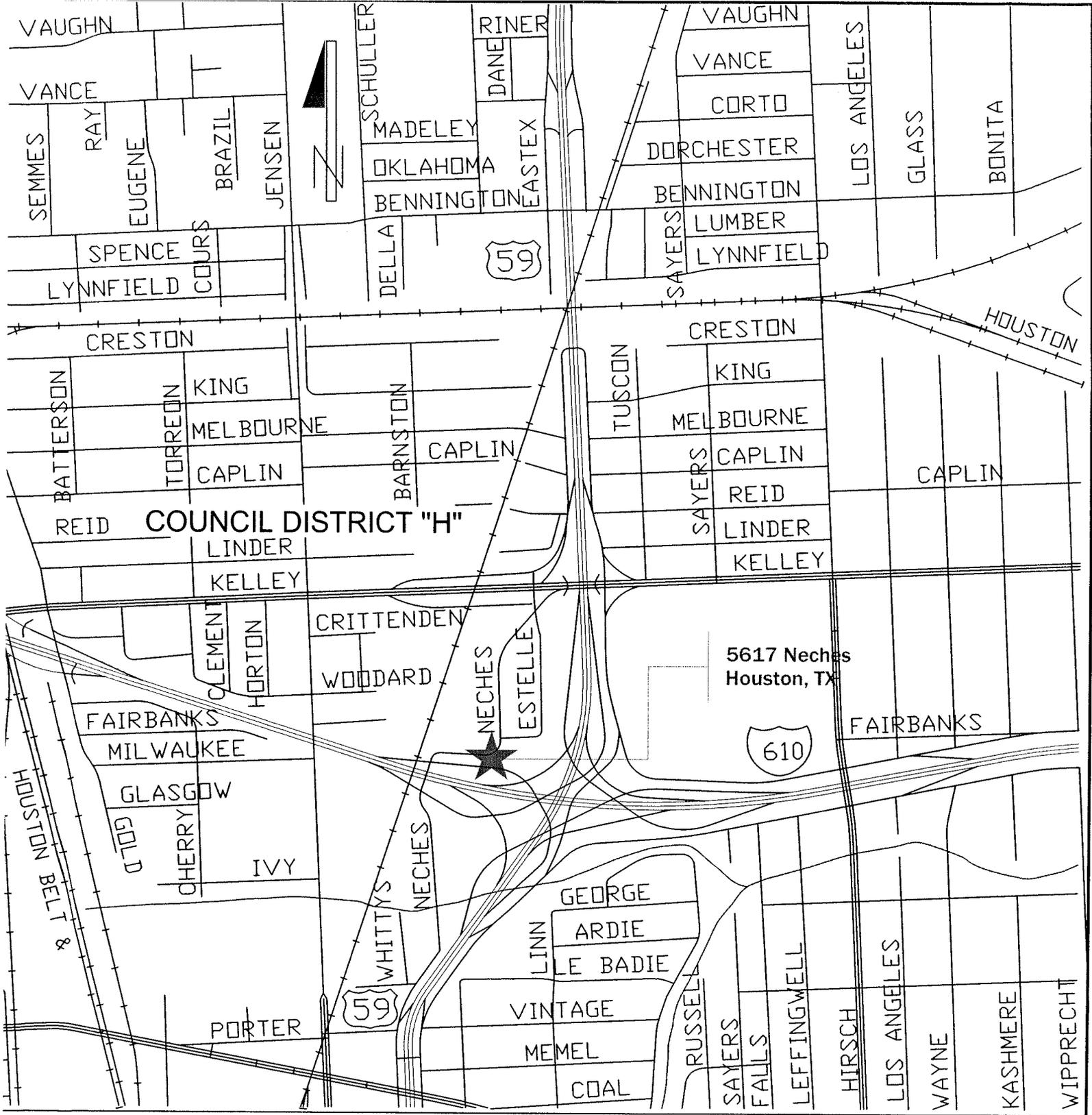
PREVIOUS HISTORY AND PROJECT SCOPE: On August 29, 2007, Ordinance No. 2007-972, City Council awarded a five-year work-order contract to BL Technology, Inc., in an amount not to exceed \$16,259,339.00, for the installation and repair of security systems citywide. The contract is funded through various appropriations/allocation for security system installation and repair services. To date, \$6,723,397.83 has been expended on the contract.

M/WBE INFORMATION: The contract contains an 11% M/WBE goal. Currently, BL Technology, Inc. has achieved 16.9% M/WBE participation

SM:JLN:TLE:ps
 c: Marty Stein, Thomas L. Edwards, Jacquelyn L. Nisby, Gary Readore, Charlie Lee, Jean Abercrombie, File

REQUIRED AUTHORIZATION CUIC ID# 25MSCL83

General Services Department: <i>Thomas L. Edwards</i> Thomas L. Edwards Chief of Security Management		Solid Waste Management Department: <i>Harry J. Hayes</i> Harry J. Hayes Director
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Solid Waste Department
Northeast Service Center
5617 Neches
Houston, TX 77026

SUBJECT: Amend Ordinance No. 2007-1144 to increase the maximum contract amount and Approve a Second Amendment to the Interlocal Agreement with Geo Technology Research Institute (GTRI)		Page 1 of 1	Agenda Item 26
FROM (Department or other point of origin): General Services Department		Origination Date 12/17/10	
DIRECTOR'S SIGNATURE: Scott Minnix <i>12/16/10</i> <i>Scott Minnix</i>		Agenda Date JAN 05 2011	
For additional information contact: Jacquelyn L. Nisby <i>JLN</i> Phone: 832-393-8023		Council District(s) affected: All	
RECOMMENDATION: Approve (1) an Ordinance amending Ordinance No. 2007-1144 (passed October 10, 2007) to increase the maximum contract amount from \$2,000,000 to \$5,700,000 and (2) a Second Amendment to the Interlocal Agreement with GTRI, and allocate funds for the project.		Date and identification of prior authorizing Council action: Ordinance No. 2007-1144; October 10, 2007 Ordinance No. 2009-070; February 4, 2009 Ordinance No. 2009-646; July 8, 2009 Ordinance No. 2010- 003; January 6, 2010	
Amount and Source of Funding: Maximum Contract Amount: \$5,700,000.00		Finance Budget:	
\$3,168,000.00 American Recovery and Reinvestment Act (ARRA) (5300)			
SPECIFIC EXPLANATION: The City of Houston has launched its first annual Green Office Challenge to demonstrate the utility cost savings achievable from the use of energy saving retrofits or operating methods in Houston's commercial office buildings. The Houston Challenge invites commercial office owners/ managers and tenants in Houston's business districts to increase their environmental and economic performance in the areas of energy conservation, waste reduction, water efficiency, and cleaner transportation choices. The City of Houston will commit \$3,168,000.00 from a Department of Energy (DOE) Energy Efficiency and Conservation Block Grant (EECBG) to offset 20% of the initial implementation costs to the owner, with the incentive ranging from \$20,000 up to a maximum of \$200,000 per building. The Program is open to Class A, B and C office buildings. At least 60% of the total grant awards will be set aside for projects under \$500,000 and 50% of the grant awards will be set aside for Class B and C buildings. Depending on the retrofit work, the balance of the up-front implementation costs is expected to be reimbursed to the building owners through the reductions in utility costs within 18 to 48 months following implementation.			
To be eligible for the Program, the applicant's building must be a minimum of 10,000sf of office space. The building owner must obtain an energy audit of the building by a certified energy manager (CEM). The CEM will make energy saving recommendations that are expected to achieve at least 15% energy savings. Although, the City is requiring a base goal of 15% energy savings, it is encouraging a stretch goal of 30%. Some of the energy savings retro-fits include lighting improvements, HVAC improvements, insulation and window replacements. GTRI will administer the Green Office Challenge Program on behalf of the City and will certify the installation.			
The General Services Department recommends that City Council approve an ordinance amending Ordinance No. 2007-1144 to increase the maximum contract amount to \$5,700,000.00 to fund this Program and to allow GTRI to continue to administer other ARRA funded programs. It is further recommended that City Council approve a Second Amendment to the Interlocal Agreement with GTRI to incorporate additional Department of Energy requirements associated with administering the Green Office Challenge Program.			
SM:JLN:HB:hb c: Marty Stein, Jacquelyn L. Nisby, Laura Spanjian, Martha Leyva			
REQUIRED AUTHORIZATION		CUIC # 25NSCL83	
General Services Department: <i>H. Bautista</i> Humberto Bautista, P.E. City Engineer			

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 8920

Subject: Amend Ordinance No. 2009-1381, Passed December 29, 2009 to Appropriate Additional Funds and approve the purchase of two Additional Passenger Loading Bridges for the Houston Airport System Project No. 500P; (WBS # A-000483-0007-4-01)

Category #
1 & 4

Page 1 of 1

Agenda Item

27

FROM (Department or other point of origin):

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

Origination Date

December 09, 2010

Agenda Date

JAN 05 2011

DIRECTOR'S SIGNATURE

S. H. DuRousseau

Council District(s) affected

B

For additional information contact:

Dallas Evans Phone: (281) 230-8001
Ray DuRousseau Phone: (832) 393-8726

Date and Identification of prior authorizing Council Action:

Ord No. 2009-1381, Passed 12/29/2009

RECOMMENDATION: (Summary)

Approve an amending ordinance to appropriate \$1,397,180.00 out of the HAS-Airport Improvement Fund (8011) and approve the purchase of two additional passenger loading bridges for the Houston Airport System.

Award Amount: \$1,397,180.00

Finance Budget

\$1,397,180.00 - HAS-Airport Improvement Fund (8011) - CIP No. A-0483.31

SPECIFIC EXPLANATION:

The City Purchasing Agent recommends that City Council approve an amending ordinance to appropriate \$1,397,180.00 out of the HAS-Airport Improvement Fund (8011) and approve the purchase of two additional passenger loading bridges (PLBs) for the Houston Airport System and that authorization be given to issue purchase orders, as necessary, to Thyssenkrupp Airport Systems, Inc. in an amount not to exceed \$1,397,180.00.

On December 29, 2009, City Council approved, by Ordinance 2009-1381, the appropriation of \$4,728,000.00 out of the HAS-Airport Improvement Fund (8011) and award to Thyssenkrupp Airport Systems, Inc. for purchase of seven PLBs. The award was made as a result of a formally advertised "best value" solicitation in strict accordance with the State of Texas bid laws and two bids were received. Thyssenkrupp Airport Systems, Inc. was determined to be the best overall value to the City. Moreover, the bid document included a provision that allows the City to purchase additional PLBs within 12 months of issuance of the initial purchase order, provided the awarded supplier agrees to honor the original bid price. Thyssenkrupp Systems, Inc. has agreed in writing to honor its original bid price for the PLBs.

The scope of work requires the contractor to provide all equipment, tools, materials, labor, permits, supervision and transportation necessary to remove and dispose of two 20-year old passenger loading bridges and install two new PLBs at George Bush Intercontinental Airport, Terminal D. The new PLBs will come with a full two-year warranty and the life expectancy is 20 years.

M/WBE Goal:

The initial award was issued as a goal oriented contract with a 10% M/WBE participation goal and the contractor is currently achieving 11%.

Pay or Play Program

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

Buyer: Irina Chong

REQUIRED AUTHORIZATION

Finance Department:

Other Authorization:

Other Authorization:

AKT

219

To: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Recommendation that an ordinance for the AIRLINE DRIVE PAVING PROJECT (from North Main to IH-610) be passed approving and authorizing the acquisition of parcels by dedication, purchase, or condemnation. WBS N-000697-0001-2-01	Page 1 of 1	Agenda Item # 28
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FROM: (Department or other point of origin): Department of Public Works and Engineering	Origination Date	Agenda Date JAN 05 2010
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DIRECTOR'S SIGNATURE:  Daniel W. Krueger, P.E., Director	Council District affected:  H Key Map 453P,T,X
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For additional information contact: Nancy P. Collins Phone: (713) 837-0881  Senior Assistant Director Planning and Development Services Division	Date and identification of prior authorizing Council Action: Ordinance 2008-701, passed August 6, 2008
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RECOMMENDATION: (Summary)
An ordinance for the AIRLINE DRIVE PAVING PROJECT (from North Main to IH-610) be passed approving and authorizing the acquisition of parcels by dedication, purchase, or condemnation.

Amount and Source of Funding: No additional funding required (covered under Blanket Appropriation Ordinance 2008-701, N-00663A-00RE-2-01 Street and Bridge Consolidated Construction Fund 4506) *M.P. 11/2/2010*

SPECIFIC EXPLANATION:
The Department of Public Works and Engineering is requesting an ordinance for the AIRLINE DRIVE PAVING PROJECT (from North Main to IH-610) be passed approving and authorizing the acquisition of parcels by dedication, purchase, or condemnation.

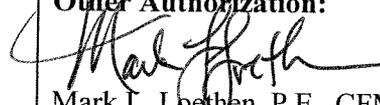
This project includes construction of an approximately 6,300 linear foot, four-lane reinforced concrete roadway from North Main to IH-610 with concrete paving, curbs, sidewalks, street lighting, storm sewer, and necessary underground utilities.

This action authorizes payment for costs of land purchases/condemnations, appraisal fees, title policies/services, recording fees and other acquisition costs in connection with negotiations to settle purchases; finds a public necessity for the project; and approves and authorizes the condemnation of the land and improvements thereon. If negotiations to acquire the property cannot be concluded as a purchase or for any reason for which acquisition by condemnation is warranted, this action authorizes the City Attorney to file or cause Eminent Domain proceedings to be filed and acquire rights-of-way and easements for said purposes and authorizes payment for the Award of Special Commissioners and court costs associated with condemnation proceedings. Payments for purchase considerations that exceed the spending authority threshold set by State law will be submitted to City Council as they are finalized. This will expedite the process of acquiring land in support of the AIRLINE DRIVE PAVING PROJECT (from North Main to IH-610).

DWK:NPC:ht
TylerRCA-Condemn Blanket Ordinance
cc: Marty Stein

CUIC #20HHT197

REQUIRED AUTHORIZATION

Finance Department:	Other Authorization:	Other Authorization:  Mark L. Logghe, P.E., CFM, PTOE Acting Deputy Director Planning and Development Services Division
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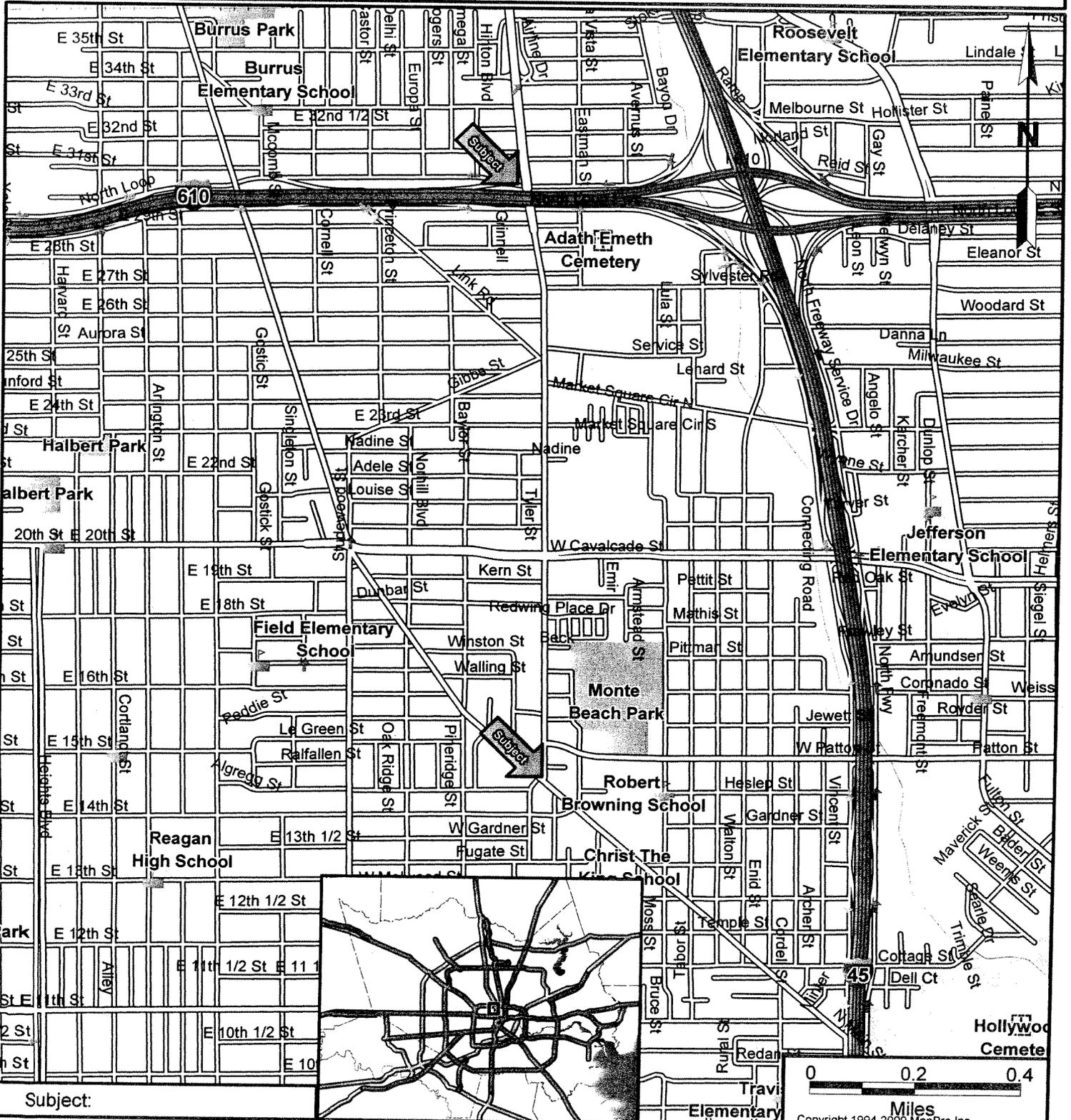
LOCATION MAP

Description: Airline Paving Project (from North Main to IH 610)

WBS# N-000697-0001-2-01; Council District H; Key Map 453P, T, and X

Subject Address: , Houston, TX 77009

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



Subject:

CAUTION:

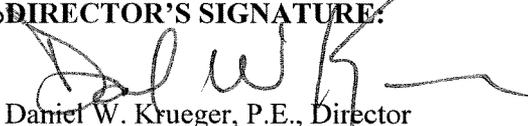
The location of property arrows shown on this map are approximate only. Inaccuracies may exist on map such as missing, incorrectly drawn, or incorrectly addressed streets. Please report any such inaccuracy to MapPro, Inc. so that appropriate corrections can be made.

To: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Recommendation that an ordinance for the HIRSCH ROAD RECONSTRUCTION PROJECT (from Kelly to Crosstimbers) be passed approving and authorizing the acquisition of additional parcels by dedication, purchase, or condemnation. WBS N-000617-0001-2-01	Page 1 of 1	Agenda Item # 29
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FROM: (Department or other point of origin): Department of Public Works and Engineering	Origination Date	Agenda Date JAN 05 2011
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DIRECTOR'S SIGNATURE:  Daniel W. Krueger, P.E., Director	Council District affected: B Key Map 454 K and P
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For additional information contact: Nancy P. Collins Phone: (713) 837-0881  Senior Assistant Director – Real Estate Planning and Development Services Division	Date and identification of prior authorizing Council Action: Ordinance 2008-0146, passed February 20, 2008 Ordinance 2008-0884, passed October 8, 2008
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RECOMMENDATION: (Summary)
An ordinance for the HIRSCH ROAD RECONSTRUCTION PROJECT (from Kelly to Crosstimbers) be passed approving and authorizing the acquisition of additional parcels by dedication, purchase, or condemnation.

Amount and Source of Funding: No Additional Funding Required (covered under Blanket Appropriation *M.F. 10/22/2010*
Ordinance 2008-0146, N-00663A-00RE-2-01 Street and Bridge Consolidated Construction Fund 4506)

SPECIFIC EXPLANATION:

The Department of Public Works and Engineering is requesting that an ordinance for the HIRSCH ROAD RECONSTRUCTION PROJECT (from Kelly to Crosstimbers) be passed approving and authorizing the acquisition of parcels by dedication, purchase or condemnation. Ordinance 2008-0884 which was passed October 8, 2008 authorized the acquisition of parcels for the project by dedication, purchase or condemnation. Since Ordinance 2008-0884 was passed, twenty five parcels consisting of waterline, sewerline and permanent fill easements have been added to the subject project.

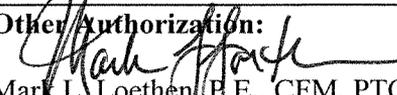
This action authorizes payment for the costs of land purchases/condemnations, appraisal fees, title policies/services, and recording fees in connection with negotiations to settle purchases; finds a public necessity for adding these parcels to the project; and approves and authorizes the condemnation of the land and improvements thereon. If negotiations to acquire the property cannot be concluded as a purchase or for any reason for which acquisition by condemnation is warranted, this action authorizes the City Attorney to file or cause Eminent Domain proceedings to be filed and acquire rights-of-way and easements for said purposes and authorizes payment for the Award of Special Commissioners and court costs associated with condemnation proceedings. Payments for purchase considerations that exceed the spending authority threshold set by State law will be submitted to City Council as they are finalized. This will expedite the process of acquiring land in support of the HIRSCH ROAD RECONSTRUCTION PROJECT (from Kelly to Crosstimbers).

DWK:NPC:eg

cc: Marty Stein

CUIC #20ELG31

REQUIRED AUTHORIZATION

Finance Department:	Other Authorization:	Other Authorization:  Mark L. Loethen, P.E., CFM, PTOE Acting Deputy Director Planning and Development Services Division
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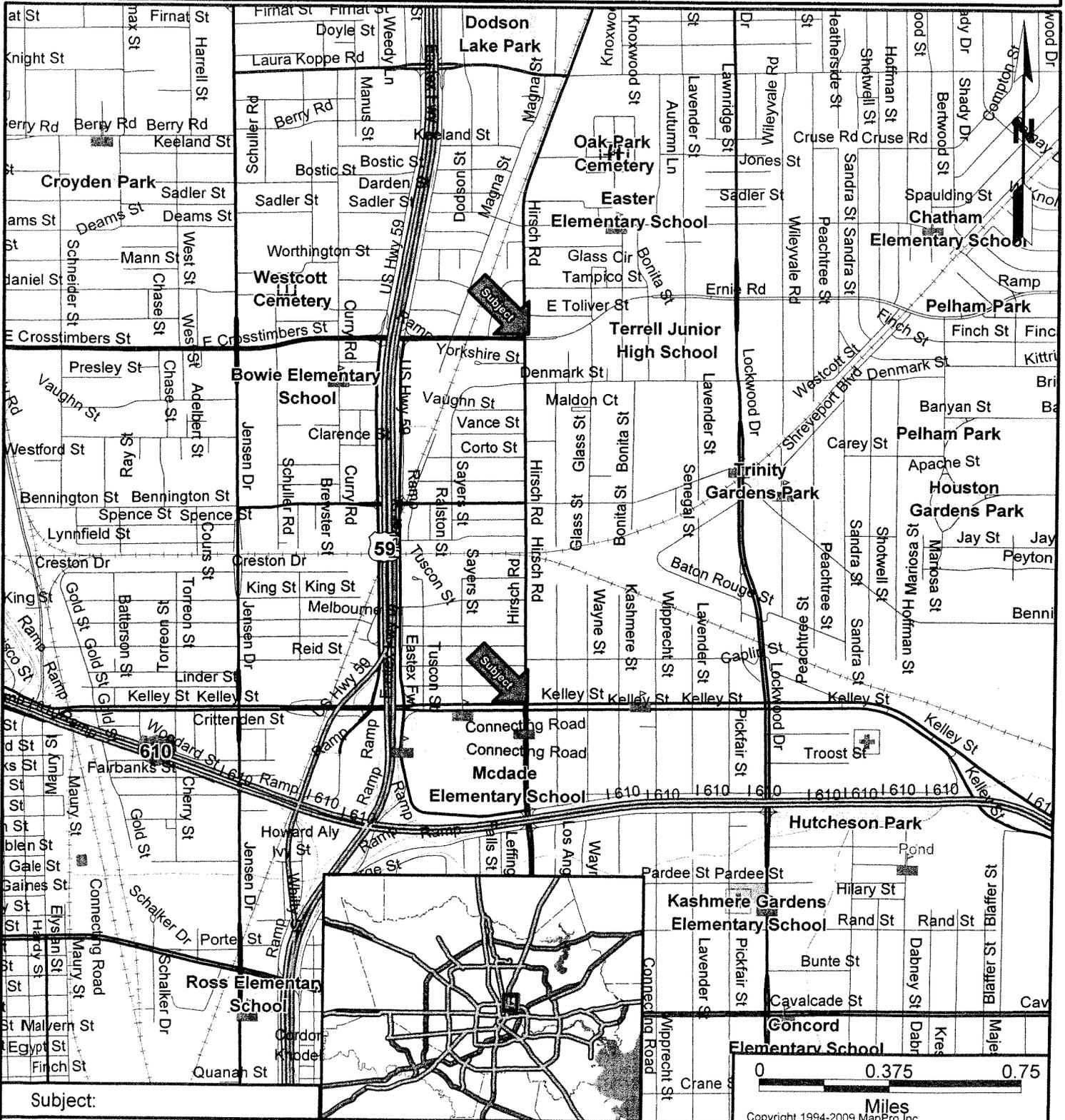
LOCATION MAP

Description: Hirsch Road Reconstruction Project (from Kelly to Crosstimbers)

WBS N-000617-0001-2 Key Map Page 454 K and P

Subject Address: Houston, TX 77026

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



Subject:

CAUTION:

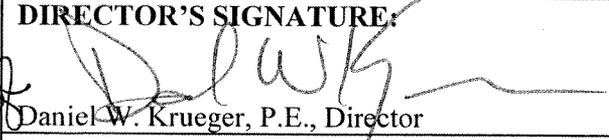
The location of property arrows shown on this map are approximate only. Inaccuracies may exist on map such as missing, incorrectly drawn, or incorrectly addressed streets. Please report any such inaccuracy to MapPro, Inc. so that appropriate corrections can be made.

To: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Recommendation that an ordinance for the YALE STREET IMPROVEMENTS PROJECT (from Tidwell to West Parker) be passed approving and authorizing the acquisition of parcels by dedication, purchase, or condemnation. WBS N-000592-0001-2-01	Page 1 of 1	Agenda Item # 30
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FROM: (Department or other point of origin): Department of Public Works and Engineering	Origination Date	Agenda Date JAN 05 2011
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DIRECTOR'S SIGNATURE:  Daniel W. Krueger, P.E., Director	Council District affected: H Key Map 452D and 412Z
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For additional information/contact: Nancy P. Collins Phone: (713) 837-0881  Senior Assistant Director – Real Estate Planning and Development Services Division	Date and identification of prior authorizing Council Action: Ordinance 2007-1067, passed September 19, 2007
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RECOMMENDATION: (Summary)
An ordinance for the YALE STREET IMPROVEMENTS PROJECT (from Tidwell to West Parker) be passed approving and authorizing the acquisition of parcels by dedication, purchase, or condemnation.

Amount and Source of Funding: No additional funding required (covered under Blanket Appropriation *M.P. 10/25/2010*
Ordinance 2007-1067 N-000663-00RE-2-01
Street and Bridge Consolidated Construction Fund 4506)

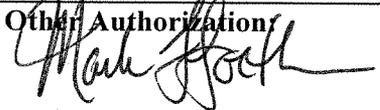
SPECIFIC EXPLANATION:
The Department of Public Works and Engineering is requesting that an ordinance for the YALE STREET IMPROVEMENTS PROJECT (from Tidwell to West Parker) be passed approving and authorizing the acquisition of parcels by dedication, purchase, or condemnation. This project provides for right-of-way acquisition, engineering, and construction of two 24 foot-wide concrete roadways with curbs, sidewalks, and necessary underground utilities.

This action authorizes payment for costs of land purchases/condemnations, appraisal fees, title policies/services, recording fees and other acquisition costs in connection with negotiations to settle purchases; finds a public necessity for the project; and approves and authorizes the condemnation of the land and improvements thereon. If negotiations to acquire the property cannot be concluded as a purchase or for any reason for which acquisition by condemnation is warranted, this action authorizes the City Attorney to file or cause Eminent Domain proceedings to be filed and acquire rights-of-way and easements for said purposes and authorizes payment for the Award of Special Commissioners and court costs associated with condemnation proceedings. Parcels with a consideration that exceeds the spending authority threshold set by State law will be submitted to City Council as they are finalized. This will expedite the process of acquiring land in support of the YALE STREET IMPROVEMENTS PROJECT (from Tidwell to West Parker).

DWK:NPC:eg
cc: Marty Stein

CUIC #20ELG29

REQUIRED AUTHORIZATION

Finance Department:	Other Authorization:	Other Authorization:  Mark L. Loethen, P.E., CFM, PTOE Acting Deputy Director Planning and Development Services Division
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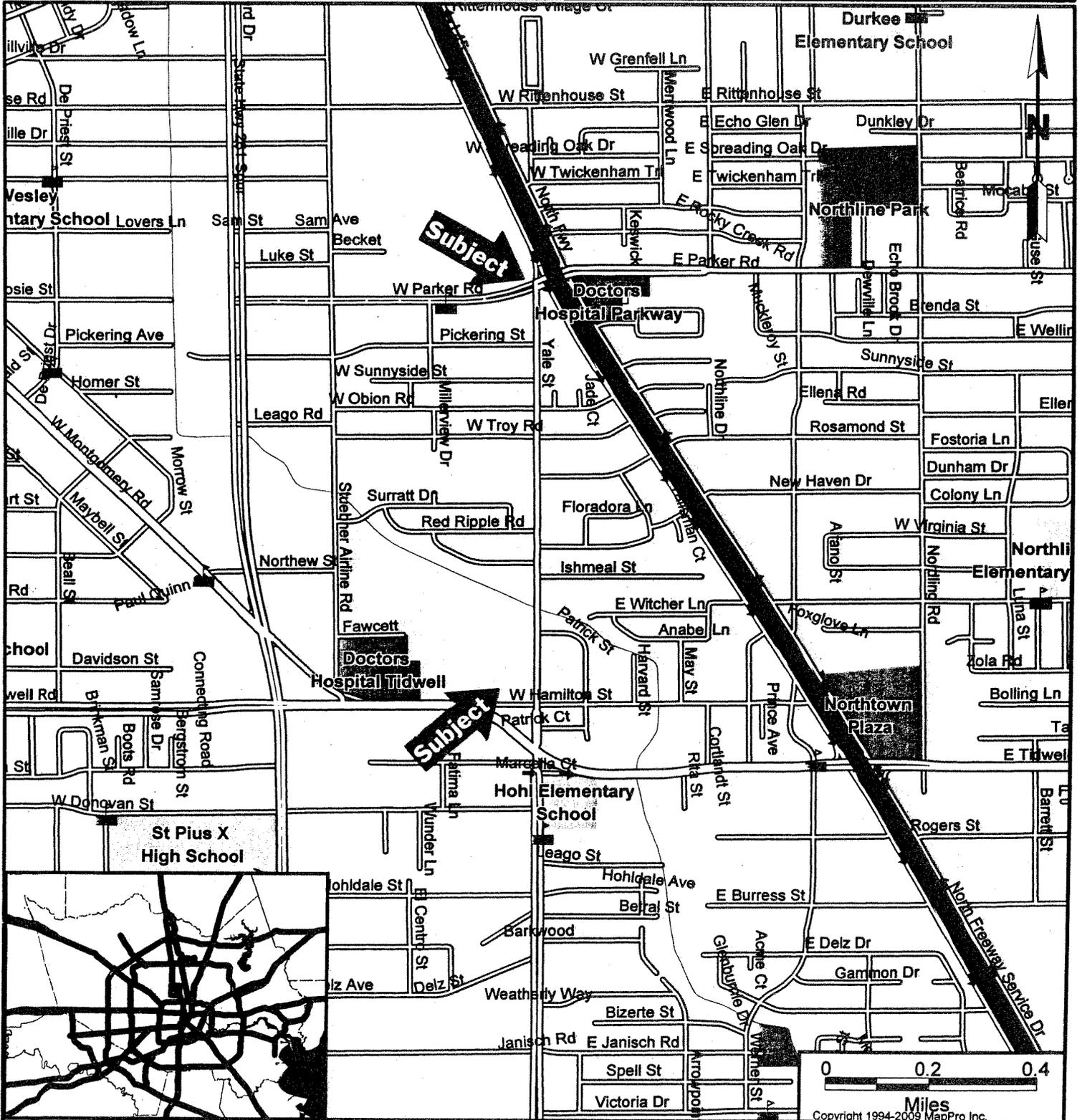
LOCATION MAP

Description: Yale Street Improvements Project (from Tidwell to West Parker)

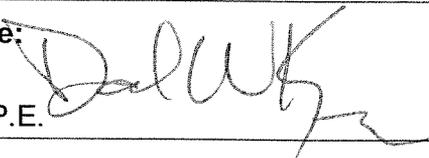
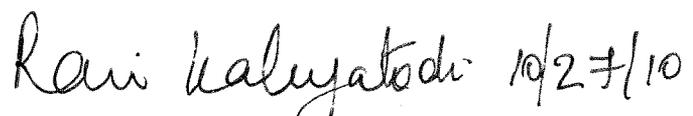
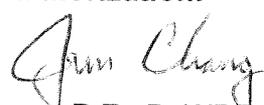
WBS N-000592-0001-2-01

Key Map Pages 412 Z and 452 D

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



CAUTION: Inaccuracies may exist on map such as missing, incorrectly drawn, or incorrectly addressed streets. Please report any such inaccuracy to MapPro, Inc. so that appropriate corrections can be made.

SUBJECT: Fifth Amendment and an Additional Appropriation to Professional Engineering Services Contract between the City and Lockwood, Andrews & Newnam, Inc., for services associated with the Surface Water Transmission Program. WBS No. S-000900-0002-3		Page 1 of 3	Agenda Item # 31
From: (Department or other point of origin): Department of Public Works and Engineering		Origination Date	Agenda Date JAN 05 2010
Director's Signature:  Daniel W. Krueger, P.E.		Council District affected: (Council District Letter Only) A, B, C, D, E, F, G, H, I Acn	
For additional information contact:  Ravi Kaleyatodi, P.E., CPM Phone: (832) 395-2326 Senior Assistant Director		Date and identification of prior authorizing Council action: Ordinance Number 2009-1032 (October 21, 2009) Ordinance Number 2008-1206 (December 17, 2008) Ordinance Number 2007-1459 (December 12, 2007) Ordinance Number 2007-0329 (March 21, 2007) Ordinance Number 2006-0277 (March 22, 2006)	
Recommendation: (Summary) Approve Fifth Amendment with Lockwood, Andrews & Newnam, Inc., and appropriate funds.			
Amount and Source of Funding: \$6,900,000.00 - Water and Sewer System Consolidated Construction Fund No. 8500 <i>M.P. 11/1/2010</i> Original contract appropriation of \$3,300,000.00 from Water and Sewer System Consolidated Construction Fund No. 755 and additional appropriations of \$14,383,200.00 from Water and Sewer System Consolidated Construction Fund No. 8500			
SPECIFIC EXPLANATION: This contract supports execution of the Surface Water Transmission Facilities Capital Improvement Program. This amendment and appropriation provides for the engineering support necessary to meet the City's growing water transmission system requirements and contractual water conveyance obligations within the required time line.			
PROJECT NOTICE/JUSTIFICATION: The Surface Water Transmission Program provides professional engineering services to assist the City in meeting the current and future system demands and technical support to City staff on various elements of the transmission system.			
DESCRIPTION/SCOPE: The subject professional engineering services will provide cost-effective planning, design and engineering support for large diameter water transmission lines. This appropriation will fund specific tasks to allow the City to maximize the use of available surface water including feasibility and routing studies and initial phases of design for water transmission lines necessary to meet regulatory requirements; and technical support efforts to assist the City in addressing chronic maintenance issues on critical transmission lines. Tasks include supporting the City's efforts in evaluating the condition and supporting the rehabilitation of existing critical large diameter transmission mains. The net result of these improvements will be improved water system reliability and operational efficiencies stemming from the consolidation of groundwater pump station facilities. Specific tasks planned under this appropriation consist of engineering design and associated support services (such as surveying, geotechnical investigations, traffic control design, etc.). Additionally, these tasks include real estate assistance, and water system planning and modeling assistance.			
REQUIRED AUTHORIZATION MO			
Finance Department:	Other Authorization:  Jun Chang, P.E., D. WRE, Deputy Director, Public Utilities Division	Other Authorization:  Daniel R. Menendez, P.E., Deputy Director Engineering and Construction Division	

SUBJECT: Fifth Amendment and an Additional Appropriation to Professional Engineering Services Contract between the City and Lockwood, Andrews & Newnam, Inc., for services associated with the Surface Water Transmission Program. WBS No. S-000900-0002-3

**Originator's
Initials**

Acn

**Page
2 of 3**

LOCATION: The projects that will be executed through this amendment are those listed in the adopted CIP:

1. 48/42-inch water line along existing easements, West Orem Dr., Chimney Rock, River Bluff, Summit Ridge, and Coach Creek from Sims Bayou Pump Station to Hillcroft. (571 J, K, P)
2. 42-inch water line along Hillcroft, Dublin, Dunlap, Main, Haviland, Minetta, and Canemont/Sandpiper from Coach Creek to W. Airport Blvd. (570 H, M; 571 J)
3. 42-inch water line along W. Airport Blvd. from Sandpiper to S. Gessner. (570 F, G, H)
4. 42-inch water line along S. Gessner from W. Airport Blvd. to Bissonnet. (530 T, X; 570 B, F)
5. 66-inch water line along Moers Rd. and Almeda-Genoa Rd. from Moers Rd. to Monroe. (575 Q, U)
6. 66-inch water line along Monroe Rd. from Almeda-Genoa Rd. to Airport Blvd. (575 C, G, L & Q)
7. 42-inch Bellaire Braes Pump Station discharge water line along Bellaire from Bellaire Braes Pump Station to Kirkwood. (528 H; 529 E)
8. 42-inch Katy Addicks Repump Station discharge water line from Katy Addicks Repump Station to Westview along Railroad easements. (449 Y)
9. 72-inch water line along Fuqua from Stover Road to Moers Road. (575 U, V; 576 S)
10. 120-inch waterline along City easements from Northeast Water Purification Plant to east of Mesa Road. (375 U, V, Z; 376 S, U, V, W, X, Y, Z; 377 S, W)
11. 120-inch waterline along City easements from east of Mesa Road to Lee Road. (374 Z; 375 S, T, U, W)
12. 42-inch water line along Lee Road from Aldine Bender to Shirley. (374 R, V, Z)
13. Condition Assessment of 66-inch water line along Richmond and Wheeler from Hazard to Hutchins. (492 Z; 493 W & X)

PREVIOUS HISTORY AND SCOPE: City Council approved the original contract on March 22, 2006 by Ordinance Number 2006-0277, the First Amendment on March 21, 2007 by Ordinance Number 2007-0329, the Second Amendment on December 12, 2007 by Ordinance Number 2007-1459, the Third Amendment on December 17, 2008 by Ordinance Number 2008-1206 and the Fourth Amendment on October 21, 2009 by Ordinance Number 2009-1032. The scope of services consisted of the 42-inch water line contracts along Knight, Holmes, easements along Parcel 3 Road, Uptown, Taintor, W. Airport, Allum, Player, Tidewater, South Post Oak, W. Orem, Croquet and easements near Sims Bayou Pump Station, bound by W. Belfort on the northeast and the Sims Bayou Pump Station on the southwest; Air Release Valve Upgrade Packages; Pressure Reducing Valve Station Improvements - Package No. 4; On-Call Rehabilitation and Replacement of Large Diameter Water Mains and Valves - Package Numbers 6, 7, and 8; and the 72-inch water line along Fuqua from Beamer to Moers Rd. Under this contract, the designs of the above-referenced projects are underway and are anticipated to be completed under the original appropriations. The Director has determined the need for continuation of the Surface Water Transmission Program due to its success in assisting the City in meeting the stated goals and objectives.

SCOPE OF THIS SUPPLEMENT AND FEE: The requested Fifth Amendment will accomplish the following tasks: Basic Services (Phase I - Preliminary Design, Phase II - Final Design, Phase III - Construction Phase Services) and Additional Services. \$3,132,700.00 is budgeted as Basic Services Fee to be administered on a lump sum or reimbursable basis. Certain other Additional Services are also proposed to be paid as lump sum or on a reimbursable basis. The Additional Services are currently anticipated to include surveying, geotechnical investigations, Phases I and II environmental services, traffic control plans, and surge analysis, which comprise the bulk of the additional services funds. The total Additional Services Fee under the Fifth Amendment is \$2,867,300.00. The total requested appropriation is \$6,900,000.00 to be appropriated as follows: \$6,000,000.00 for contract services and \$900,000.00 for CIP cost recovery.

PAY OR PLAY:

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

SUBJECT: Fifth Amendment and an Additional Appropriation to Professional Engineering Services Contract between the City and Lockwood, Andrews & Newnam, Inc., for services associated with the Surface Water Transmission Program. WBS No. S-000900-0002-3

Originator's Initials

ACM

Page 3 of 3

M/WBE INFORMATION: The M/WBE goal established for this project is 24%. The original contract and subsequent additional appropriations total \$16,075,600.00. The engineer has been paid \$13,076,164.53 (81.34%) to date. Of this amount, \$2,606,052.92 has been paid to M/WBE sub-consultants to date. Assuming approval of the requested additional appropriation, the contract amount will increase to \$22,075,600.00. The engineer proposes the following plan to meet the outstanding M/WBE goal participation:

<u>Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Total Contract</u>
Prior work		\$2,606,052.92	11.81%
1. Associated Testing Laboratories, Inc.	Environmental Support	\$5,664.16	0.03%
2. Aviles Engineering Corporation	Geotechnical Investigations	\$126,669.25	0.57%
3. B&E Reprographics, Inc.	Reproduction	\$200,000.00	0.91%
4. Corrigan Consulting, Inc.	Environmental Support	\$60,718.23	0.28%
5. Entech Civil Engineers, Inc.	Engineering Support	\$50,000.00	0.23%
6. Geotest Engineering, Inc.	Geotechnical Investigations	\$25,129.50	0.11%
7. Grounds Anderson, LLC	H&H Support	\$80,000.00	0.36%
8. IDCUS, Inc., DBA IDC Inc.	Engineering Support	\$65,000.00	0.29%
9. KIT Professionals, Inc.	Traffic Control & Engineering Support	\$103,505.00	0.47%
10. Kuo & Associates, Inc.	Engineering Support & Surveying	\$385,000.00	1.74%
11. Martinez, Guy & Maybik, Inc.	Surveying	\$49,618.03	0.22%
12. Nathelyne A. Kennedy & Associates, LP	Engineering Support	\$425,000.00	1.93%
13. Omega Engineers, Inc.	Engineering Support	\$89,360.00	0.40%
14. Precision Land Surveying, Inc.	Surveying	\$50,000.00	0.23%
15. Teran Group, LLC	Surveying	\$72,318.00	0.33%
16. Texas American Engineering, LLC	Engineering Support	\$231,441.17	1.05%
17. TTL Corp, DBA TTL Corp	Engineering Support	\$56,509.50	0.26%
18. RPM Architects, Inc., DBA Environments & Co	Engineering Support	\$25,000.00	0.11%
19. HVJ Associates, Inc.	Geotechnical Investigations	\$30,000.00	0.14%
20. Landtech Consultants, Inc.	Surveying	\$131,703.75	0.60%
21. Sandoval Engineers & Surveyors, Inc.	Surveying	\$50,000.00	0.23%
22. The Murillo Company	Geotechnical & Environmental Investigations	\$90,000.00	0.41%
23. SES Horizon Consulting Engineers, Inc.	Engineering Support	\$150,000.00	0.68%
24. Amani Engineering, Inc.	Surveying	\$50,000.00	0.23%
25. Other MWBE Firms	Various Services	\$95,000.00	0.43%
	TOTAL	\$5,303,689.51	24.03%

ACM

DWK:DRM:RK:HH:ACM:JP

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c: Velma Laws, Mike Pezeshki, P.E., Craig Foster
File S-000900-0002-3 (1.2)

TO: Mayor via City Secretary REQUEST FOR COUNCIL ACTION

SUBJECT: First Amendment to a Professional Landscape Architectural Contract between the City and Clark Condon Associates, Inc for the design of Museum District/ Main Street Corridor Improvement Project. WBS Number: N-000824-0002-3	Page 1 of 2	Agenda Item 32
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FROM (Department or other point of origin): Department of Public Works and Engineering	Origination Date	Agenda Date JAN 05 2011 JAN 05 2011
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DIRECTOR'S SIGNATURE  Daniel W. Krueger, P.E.	Council District affected: C & D 
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For additional information contact: Mark L. Loethen, P.E., CFM, PTOE Deputy Director, PW&E Phone: (713) 837-0724	Date and identification of prior authorizing Council action: Ordinance # 2009-0973, 10/14/2009; Ordinance # 2000-0777, 08/30/2000; Ordinance # 2002-0805, 8/28/2002 and Ordinance # 2003-0869, 09/17/2003.
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RECOMMENDATION: (Summary)
Approve an ordinance Amending Professional Landscape Architectural Services Contract and authorize the use of additional funds.

Amount and Source of Funding: \$35,846.84 – Grant Funds RCH 12-14-10
(Previous Appropriation of \$429,481.12 from Local Fund No. 5000. Federal Highway Administration (FHWA))

PROJECT NOTICE/JUSTIFICATION: This project will provide an enhanced pedestrian and transit supportive environment along the Main Street, vicinity of Rice University, Hermann Park areas and Museum District Venues.

DESCRIPTION/SCOPE: The project consists of planning and design right-of-way improvements along Main Street corridor from Holcombe Boulevard to Mecom Fountain; and Museum District areas.

LOCATION: The project area is generally bound by Binz Street on the North, Holcombe Boulevard on the South, Fannin Street on the East and Main Street on the West. It also includes the Museum District Area bound by Southmore on the North, Binz on the South, Crawford on the East and Montrose and Main Street on the West. The project is located in Key Map 532D, 532H, 493W & 533A.

PREVIOUS HISTORY AND SCOPE
The City Council approved the original contract by Ordinance No. 2009-0973 on October 14, 2009. The scope of the services under the original contract consisted of Planning & Design of Right-of-Way improvements along Main Street corridor and Museum District Areas. This amendment to the original contract will provide additional surveying and engineering services for new design elements proposed within the project limits, and incorporate general grant provision required by FHWA. The project is currently under Phase II design development and construction documents stage.

REQUIRED AUTHORIZATION CUIC ID# 20MLL59

Finance Department:	Other Authorization:	Other Authorization:  Mark L. Loethen, P.E., CFM, PTOE Deputy Director, Planning and Development Services Division.
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SUBJECT: First Amendment to a Professional Landscape Architectural Contract between the City and Clark Condon Associates, Inc for the design of Museum District/ Main Street Corridor Improvement Project. WBS Number:N-000824-0002-3

Originator's Initials

Page 2 of 2

SCOPE OF THIS ADDITIONAL SERVICE AND FEE

The requested additional funds will accomplish Phase II Design Development & Construction Document Services. \$20,108.00 is budgeted as Basic Services Fee computed on a lump sum basis; and Additional Service includes Surveying which is proposed to be paid on a reimbursable basis. The Additional Services Fee under this scope is \$15,738.84.

The proposed Basic Services will provide full engineering services for a raised intersection design proposed at Main Street and University Blvd Intersection. This service includes roadway and drainage improvement design to accommodate the proposed raised intersection. During the Schematic Design process, raised intersection design was proposed as pedestrian safety enhancement concept for Main Street Corridor and Museum District Areas. The City and Main Street Coalition supported the design concept to be a part of this project as a pilot intersection design for future improvements. The original scope of the basic services provided only planning and design of block front improvements between the curb line and Public Right-of-Way and it didn't include roadway improvements. The cost of this basic service is \$20,108.00.

The proposed additional surveying services will provide topographic surveying services for 6 intersections along the Main Street Corridor from Holcombe Boulevard to Cambridge Street including Dryden & Fannin. The final Schematic Design identified design elements and improvement areas based on the priorities of the Main Street Coalition and the \$3.5 Million construction budget allocated for this project. The proposed design elements and improvement areas determined the more accurate scope of surveying services to the project. An equivalent of 20 block faces of the original budget covered surveying services along Main St corridor from Sunset to Calumet St, Fannin and San Jacinto from Binz to Prospect, and Binz Corridor from Main to La Branch St. The original scope of the surveying services was budgeted for up to 20 block faces of surveying service with in the project limit. The cost of this additional service is \$15,738.84.

The total additional amount requested for this project is \$35,846.84 which is \$20,108.00 for Basic Services and \$15,738.84 for Additional Services.

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

FEDERAL GRANT FUND REQUIREMENTS: The original contract amount and this amendment must comply with general grant provisions of Grant Funding Agreements between the City and the Federal Highway Administration, passed by City Council Ordinance Nos. 2000-0777; 2002-0805, and 2003-0869.

MWBE/DBE INFORMATION: Originally, this contract had 24% MWBE goal. The original contract amount approved by Ordinance 2009-0973 totals \$ 429,481.12. The consultant has been paid \$94,980.82 (22.16%) to date. Of this amount \$ 5,612.00(1.31%) has been paid to MWBE firms. However, this contract will now be federally funded, and must comply with TXDOT DBE program guidelines. The amended contract will have a 15% DBE goal. Assuming approval of the requested amount, the contract amount will increase to \$465,327.96. The consultant has proposed the following utilization plan to achieve the DBE goal.

<u>Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Total Contract</u>
1. Prior MWBE/DBE Work		\$5,612.00	1.21%
2. Landtech Consultants, Inc	Surveying	\$50,573.00	10.87%
3. ESPA Corp.	Civil	\$100,388.00	21.57%
4. HVJ Associates, Inc	Geotech/Environmental	\$11,500.00	2.47%
5. Tan Associates	Structural Engineering	\$5,000.00	1.07%
		\$173,073.00	37.19%

DWK:MLL:MM

c: Marty Stein
Velma Laws
Susan Bandy
Craig Foster

File: WBS No. N-000824-0002 (RCA-1.2)

SUBJECT: Contract Award for Reconstruction of Buffalo Speedway from North Braeswood Boulevard to Holcombe Boulevard. WBS Nos. N-000847-0001-4, S-00500-0093-4 and R-00500-0093-4	Page 1 of 2	Agenda Item # 33
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FROM (Department or other point of origin): Department of Public Works and Engineering	Origination Date	Agenda Date JAN 05 2011
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DIRECTOR'S SIGNATURE: Daniel W. Krueger, P.E.	Council District affected: <div style="text-align: center; margin-top: 20px;"> JK </div>	NA C
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For additional information contact: Ravi Kaleyatodi, P.E., CPM Phone: (832) 395-2326 Senior Assistant Director	Date and identification of prior authorizing Council action: <div style="text-align: right; margin-top: 10px;"> 12/3/10 </div>
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RECOMMENDATION: (Summary)
 Reject low bid, return bid bond, award construction contract to second low bidder and appropriate funds

Amount and Source of Funding:
 Total of \$5,127,000.00 to be appropriated as follows:
 \$4,555,876.00 from the Metro Projects Construction Fund No. 4040
 \$571,124.00 from the Water and Sewer System Consolidated Construction Fund No. 8500 M.P. 12/3/2010

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

DESCRIPTION/SCOPE: This project consists of the construction of 3,600 feet of dual 24 foot-wide concrete roadways with raised medians, curbs, sidewalks, street lights, replacement of the bridge over Poor Farm Ditch and necessary underground utilities for Buffalo Speedway from North Braeswood boulevard to Holcombe boulevard.

The contract duration for this project is 489 calendar days. This project was designed by Nathelyne A. Kennedy & Associates.

LOCATION: This project is located in southwest Houston and bounded by Holcombe to the north and Braeswood on the south. The project is located in Key Map Grids 532F & 532K.

BIDS: Bids were received on March 11, 2010. The eight (8) bids are as follows:

<u>Bidder</u>	<u>Bid Amount</u>
1. Metro City Construction, L.P.	\$4,136,467.98 (Non-Responsible)
2. SER Construction Partners, LTD.	\$4,199,888.93
3. Pace Services, L.P.	\$4,227,531.11
4. Conrad Construction Co., LTD.	\$4,369,827.04
5. Texas Sterling Construction Co	\$4,373,419.50
6. Reytec Construction Resources, Inc.	\$4,396,454.40
7. Triple B Services, L.L.P.	\$4,674,400.60
8. Total Contracting Limited	\$5,315,141.21

REQUIRED AUTHORIZATION CUIC ID #20AZA08A NDT

Finance Department:	Other Authorization: Jun Chang, P.E., D. WRE, Deputy Director Public Utilities Division	Other Authorization: Daniel R. Menendez, P.E., Deputy Director Engineering and Construction Division
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#33 Revised P9.2
AA

JAN 05 2011

AWARD: The City Attorney's office has rendered a legal opinion that the City may reject a bid if the bidder is determined to be non-responsible. PWE reviewed the performance of the apparent low bidder, Metro City Construction, L.P., and determined that Metro City is a non-responsible bidder. Therefore, it is recommended that this construction contract be awarded to SER Construction Partners, LTD. with a low bid of \$4,199,888.93 and that Addenda number 1 be made a part of this contract.

PROJECT COST: The total cost of this project is \$5,127,000.00 to be appropriated as follows:

- Bid Amount \$4,199,888.93
- Contingencies \$ 210,000.00
- Engineering and Testing Services \$ 180,000.00
- CIP Cost Recovery \$ 537,111.07

Engineering and Testing Services will be provided by Raba-Kistner Consultants, Inc. under a previously approved contract.

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

M/W/SBE PARTICIPATION: The low bidder has submitted the following proposed program to satisfy the 7 % MBE goal and 10% SBE goal for this project.

<u>MBE - Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
1. F. S .Garza Trucking	Trucking	\$150,000.00	3.57%
2. Access Data Supply, Inc.	Cement Stabilized Sand	\$150,000.00	3.57%
3. PRV Services	Utility Services	<u>\$100,000.00</u>	<u>2.38%</u>
TOTAL		\$400,000.00	9.52%

<u>SBE - Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
1. Reliable Signal & Lighting Solutions, LLC.	Traffic Signals	\$400,000.00	9.52%
2. Technical Assurance	Bonding & Insurance Services	<u>\$30,406.00</u>	<u>0.72%</u>
TOTAL		\$430,406.00	10.24%

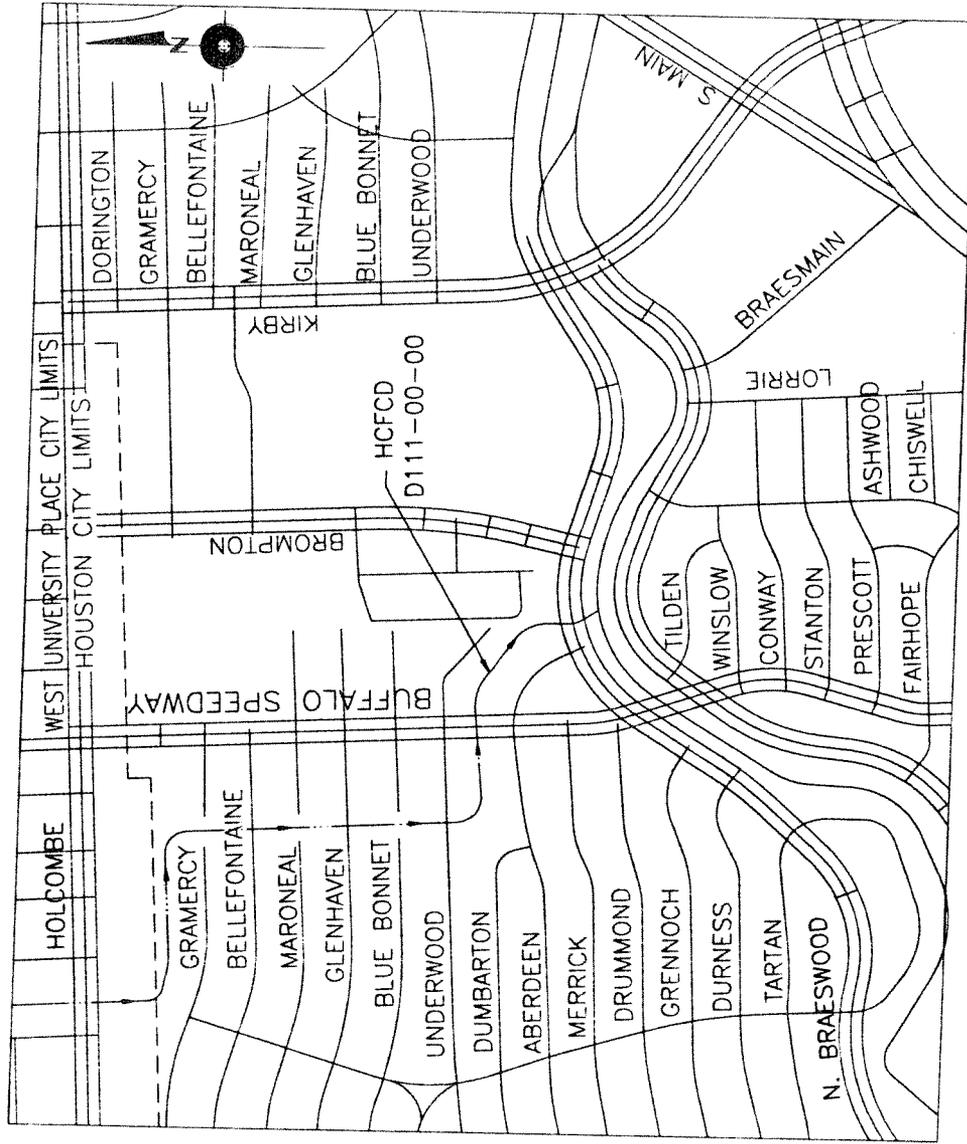
All known rights-of-way, easements and/or right-of-entry required for the project have been acquired.

JK AA
DWK:DRM:RK:JHK:AA

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ec: Velma Laws
Mike Pezeshki, P.E.
Craig Foster
WBS No. N-000847-0001-4 (3.7 Construction RCA)

RECONSTRUCTION OF BUFFALO SPEEDWAY
 FROM NORTH BRAESWOOD BLVD TO HOLCOMBE BLVD
 WBS NO. N-000847-0001-4



VICINITY MAP

KEY MAP 532F,K
 GIMS MAP #5254B & #5255D
 NTS
 DISTRICT C

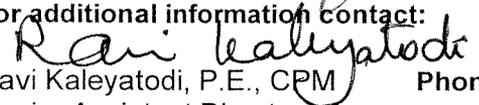
TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Contract Award for American Recovery and Reinvestment Act (ARRA) - Local Rehabilitation Projects STP 2010 (675)ES, Etc. WBS No. N-001037-0057-4, TxDOT CCSJ 0912-70-022	Page 1 of 2	Agenda Item # 34
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FROM: (Department or other point of origin): Department of Public Works and Engineering	Origination Date:	Agenda Date: JAN 05 2010
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DIRECTOR'S SIGNATURE:  Daniel W. Krueger, P.E.	Council District affected: A, B, C, D, F, G, H, I 
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For additional information contact:  12/9/10 Ravi Kaleyatodi, P.E., CPM Phone: (832) 395-2326 Senior Assistant Director	Date and identification of prior authorizing Council action: Ordinance No. 2010-0070; Date: 01/27/2010 Ordinance No. 2010-0853; Date: 11/03/2010
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RECOMMENDATION: (Summary)
Accept low bid, award construction Contract and appropriate funds. *M.P. 12/16/2010*

Amount and Source of Funding: \$5,369,074.96 from the American Recovery and Reinvestment Act (ARRA) Fund 5300 and \$1,052,022.04 from Street and Bridge Consolidated Construction Fund No. 4506 for a total cost of \$6,421,097.00.

PROJECT NOTICE/JUSTIFICATION: This project is part of the City Wide Overlay Program and is required to improve and maintain a safe road surface and accessibility.

PREVIOUS HISTORY: On January 27, 2010, Ordinance No. 2010-0070 approved the appropriation of \$385,000.00 and the Advanced Funding Agreement between the City of Houston and Texas Department of Transportation for the Local Rehabilitation Contingency Projects under the American Recovery and Reinvestment Act. On November 3, 2010, Ordinance No. 2010-0853 approved a first amendment to the Advance Funding Agreement between the City of Houston and Texas Department of Transportation under the American Recovery and Reinvestment Act.

DESCRIPTION/SCOPE: This project consists of the construction of base repair of flexible and rigid pavements, construction of approximately 3.5 inches of hot mix asphaltic concrete pavement, panel replacement, curb repair, striping, and curb ramps. The Contract duration for this project is 365 calendar days. This project was designed in-house by the Engineering Branch staff.

LOCATION: The streets included in the ARRA - Local Rehabilitation Projects are listed below

Street	Limits	Key Map Grid	District
Antoine	US 290 to IH 10	451L, P, T, X; 491B	A, H
Liberty	Lockwood to Waco Street / Altoona	494C, B	B
Aldine Westfield	Beltway 8 to Little York Road	373V, Z; 413D, H, M, R, V	B
Weslayan	San Felipe to US 59	492N, S, W	C, G
West Dallas	Shepherd to Montrose Boulevard	492R; 493N	D
Beechnut	Beltway 8 to US 59	529R, M; 530J, K	F
Harwin	Beltway 8 to US 59	529D; 530A, B, C, D; 531A	F, G
Shepherd/Durham	Memorial Drive to IH 10	492M, H	G, H
Yale	IH 610 to IH 10	452R, V, Z; 492D, H	H
Navigation	Lockwood Drive to 77th	494P, Q, V; 495S, W	H, I
Broadway	Power Street to IH 610	535F, K	I

BIDS: Bids were received on March 18, 2010. The three (3) bids are as follows:

Bidder	Bid Amount
1. Angel Brothers Enterprises, Ltd.	\$5,392,258.10
2. Durwood Greene Construction Co.	\$6,798,356.15
3. Forde Construction Company, Inc.	\$6,972,189.00

REQUIRED AUTHORIZATION **CUIC ID #20RA11** **NDT**

Finance Department	Other Authorization:	Other Authorization:  Daniel R. Menendez, P.E., Deputy Director Engineering and Construction Division
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Date	Subject: Contract Award for American Recovery and Reinvestment Act (ARRA) - Local Rehabilitation Projects STP 2010 (675)ES, Etc. WBS No. N-001037-0057-4, TxDOT CCSJ 0912-70-022	Originator's Initials <i>RA</i>	Page 2 of 2
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AWARD: It is recommended that this construction Contract be awarded to Angel Brothers Enterprises, Ltd. with a low bid of \$5,392,258.10 and that Addendum Number 1 be made a part of this Contract.

PROJECT COST: The total cost of this project is \$6,421,097.00 to be appropriated as follows:

•	Bid Amount	\$ 5,392,258.10
•	Contingencies	\$ 269,612.90
•	Engineering and Testing Services	\$ 220,000.00
•	CIP Cost Recovery: Design	\$ 161,768.00
•	CIP Cost Recovery: Construction	\$ 377,458.00

Engineering and Testing Services will be provided by Tolunay-Wong Engineers, Inc. under a previously approved contract.

This project (purchase) uses funds awarded under the Recovery and Reinvestment Act of 2009 (ARRA). The City of Houston and the recommended contractor (vendor) will adhere to and comply with the Special reporting requirements associated with ARRA grant expenditures as required by the granting agency and/or the Office of Management and Budget.

DBE PARTICIPATION:

The low bidder has submitted the following proposed program to satisfy the DBE goal for this project of 18%.

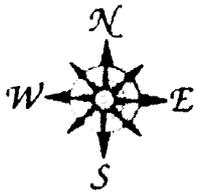
<u>Name of Firm</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
1. R & A Transport, Inc.	Asphaltic Concrete Material	\$485,100.00	9.0%
2. Rosales R Trucking	Hauling by Dump Truck	\$114,840.00	2.1%
3. J M T Enterprises, Inc.	Hauling by Dump Truck	\$198,237.50	3.7%
4. Professional Traffic Control	Pavement Marking / Traffic Control	\$160,533.50	3.0%
5. Contractors Source, Inc.	Geotextile Fabric	\$ 12,000.00	0.2%
TOTAL		\$970,711.00	18.0%

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

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DWK:DRM:RK:MS:MW:RA

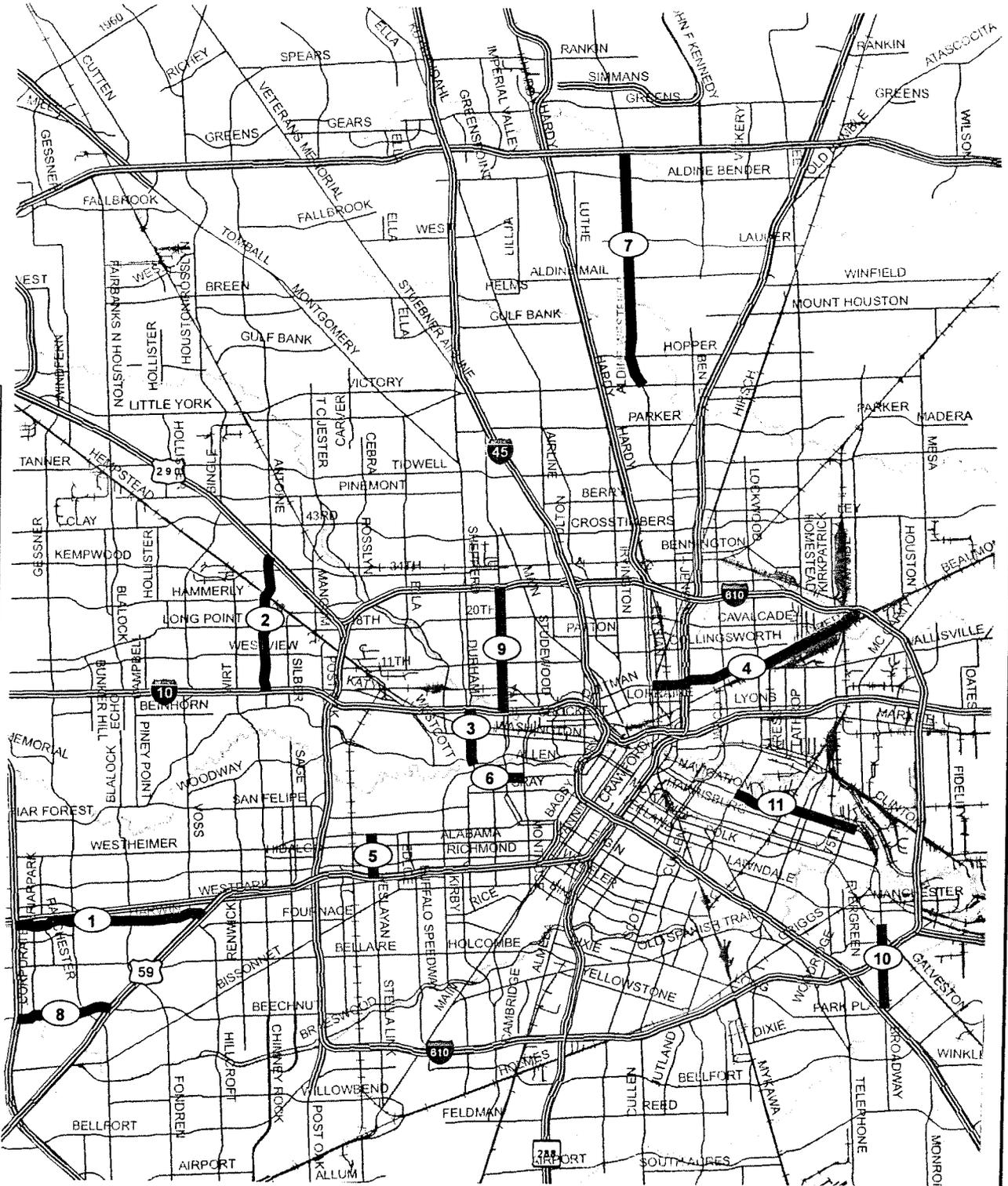
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ec: Velma Laws
Mike Pezeshki, P.E.
File 3.7



KEY:

No.	Street Name
1	Harwin
2	Antoine
3	Shepherd/ Durham
4	Liberty
5	Weslayan
6	W. Dallas
7	Aldine Westfield
8	Beechnut
10	Broadway
11	Navigation



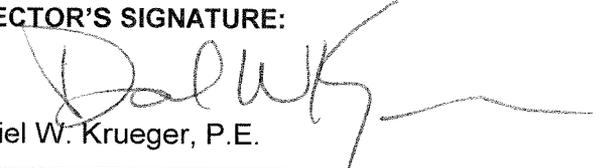
PROJECT LOCATION

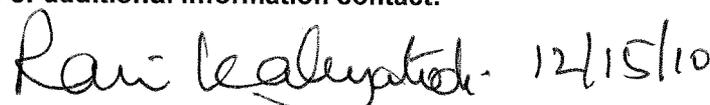
AMERICAN RECOVERY AND REINVESTMENT ACT (ARRA) – LOCAL REHABILITATION PROJECTS STP 2010 (675)ES, ETC.

WBS NO. N-001037-0057-4

SUBJECT: Contract Award for Generic Citywide Asphalt Overlay Project: Clinton Drive Rehabilitation and Overlay; WBS No. N-001037-0058-4; CSJ 0912-70-020.	Page 1 of 2	Agenda Item # 35
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FROM: (Department or other point of origin): Department of Public Works and Engineering	Origination Date:	Agenda Date: JAN 05 2010
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DIRECTOR'S SIGNATURE:  Daniel W. Krueger, P.E.	Council District affected: E, I Rsm
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For additional information contact:  Ravi Kaleyatodi, P.E., CPM Phone: (832) 395-2326 Senior Assistant Director	Date and identification of prior authorizing Council action: Ordinance No. 2010-0043; Date: 01/20/2010 Ordinance No. 2010-0101; Date: 02/10/2010
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RECOMMENDATION: (Summary)
Accept low bid, award construction Contract and appropriate funds.

Amount and Source of Funding: \$2,900,406.00 from the American Recovery and Reinvestment Act (ARRA) Fund 5300 and \$497,394.00 from the Street and Bridge Consolidated Construction Fund 4506 for a total of \$3,397,800.00.
M.P. 12/15/2010

PROJECT NOTICE/JUSTIFICATION: This project is part of the City Wide Overlay Program and is required to improve and maintain a safe road surface and accessibility.

PREVIOUS HISTORY: On January 20, 2010 Ordinance No. 2010-0043 approved the Advanced Funding Agreement between the City of Houston and Texas Department of Transportation for the Clinton Drive roadway project and an appropriation of \$20,000.00 for TxDOT review, inspection, and oversight. On February 10, 2010 Ordinance No. 2010-0101 approved an Interlocal Agreement between the City of Houston and Harris County for the design and construction of Clinton Drive from the easterly city limits to Federal Road.

DESCRIPTION/SCOPE: This project consists of resurfacing, shoulder rehabilitation and reconstruction of Clinton Drive between Interstate 610 and Federal Road. It also includes signing, striping, wheelchair ramps, and landscaping work. The Contract duration for this project is 178 calendar days.

LOCATION: The project is located in Key Map Grids 495U, Y, Z and 496W, X, Y.

BIDS: Bids were received on June 17, 2010. The seven (7) bids are as follows:

Bidder	Bid Amount
1. Durwood Greene Construction Co.	\$2,926,376.20
2. Triple B Services, LLC	\$3,349,530.48

REQUIRED AUTHORIZATION CUIC ID#20RJM01

Finance Department	Other Authorization:	Other Authorization:  Daniel R. Menendez, P.E., Deputy Director Engineering and Construction Division
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Date	Subject: Contract Award for Generic Citywide Asphalt Overlay Project: Clinton Drive Rehabilitation and Overlay; WBS No. N-001037-0058-4; CSJ 0912-70-020	Originator's Initials <i>RJM</i>	Page 2 of 2
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<u>Bidder</u>	<u>Bid Amount</u>
3. ISI Contracting, Inc.	\$3,734,671.37
4. Reytec Construction Resources, Inc.	\$3,767,288.25
5. Total Contracting Limited	\$3,952,969.18
6. Angel Brothers Enterprises, LTD.	\$3,984,038.55
7. Resicom, Inc.	\$4,825,331.13

AWARD: It is recommended that this construction Contract be awarded to Durwood Greene Construction Co. with a low bid of \$2,926,376.20 and that Addenda Numbers 1, 2 and 3 and Rider Number 1 be made a part of this Contract.

PROJECT COST: The total cost of this project is \$3,397,800.00 to be appropriated as follows:

•	Bid Amount	\$2,926,376.20
•	Contingencies	\$146,318.80
•	Engineering and Testing Services	\$110,000.00
•	CIP Cost Recovery	\$215,105.00

Engineering and Testing Services will be provided by Paradigm Consultants, Inc. under a previously approved contract. Engineering and Construction Division will manage the construction for the project.

This project (purchase) uses funds awarded under the Recovery and Reinvestment Act of 2009 (ARRA). The City of Houston and the recommended contractor (vendor) will adhere to and comply with the Special reporting requirements associated with ARRA grant expenditures as required by the granting agency and/or the Office of Management and Budget.

DBE PARTICIPATION: The low bidder has submitted the following proposed program to satisfy the 18% DBE goal for this project.

<u>DBE - Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
1. R & A Transport, Inc.	Asphalt Supplier	\$386,610.00	13.21%
2. LandPRO, Inc.	Landscaping and Irrigation	\$111,347.26	3.81%
3. Erosion Control, Inc.	Seeding and Sodding	\$ 7,102.50	0.24%
4. JMHP, Inc.	Metal Beam Guard Fence	\$ 23,937.00	0.82%
TOTAL		\$ 528,996.76	18.08%

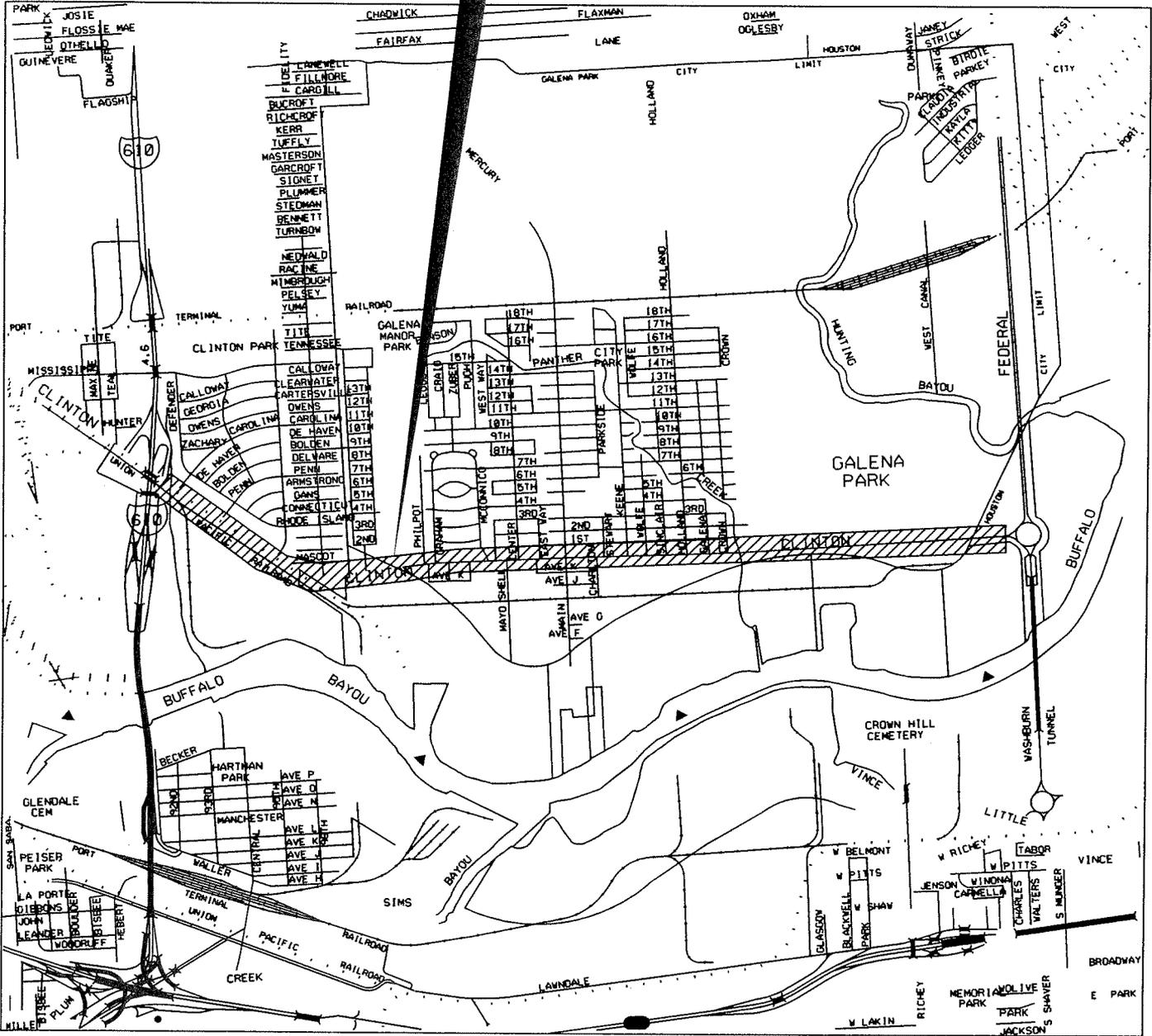
All known right-of-way, easements and/or right-of-entry required for the project have been acquired.

RJM MS RJM
DWK:DRM:RK:MS:RJM

Z:\E&C Construction\North Sector\PROJECT FOLDER\N-001037-0058-4 Clinton Drive\Post-Bid\Clinton - RCA (Updated).docx

ec: Velma Laws
Mike Pezeshki, P.E.
File 3.7

PROJECT SITE



VICINITY MAP

HARRIS COUNTY KEY MAP: 495U, 495Y, 495Z, 496W, 496X, 496Y

GIMS MAP: 5656b

SUBJECT: Contract Award for American Recovery and Reinvestment Act (ARRA) - Local Rehabilitation Projects STP 2010 (861)ES & STP 2010 (862)ES, Etc. WBS No. N-001037-0059-4 TxDOT CCSJ 0912-70-036

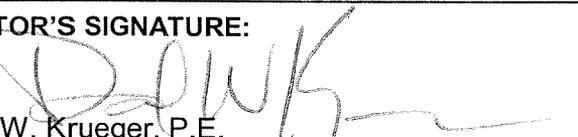
Page
1 of 2

Agenda Item #
36

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

Origination Date:

Agenda Date:
JAN 05 2010

DIRECTOR'S SIGNATURE:

Daniel W. Krueger, P.E.

Council District affected:
F, H 

For additional information contact:
Ravi Kaleyatodi 12/10/10
Ravi Kaleyatodi, P.E., CPM Phone: (832) 395-2326
Senior Assistant Director

Date and identification of prior authorizing Council action:
Ordinance No. 2010-0297, Date: 04/21/2010

RECOMMENDATION: (Summary)
Accept low bid, award construction Contract and appropriate funds.

Amount and Source of Funding: \$487,828.00 from the American Recovery and Reinvestment Act (ARRA) Fund No. 5300 and \$624,789 from Street and Bridge Consolidated Construction Fund No. 4506 for a total cost of \$1,112,617.00. *M.P. 12/20/2010*

PROJECT NOTICE/JUSTIFICATION: This project is part of the City Wide Overlay Program and is required to improve and maintain a safe road surface and accessibility.

PREVIOUS HISTORY: On April 21, 2010, Ordinance No. 2010-0297 approved the appropriation of \$30,000.00 and the Advanced Funding Agreement between the City of Houston and Texas Department of Transportation for the Local Rehabilitation Contingency Projects under the American Recovery and Reinvestment Act.

DESCRIPTION/SCOPE: This project consists of the construction of base repair of flexible and rigid pavements, construction of approximately 3.5 inches of hot mix asphaltic concrete pavement, panel replacement, curb repair, striping, and curb ramps. The Contract duration for this project is 90 calendar days. This project was designed in-house by the Engineering Branch staff.

LOCATION: The streets included in the ARRA - Local Rehabilitation Projects are listed below:

Street	Limits	Key Map Grid	District
Gessner	Bellaire to US 59	530E, J, P	F
Jensen	IH 610 to Union Pacific Railroad Crossing	454N, S	H

BIDS: Bids were received on June 30, 2010. The three (3) bids are as follows:

Bidder	Bid Amount
1. Forde Construction Company, Inc.	\$ 928,362.50
2. Durwood Greene Construction Co.	\$ 938,750.00
3. Resicom, Inc.	\$1,306,552.25

REQUIRED AUTHORIZATION CUIC #20RA14 *MDT*

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

Subject: Contract Award for American Recovery and Reinvestment Act (ARRA) - Local Rehabilitation Projects STP 2010 (861)ES & STP 2010 (862)ES, Etc.
WBS No. N-001037-0059-4 TxDOT CCSJ 0912-70-036

Originator's Initials
RA

Page 2 of 2

AWARD: It is recommended that this construction Contract be awarded to Forde Construction Company, Inc. with a low bid of \$928,362.50 and that Addenda Numbers 1 and 2 be made a part of this Contract.

PROJECT COST: The total cost of this project is \$1,112,617.00 to be appropriated as follows:

- Bid Amount \$928,362.50
- Contingencies \$ 46,418.50
- Engineering and Testing Services \$ 45,000.00
- CIP Cost Recovery: Design \$ 27,851.00
- CIP Cost Recovery: Construction \$ 64,985.00

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

This project (purchase) uses funds awarded under the Recovery and Reinvestment Act of 2009 (ARRA). The City of Houston and the recommended contractor (vendor) will adhere to and comply with the Special reporting requirements associated with ARRA grant expenditures as required by the granting agency and/or the Office of Management and Budget.

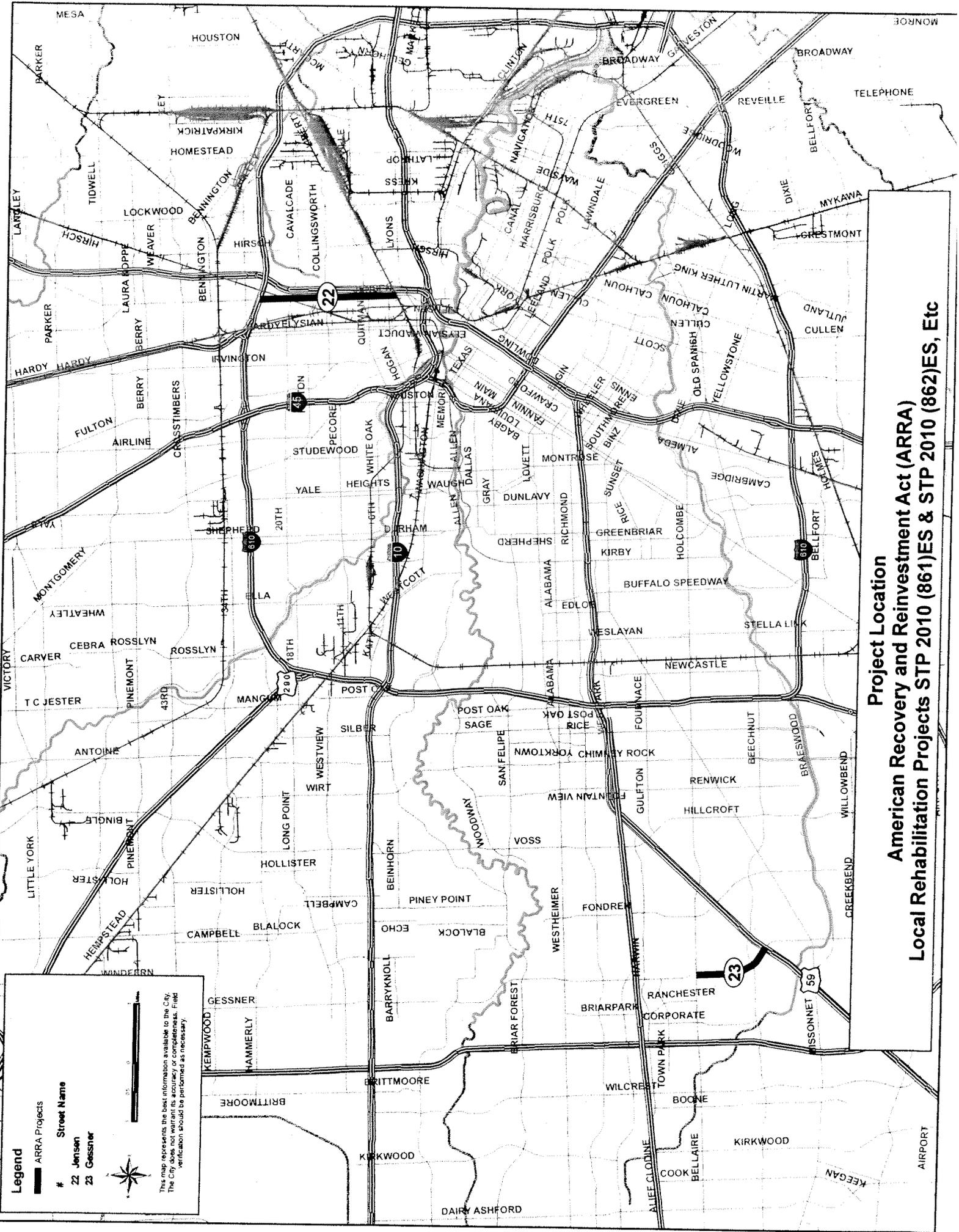
DBE PARTICIPATION: The low bidder has submitted the following proposed program to satisfy the DBE goal of 18% for this project.

<u>Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
R & A Transport, Inc.	Liquid Asphalt Supplier	\$146,060.00	15.73%
Professional Traffic Control	Traffic Handling and Striping	\$ 62,942.50	6.78%
TOTAL		\$209,002.50	22.51%

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

RA
DWK:DRM:RK:MS:MW:RA
Z:\design\A-NP-DIV\Overlay\ARRA2 N-001037-0059-4\Postbid\RCA0059.doc

ec: Velma Laws
Mike Pezeshki, P.E.



Legend

- ARRA Projects
- # Street Name
- 22 Jensen
- 23 Gessner



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

Project Location
American Recovery and Reinvestment Act (ARRA)
Local Rehabilitation Projects STP 2010 (861)ES & STP 2010 (862)ES, Etc

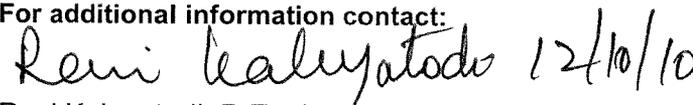
TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Contract Award for American Recovery and Reinvestment Act (ARRA) - Local Rehabilitation Projects STP 2011 (212)ES WBS No. N-001037-0060-4, TxDOT CCSJ 0912-70-038	Page 1 of 2	Agenda Item # 37
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FROM: (Department or other point of origin): Department of Public Works and Engineering	Origination Date:	Agenda Date: JAN 05 2011
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DIRECTOR'S SIGNATURE:  Daniel W. Krueger, P.E.	Council District affected: B, G, H, I 
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For additional information contact:  Ravi Kaleyatodi, P.E., CPM Phone: (832) 395-2326 Senior Assistant Director	Date and identification of prior authorizing Council action: Ordinance No. 2010-0417; Date: 06/02/2010
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RECOMMENDATION: (Summary)
Accept low bid, award construction Contract and appropriate funds.

Amount and Source of Funding: \$2,515,511.89 from the American Recovery and Reinvestment Act (ARRA) Fund No. 5300 and \$519,474.61 from Street and Bridge Consolidated Construction Fund No. 4506 for a total cost of \$3,034,986.50. *M.P. 12/13/2010*

PROJECT NOTICE/JUSTIFICATION: This project is part of the City Wide Overlay Program and is required to improve and maintain a safe road surface and accessibility.

PREVIOUS HISTORY: On June 02, 2010, Ordinance No. 2010-0417 approved the appropriation of \$30,000.00 and the Advanced Funding Agreement between the City of Houston and Texas Department of Transportation.

DESCRIPTION/SCOPE: This project consists of the construction of base repair of flexible and rigid pavements, construction of approximately 3.5 inches of hot mix asphaltic concrete pavement, panel replacement, curb repair, striping, and curb ramps. The Contract duration for this project is 150 calendar days. This project was designed in-house by the Engineering Branch staff.

LOCATION: The streets included in the ARRA - Local Rehabilitation Projects are listed below

Street	Limits	Key Map Grid	District
Lockwood	IH 610 to Clinton Drive	454U, Y; 494C, G, L	B, H, I
Washington Avenue	Westcott Street to IH-45	492G, H; 493E, K, L	G, H

BIDS: Bids were received on August 19, 2010. The two (2) bids are as follows:

Bidder	Bid Amount
1. Angel Brothers Enterprises, Ltd.	\$2,526,075.50
2. Durwood Greene Construction Co.	\$2,589,970.00

REQUIRED AUTHORIZATION **CUIC ID #20RA15** *NOT*

Finance Department	Other Authorization:	Other Authorization:  Daniel R. Menendez, P.E., Deputy Director Engineering and Construction Division
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Date	Subject: Contract Award for American Recovery and Reinvestment Act (ARRA) - Local Rehabilitation Projects STP 2011 (212)ES WBS No. N-001037-0060-4, TxDOT CCSJ 0912-70-038	Originator's Initials <i>RA</i>	Page 2 of 2
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AWARD: It is recommended that this construction Contract be awarded to Angel Brothers Enterprises, Ltd. with a low bid of \$2,526,075.50.

PROJECT COST: The total cost of this project is \$3,034,986.50 to be appropriated as follows:

- Bid Amount \$2,526,075.50
- Contingencies \$ 126,304.00
- Engineering and Testing Services \$ 130,000.00
- CIP Cost Recovery: Design \$ 75,782.00
- CIP Cost Recovery: Construction \$ 176,825.00

Engineering and Testing Services will be provided by Raba-Kristner Consultants, Inc. under a previously approved contract.

This project (purchase) uses funds awarded under the Recovery and Reinvestment Act of 2009 (ARRA). The City of Houston and the recommended contractor (vendor) will adhere to and comply with the Special reporting requirements associated with ARRA grant expenditures as required by the granting agency and/or the Office of Management and Budget.

DBE PARTICIPATION: The low bidder has submitted the following proposed program to satisfy the DBE goal of 18% for this project.

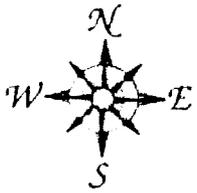
<u>Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
J M T Enterprises, Inc.	Dump Truck, Hauling	\$131,335.00	5.20%
R & A Transport, Inc.	Liquid Asphalt Supplier	\$227,250.00	9.00%
Rosales R Trucking	Dump Truck Services	\$ 96,120.00	3.81%
TOTAL		\$454,705.00	18.01%

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

[Handwritten Signature]
DWK:DRM:RK:MS:MW:RA

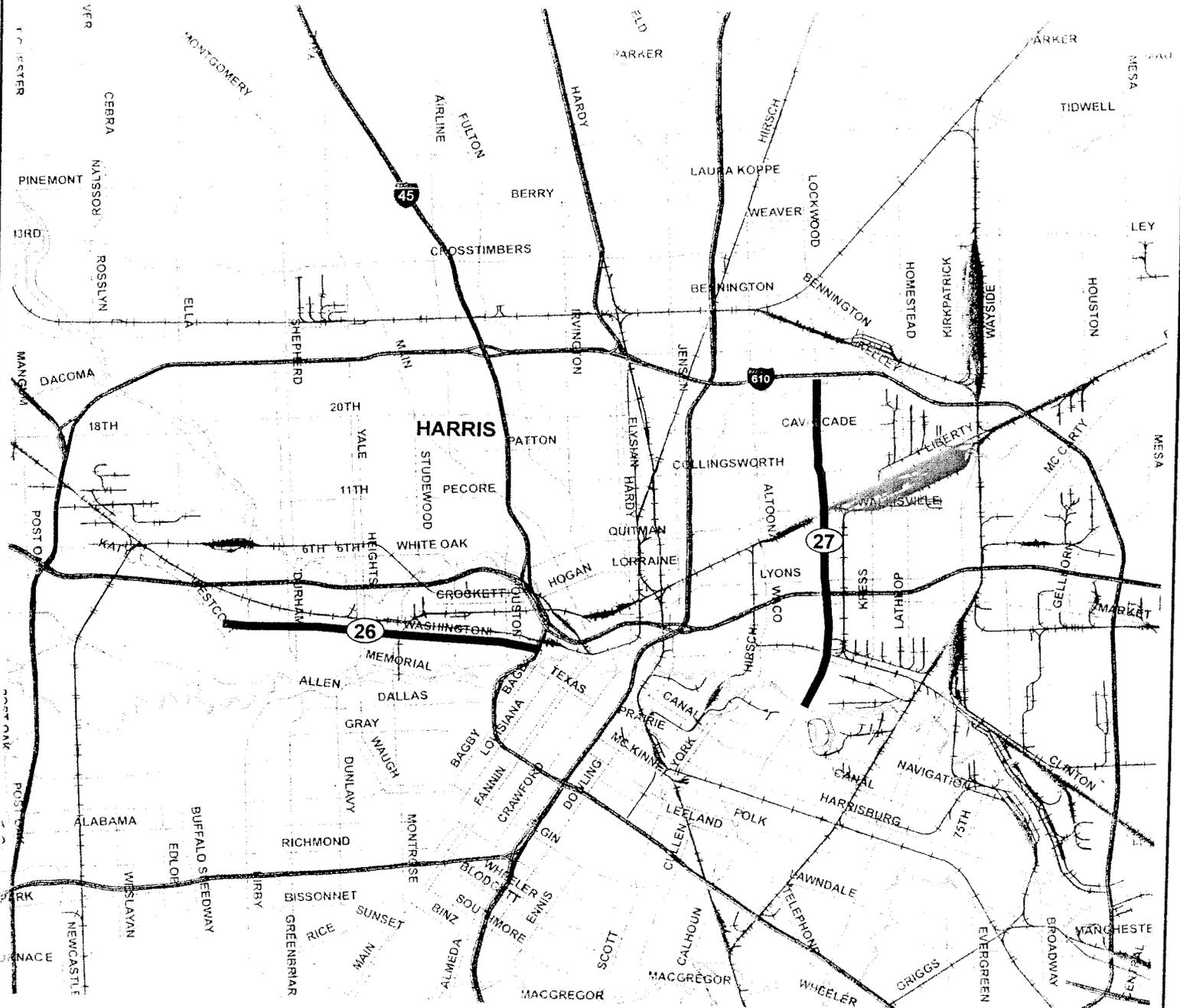
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ec: Velma Laws
Mike Pezeshki, P.E.
File 3.7



KEY:

No.	Street Name
26	Washington Ave.
27	Lockwood



PROJECT LOCATION

AMERICAN RECOVERY AND REINVESTMENT ACT (ARRA) – LOCAL REHABILITATION PROJECTS STP 2011 (212)ES

WBS NO. N-001037-0060-4

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Contract Award for Rehabilitation of Existing Water Wells WBS No. S-000200-0018-4.	Page 1 of 2	Agenda Item # 38
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FROM: (Department or other point of origin): Department of Public Works and Engineering	Origination Date:	Agenda Date: JAN 05 2011
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DIRECTOR'S SIGNATURE:  Daniel W. Krueger, P.E., Director	Council District affected: A, C, D, F, G 
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For additional information contact:  Ravi Kaleyatodi, P.E., CPM Phone: (832) 395-2326 Senior Assistant Director	Date and identification of prior authorizing Council action:
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RECOMMENDATION: (Summary)
Accept low bid, award construction contract and appropriate funds.

Amount and Source of Funding:
\$2,391,000.00 Water and Sewer System Consolidated Construction Fund No. 8500. *M.P. 12/9/2010*

PROJECT NOTICE/JUSTIFICATION: This project is part of the City's program to upgrade and rehabilitate ground water production facilities. It will meet the area's water demands and also ensure compliance with the Texas Commission on Environmental Quality regulations.

DESCRIPTION/SCOPE: This project consists of providing construction services associated with the rehabilitation program for existing water wells in the City of Houston. The contract duration for this project is 410 calendar days. This project was designed by LBG-Guyton Associates.

LOCATION: The project area is located throughout the City.

BIDS: Bids were received on October 14, 2010. The three (3) bids are as follows:

<u>Bidder</u>	<u>Bid Amount</u>
1. Alsay Incorporated	\$2,066,064.00
2. Layne Christensen Company	\$2,140,484.00
3. Weisinger Incorporated	\$2,598,310.00

REQUIRED AUTHORIZATION		CUIC ID# 20RS90
Finance Department	Other Authorization:  Jun Chang, P.E., D.WRE Deputy Director Public Utilities Division	Other Authorization:  Daniel R. Menendez, P.E., Deputy Director Engineering and Construction Division

AWARD: It is recommended that this construction contract be awarded to Alsay Incorporated with a low bid of \$2,066,064.00 and that Addendum Number 1 be made a part of this contract.

PROJECT COST: The total cost of this project is \$2,391,000.00 to be appropriated as follows:

- Bid Amount \$2,066,064.00
- Contingencies \$103,303.20
- Engineering and Testing Services \$10,000.00
- CIP Cost Recovery \$62,377.80
- Construction Management \$149,255.00

Engineering and Testing Services will be provided by QC Laboratories, Inc. under a previously approved contract.

Construction Management Services will be provided by LBG-Guyton Associates under a previously approved contract.

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

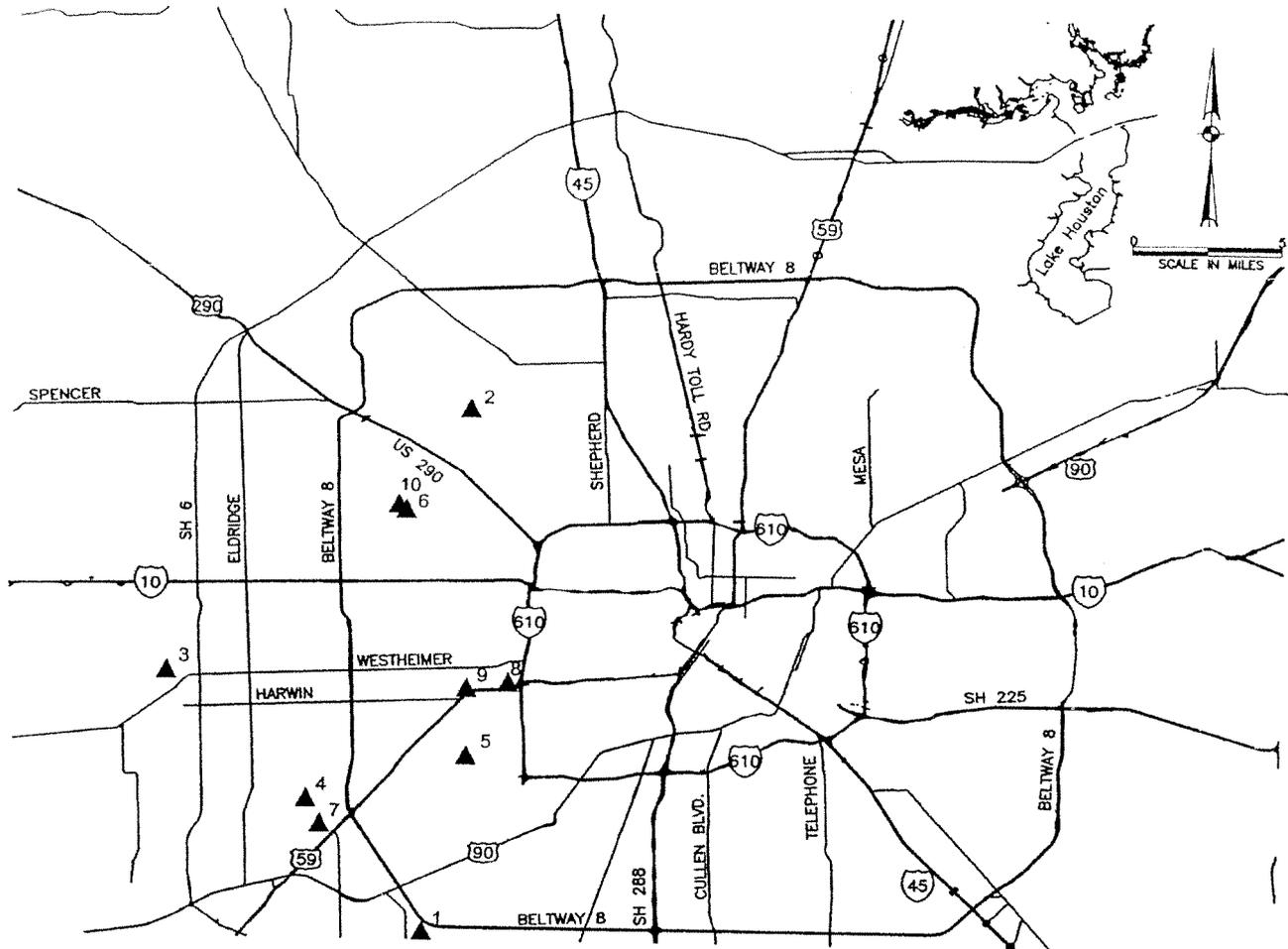
MBE/SBE PARTICIPATION: The low bidder has submitted the following proposed program to satisfy the 8% MBE goal and 3% SBE goal for this project.

<u>MBE - Name of Firm</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
Escalante Construction, Inc.	Concrete and Piping Construction	\$165,286.00	8.0%
TOTAL		\$165,286.00	8.0%
<u>SBE - Name of Firm</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
Energy Electric Supply, Inc.	Electrical and Pump Equipment	\$61,982.00	3.0%
TOTAL		\$61,982.00	3.0%

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

DWK:DRM:RK:HH:SD:RS:j
Z:\design\A-WS-DIV\WPDATA\RSIS-0200-18-3\Post bid\RCA

- c:** Velma Laws
Mike Pezeshki, P.E.
Craig Foster
File No. S-000200-0018-4(3.7)



▲ PROJECT SITE

INDEX OF WELLS

W#	WELL NAME	ADDRESS	KEY MAP	COUNCIL DISTRICT	COUNCIL MEMBER
1	RIDGEMONT WELL 2	5230 CASTLE CREEK	571Y	D	WANDA ADAMS
2	WHITE OAK WELL 1	9702 DEANWOOD TRAIL	410R	A	TONI LAWRENCE
3	WEST HOUSTON WELL 1	15306 WESTHEIMER	487Z	G	PAM HOLM
4	DISTRICT 123 WELL 1	10003 S. KIRKWOOD	529S	F	M. J. KHAN
5	SHARPSTOWN WELL 3	6910 BINTLIFF	530H	F	M. J. KHAN
6	SPRING BRANCH WELL 2	9420 EMNORA	450Q	A	TONI LAWRENCE
7	PARK GLEN WELL 1	10923 STANCLIFF	529X	F	M. J. KHAN
8	SOUTHWEST WELL 1	5210 WESTPARK	491Y	C	ANNE CLUTTERBUCK
9	SOUTHWEST WELL 5	6302 WESTPARK	491W	C	ANNE CLUTTERBUCK
10	SPRING BRANCH WELL 1	9400 KEMPWOOD	450L	A	TONI LAWRENCE

LOCATION MAP
 REHABILITATION OF EXISTING WATER WELLS FY 2011
 WBS NO. S-000200-0018-3

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

SUBJECT: Contract Award for 12-inch Sanitary Sewer Along Bastrop Street. W.B.S. No. R-002011-0076-4.	Page 1 of 2	Agenda Item # 39
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FROM: (Department or other point of origin): Department of Public Works and Engineering	Origination Date: 12/9/10	Agenda Date: JAN 05 2011
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DIRECTOR'S SIGNATURE:  Daniel W. Krueger, P.E.	Council District affected: 1 RCM
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For additional information contact:  11/23/10 Ravi Kaleyatodi, P.E., CPM Phone: (832) 395-2326 Senior Assistant Director	Date and identification of prior authorizing Council action:
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RECOMMENDATION: (Summary)
Accept low bid, award construction Contract and appropriate funds.

Amount and Source of Funding: \$170,500.00 from the Reimbursement of Equipment/Projects Fund No. 1850.

PROJECT NOTICE/JUSTIFICATION: This project is part of the City on going program to provide the construction of extensions of wastewater lines to meet the capacity needed in various City neighborhoods. The project is in support of East Downtown Economic Development (CIP No.: D-000129).

DESCRIPTION/SCOPE: This project consists of construction by auger method of approximately 417 feet of 12-inch sanitary sewer extension along Bastrop Street from McKinney to Walker. The Contract duration for this project is 100 calendar days. This project was designed by Sander Engineering Corporation.

LOCATION: The project area is along the Bastrop Street, bound by Walker on the east and McKinney on the west. The project is located in Key Map Grid 493-R.

BIDS: Bids were received on July 1, 2010. The four (4) bids are as follows:

Bidder	Bid Amount
1. Reliance Construction Services, L.P.	\$146,207.45
2. Desert Eagle, LLC. dba Panorama	\$198,398.25
3. Metro City Construction, L.P.	\$268,367.50
4. Jerdon Enterprise, L.P.	\$315,859.00

REQUIRED AUTHORIZATION **CUIC ID #20RCM05**

Finance Department	Other Authorization:  Jun Chang, P.E., D.WRE, Deputy Director Public Utilities Division	Other Authorization:  Daniel R. Menendez, P.E., Deputy Director Engineering and Construction Division
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Date	Subject: Contract Award for 12-inch Sanitary Sewer Along Bastrop Street. W.B.S. No. R-002011-0076-4.	Originator's Initials	Page 2 of 2
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AWARD: It is recommended that this construction Contract be awarded to Reliance Construction Services, L.P with a low bid of \$146,207.45 and that no Addendum be made a part of this Contract.

PROJECT COST: The total cost of this project is \$170,500.00 to be appropriated as follows:

- Bid Amount \$146,207.45
- Contingencies \$ 7,310.37
- Engineering and Testing Services \$ 5,000.00
- CIP Cost Recovery \$ 11,982.18

Engineering and Testing Services will be provided by All-Terra Materials Testing, Inc. under a previously approved contract.

This extension is needed to serve future facilities on Bastrop as well as to serve the proposed soccer stadium. This area of the City is largely served by the original sanitary collection system installed for small businesses and single-family homes. As new projects are built incremental improvements in the collection system will be implemented as proposed in the action. The funds will be temporarily drawn from Fund 1850 and that fund will be reimbursed by TIRZ 15 once the property tax increment increases are received by TIRZ 15.

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 for some employees but will pay into the Contractor Responsibility Fund for others, in compliance with the City policy.

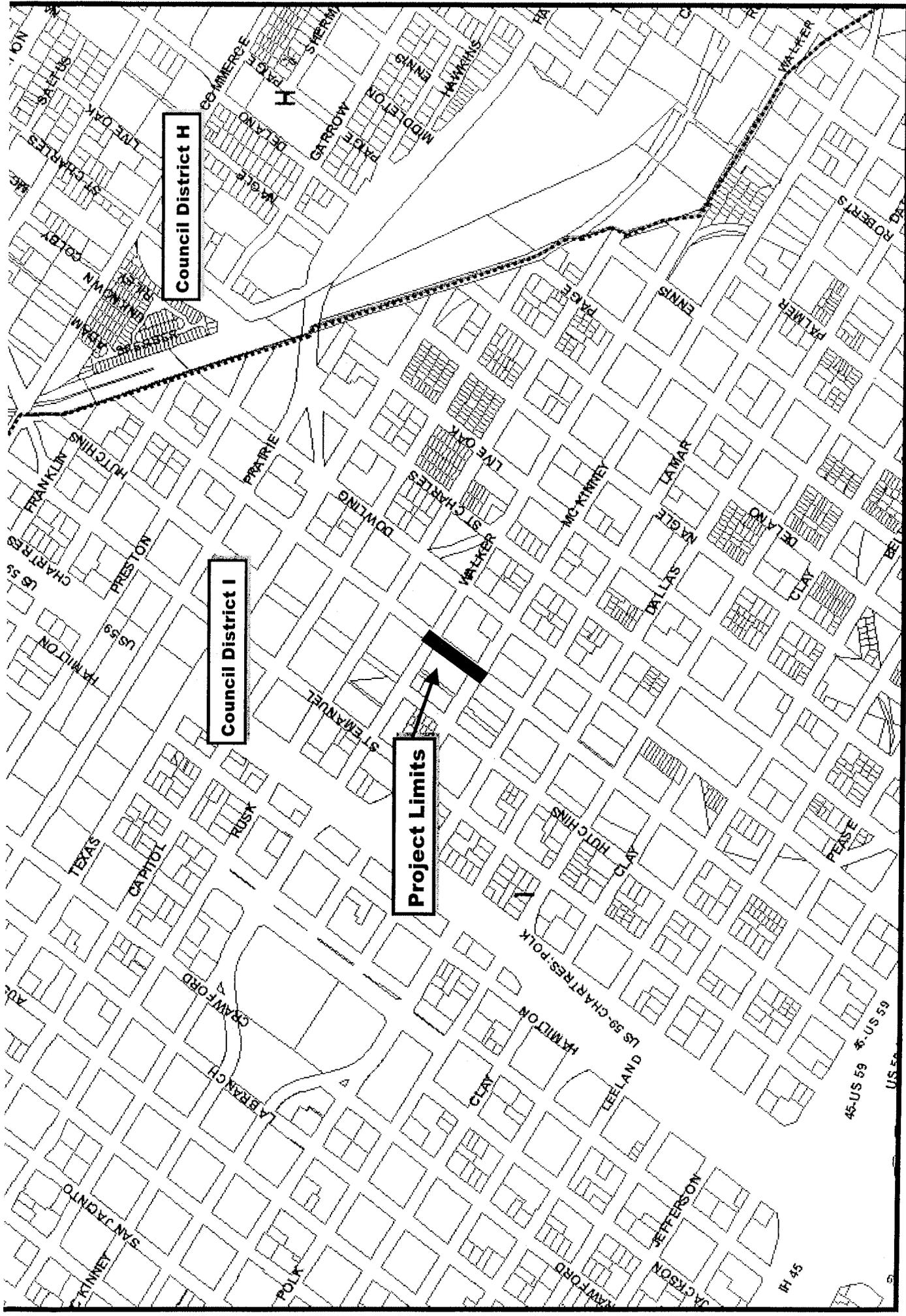
M/WBE PARTICIPATION: No M/WBE goal has been established for this project.

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



DWK:DRM:RK:EN:IMR:RCM:pa

- c: Velma Laws
Mike Pezeshki, P.E.
File: R-002011-0076-4 (3.7)



WBS No. R-002011-0076-4 12-Inch Sanitary Sewer Along Bastrop (from McKinney to Walker)
Key Map no. 493-R
Council District I

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# 40
FROM: (Department or other point of origin): Alfred J. Moran, Director Administration & Regulatory Affairs		Origination Date 12/22/10	Agenda Date JAN 05 2011
DIRECTOR'S SIGNATURE: 		Council Districts affected: ALL	
For additional information contact: Juan Olguin 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:

- General Site Services, 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:

41

JAN 05 2011

MOTION NO. 2010 0902

MOTION by Council Member Costello that an item be placed on the Agenda of January 5, 2011, to receive nominations for Positions Four and Six of the Ethics Committee, for two year terms expiring December 31, 2012.

Seconded by Council Member Gonzalez and carried.

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

Council Member Adams absent due to being ill

Council Member Noriega absent on personal business

PASSED AND ADOPTED this 22nd day of December, 2010.

Pursuant to Article VI, Section 6 of the City Charter, the
effective date of the foregoing motion is December 28, 2010.

City Secretary



CITY OF HOUSTON

Office of the Mayor

Interoffice

Correspondence

To: Anna Russell
City Secretary

From: Jenn Char Director
Boards and Commissions *JL*

Date: December 16, 2010

Subject: **Ethics Committee
Nominations** *2010-9-12*

REVISED

NON-CONSENT AGENDA

MISCELLANEOUS

Motion to set a date not less than seven (7) days from December 22, 2010, to receive nominations for appointments or reappointments to Positions Four and Six on the Ethics Committee for two-year terms expiring 12/31/2012:

Position 4	Dr. Franklin D. Jones	Nominated by Council Member Johnson
Position 6	Nomaan K. Husain	Nominated by Council Member Khan

JC:jsk

cc: Marty Stein



SUBJECT: Purchase of Land Mobile Radio Wireless Telecommunication Services and Hardware from the State of Texas Procurement and Support Services Contract for the Public Works & Engineering Department	Page 1 of 2	Agenda Item # <div style="border: 1px solid black; padding: 5px; display: inline-block;"> 42 #6 </div>
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From: (Department or other point of origin): Public Works and Engineering Department	Origination Date 12/16/10	Agenda Date JAN 05 2011 DEC 22 2010
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Director's Signature:  Daniel W. Krueger, P.E.	Council District affected: (Council District Letter Only) ALL
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For additional information contact: Ogilvie Gericke Phone: (832) 395-2004 David Guernsey Phone: (832) 395-3640	Date and identification of prior authorizing Council action:
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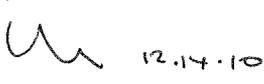
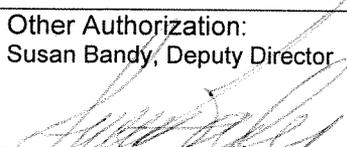
Recommendation: (Summary)
 Approve the purchase of Land Mobile Radio Wireless Telecommunication Services and Hardware in the total amount of \$7,332,469.00 from the State of Texas Procurement and Support Services Contract for the Public Works & Engineering Department.
 Award Amount: \$7,332,469.00

- \$436,771.00 Water & Sewer System Operating Fund 8300 *dy 12/19/10*
- \$93,669.00 Storm Water Utility Fund 2302 *dy 12/14/10*
- \$157,476.00 Building Inspection Fund 2301 *dy 12/14/10*
- \$35,238.00 CIP Cost Recovery Fund 1001 *dy 12/14/10*
- \$126,418.00 General Fund 1000 *dy 12/14/10*
- \$849,572.00 FY 11

SPECIFIC EXPLANATION:
 The Director of Public Works & Engineering Department recommends that City Council approve the purchase of Land Mobile Radio Wireless Telecommunication Services and Hardware in the total amount of \$7,332,468.00, from the State of Texas Procurement and Support Services Contract through the State of Texas Cooperative Purchasing Program, and that authorization be given to issue purchase orders as needed to the State contractor, Sprint Solutions Inc. The telecommunications services and hardware will be utilized by field personnel for non-emergency day-to-day operations.

The current PWE radio system is comprised of Motorola 800 MHz voice radios and most PWE field workers are using these radios for activities of a routine nature. In addition, PWE field workers also use devices such as cellular phones, blackberries, GPS tracking and digital cameras to accomplish their daily duties. The required updating of the Motorola radio systems presented an opportunity for PWE to study the department's telecommunication requirements. Our findings resulted in the recommendation to move routine (non-emergency) field communications from the City's 800 MHz system to Sprint's Land Mobile Radio (LMR) solution. These devices have multiple uses, including cellular phone, e-mail, push-to-talk, cameras, and GPS locator. Because the devices combine these functionalities, PWE will have increased effectiveness and efficiency while reducing operational

REQUIRED AUTHORIZATION **CUIC ID 20JBR08**

Finance Department	Other Authorization: Ogilvie Gericke, CTO 	Other Authorization: Susan Bandy, Deputy Director 
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SUBJECT: Purchase of Land Mobile Radio Services and Hardware Agreement from the State of Texas Procurement and Support Services Contract for the Public Works & Engineering Department

Originator's Initials
JR

Page
2 of 2
20JBR08

cost. Furthermore it will not adversely impact City-wide communications and will free up space on the Motorola radio system for first responders. PWE will retain a smaller number of radios for emergency operations, and use interoperable Sprint devices to communicate with Motorola system users.

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

MDBE Subcontracting

Sprint Solutions Inc. will utilize the following Certified WBE:

<u>Name</u>	<u>Type of Work</u>	<u>Dollar Amount</u>	<u>Percentage</u>
Premier Paging, Inc. DBA Premier Wireless	Sprint Certified Business Dealer	\$439,948.00	6%

Pay or Play Program:

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

Out Year Funding

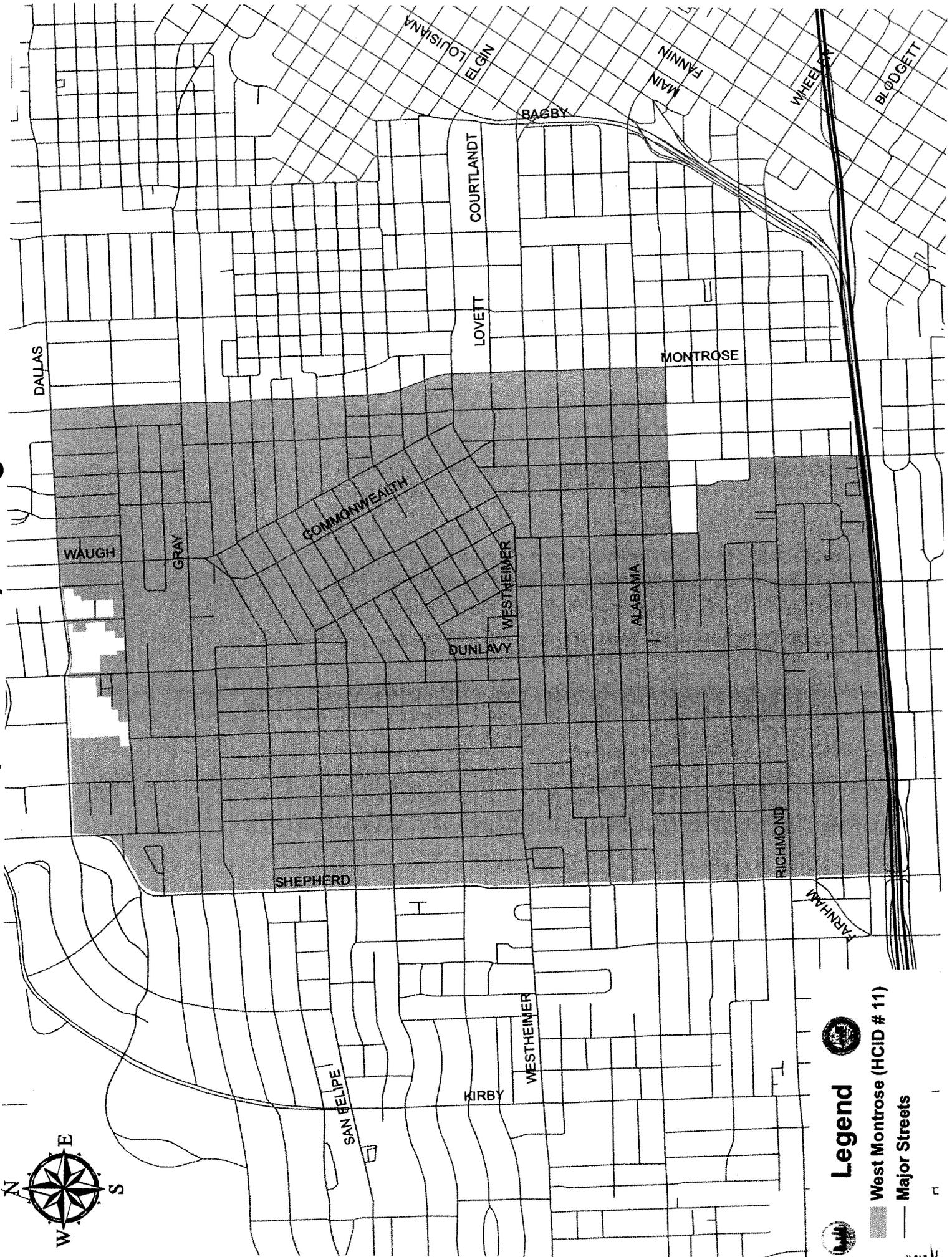
PWE	FY 12	FY 13	FY 14	FY 15	Total
	\$1,181,139.00	\$1,526,784.00	\$1,755,802.00	\$2,019,172.00	\$7,332,469.00

PR 10117525

SUBJECT: Ordinance consenting to the creation of Harris County Improvement District No. 11		Category #	Page 1 of 1	Agenda Item 43 27
FROM (Department or other point of origin): Planning and Development		Origination Date December 15, 2010		Agenda Date DEC 22 2010 JAN 05 2011
DIRECTOR'S SIGNATURE: <i>Martine K. Sapich</i>		Council District affected: D		
For additional information contact: Nicole B. Smothers Phone: 713-837-7856		Date and identification of prior authorizing Council action:		
RECOMMENDATION: (Summary) Approval of an ordinance consenting to the creation of Harris County Improvement District No. 11				
Amount and Source of Funding:			Finance Budget:	
SPECIFIC EXPLANATION: <p>Improvement districts are special districts created by the Texas legislature. Generally, these districts are empowered to promote, develop, encourage and maintain employment, commerce, transportation, water and sewerage improvements, housing, tourism, recreation, arts, entertainment, economic development, safety and public welfare. Typically, management districts are given the power to finance their operations by issuing bonds or other obligations, payable in whole or in part from ad valorem taxes, assessments, impact fees or other funds of the District to provide improvements and services. Further, districts may levy a tax only after holding an election within the district.</p> <p>A management district is intended to supplement, not supplant, existing public services. Creation of these districts does not release Harris County or the City of Houston from its obligations to provide services to the areas; nor does it require additional services from the City. The City assumes no liability for the debts, obligations or liabilities of the district.</p> <p>Harris County Improvement District No. 11 (District No. 11): Authorized by the 81st Legislature in 2009, this District is located entirely in District D. The District's Board of Directors has submitted a Resolution requesting consent to the creation of the District. Following city consent to the creation of District No. 11, the District's Board of Directors will begin improvement projects that support development, transit improvements, landscaping and median improvements and parks and recreational facilities.</p> <p>Harris County Improvement District No. 11 represents a new trend in Management Districts in that its state-authorized powers are expanded to include activities usually reserved for Municipal Utility Districts (MUDs). This hybrid District therefore requires consent conditions that address the broader range of operations, ensuring that the City's interests are maintained as the District builds and operates its facilities. The consent conditions are included in Exhibit B of the Ordinance and are based on the standard City consent conditions for Management Districts in the City.</p> <p>The Planning and Development Department recommends City Council consent to the creation of Harris County Improvement District No. 11.</p> <p>CC: Marty Stein, Agenda Director Michelle Mitchell, Director, Finance Department Daniel Krueger, Director, PWE</p> <p>Deborah McAbee, Sr. Assistant City Attorney David Feldman, City Attorney Anna Russell, City Secretary</p>				
REQUIRED AUTHORIZATION				
Finance Director:	Other Authorization:	Other Authorization:		

DCA

West Montrose (HCID # 11) Management District



Legend

West Montrose (HCID # 11)

Major Streets

Date: 11/18/2010	Subject: Approve an Ordinance Awarding a Contract to the Best Value Respondent for Jail Food Services for the Houston Police Department S11-L23691	Originator's Initials GK	Page 2 of 2
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M/WBE Subcontractor:

This Best Value Bid was issued as a goal-oriented contract with a 12% M/WBE participation level. ARAMARK Correctional Services, LLC has designated the below named company as its certified M/WBE subcontractor:

Subcontract Name	Type of Services	Total Amount	Percentage
PD Morrison Enterprises, Inc.	Paper supplies and utensils	\$395,525.28	12%

This award will be monitored by the Affirmative Action Division.

Pay or Play Program

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

Buyer: Gloria Jordan-King

Estimated Spending Authority

Department	FY11	Out Years	Total Amount
Houston Police	\$660,000.00	\$2,636,043.99	\$3,296,043.99

REQUEST FOR COUNCIL ACTION

2

TO: Mayor via City Secretary

RCA# 8429

Subject: Approve an Ordinance Awarding a Contract to the Best Respondent for Vehicle Tracking System, Software and Maintenance Services for Various Departments
S33-T23189

Category #
1 & 4

Page 1 of 2 Agenda Item

45	42
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FROM (Department or other point of origin):
Calvin D. Wells
City Purchasing Agent
Administration & Regulatory Affairs Department

Origination Date
October 14, 2010

Agenda Date
JAN 05 2011
~~DEC 23 2010~~

DIRECTOR'S SIGNATURE
Calvin D. Wells

Council District(s) affected
All

For additional information contact:
David Guernsey Phone: (832) 395-3640
Douglas Moore Phone: (832) 393-8724

Date and Identification of prior authorizing Council Action:

RECOMMENDATION: (Summary)
Approve an ordinance awarding a contract to Radio Satellite Integrators, Inc., in an amount not to exceed \$1,380,181.80 for vehicle tracking system, software and maintenance services for various departments.

Maximum Contract Amount: \$1,380,181.80

Finance Budget

\$ 1,380,181.80 - General Fund (1000)

\$ 1,380,181.80 - Total

SPECIFIC EXPLANATION:

The City Purchasing Agent recommends that City Council approve an ordinance awarding a three-year contract, with two one-year options to Radio Satellite Integrators, Inc. in an amount not to exceed \$1,380,181.80 for vehicle tracking system, software and maintenance services for various departments. The City Purchasing Agent may terminate this contract at any time upon 30-days written notice to the contractor.

The scope of work requires the contractor to provide all personnel, management, supervision, labor, equipment and incidentals necessary to implement and install a leased vehicle tracking system. The system will be utilized to track vehicles for the following City departments: Houston Fire Department (HFD), Parks & Recreation (PR), Public Works & Engineering (PWE) and the Solid Waste Management Departments. This WEB-based digital mapping application will allow the tracking of approximately 380 City vehicles via wireless and/or GPS tracking technology. Additionally, the contractor is required to maintain the vehicle tracking system and equipment. Furthermore, the contractor will provide training to designated City department personnel on the usage of the system and equipment.

The greatest user of this contract will be Solid Waste Department. SWD makes extensive use of this tracking system to not only know where a vehicle is, but also when and how many times a vehicle activates its automatic lifting arm and when a vehicle backs up. This type of system has allowed SWD to more efficiently deploy its fleet across the City. All of the departments listed make good use of the system for the purpose of theft prevention of vehicles such as heavy duty mowers.

The Request for Proposal (RFP) was advertised in accordance with the requirements of the State of Texas bid laws. Eighty-five prospective bidders downloaded the solicitation document from SPD's e-bidding website and as a result, proposals were received from Advance Tracking, Inc., Asset Works, AT&T Mobility, Dell Corporation, GPS Fleet Solutions, Mateco Truck Equipment, Navtrak, Precision Task Group, Radio Satellite

REQUIRED AUTHORIZATION

NOT

Finance Department:

Other Authorization:

Other Authorization:

Date: 10/14/2010	Subject: Approve an Ordinance Awarding a Contract to the Best Respondent for Vehicle Tracking System, Software and Maintenance Services for Various Departments S33-T23189	Originator's Initials CJ	Page 2 of 2
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Integrators, Inc., Sprint, Teletrac and Trimble Mobile. The evaluation committee consisted of seven evaluators. The proposals were evaluated based upon the following criteria:

- Solution best suited for City of Houston requirements
- Vendor experience
- Vendor adherence to scope of work
- Cost
- M/WBE Participation

Radio Satellite Integrators, Inc. was determined the best respondent.

M/WBE Subcontractor:

This RFP was issued as a goal-oriented contract with an 11% M/WBE participation level. Radio Satellite Integrators, Inc. has designated the below-named company as its certified M/WBE subcontractor.

Subcontractor	Type of Work	Percent	Amount
Shipcom Wireless, Inc.	Installation and Maintenance	11%	\$151,819.99

The Affirmative Action Division will monitor this contract.

Pay or Play Program:

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

Buyer: Conley Jackson

Estimated Spending Authority

Department	FY11	Out Years	Total Amount
Houston Fire Department	\$3,535.00	\$18,946.00	\$22,481.00
Parks & Recreation	\$27,042.00	\$194,458.00	\$221,500.00
Public Works & Engineering	\$1,254.40	\$7,526.40	\$8,780.80
Solid Waste Management Department	\$170,456.00	\$956,964.00	\$1,127,420.00
Total	\$202,287.40	\$1,177,894.40	\$1,380,181.80

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: An Ordinance that amends contract #460009871 between the City of Houston and Klotz Associates, Inc. and appropriates additional funds for the development of the Stormwater Evaluation Enhancement Tool (SWEET). M-000220-0005-3

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1 of 2

Agenda Item
#

4644

FROM (Department or other point of origin):

Department of Public Works and Engineering

Origination Date

12/16/10

Agenda Date

~~DEC 21 2010~~

DIRECTOR'S SIGNATURE:

[Signature]
Daniel W. Krueger, P.E., Director

Council District affected:

JAN 05 2011

ALL 38
for Carol

For additional information contact:

Carol E. Haddock, P.E. Senior Assistant Director (713) 837-7658

Richard J. Chapin, Senior Project Manager (713) 837-0421

Date and identification of prior authorizing Council action:

Ord. 2009-0947; 10/7/09

RECOMMENDATION: It is recommended that City Council adopt an Ordinance that amends contract between the City of Houston and Klotz Associates, Inc. and appropriates additional funds for further development of the Stormwater Evaluation Enhancement Tool (SWEET).

[Signature] 12/19/2010

Amount and Source of Funding: \$948,569 from Drainage Improvement Commercial Paper Series F, Fund No. 4030
Original (previous) appropriation of \$419,272 from Drainage Improvement Commercial Paper Series F, Fund No. 4030

BACKGROUND: The Stormwater Evaluation Enhancement Tool (SWEET) is a Geographic Information System (GIS)-based computer tool developed for Public Works & Engineering (PWE) to identify and prioritize areas within the City that have drainage and flooding issues. The first phase of the project, which includes the design and development of the SWEET, has been completed. The SWEET evaluates drainage requirements by assessing seven primary categories of need: 1) drainage effectiveness, 2) damage costs from structural flooding, 3) impacts to emergency response and critical infrastructure, 4) impacts to traffic mobility, 5) impacts to the community, 6) impacts to environmental and historical resources, and 7) barriers to economic development. The output from the SWEET will identify and organize drainage areas for completion of Extended Feasibility Studies which will lead to specific scopes of work for stormwater projects to be programmed in the Five-Year Capital Improvement Plan (CIP).

DESCRIPTION/SCOPE: The next phase of the SWEET project continues and builds upon the efforts developed in Phase 1.

As authorized by specific work orders the consultant will further enhance the SWEET and further develop methodologies to prioritize drainage needs; develop areas for Extended Feasibility Studies (EFS) and categorize and rank proposed stormwater projects for programming in each year's update to the five-year CIP. Enhancements to the SWEET include: further adapting Comprehensive Drainage Plan (CDP) data and maps into current layers and databases in the SWEET to maximize CDP results; expand evaluations of CDP within SWEET for other stormwater solutions (sheet flow, detention, buyouts, etc.); develop cost data and methodology to perform Benefit-Cost Evaluations resulting from EFS efforts; develop a methodology and enhance capability to prioritize EFS projects; and optimize stormwater projects by combination of adjacent drainage areas with similar needs/priorities.

Additional assignments to include assistance to PWE with a variety of stormwater related services, as required and assigned. These services may include support to City of Houston staff with training related to use of SWEET; integration of other identified asset needs such as pavement condition, traffic volumes into the SWEET; and technical assistance to review data collection methodologies for other potential inputs into the SWEET;

REQUIRED AUTHORIZATION

CUIC ID# 20CAE110

NOT

Other Authorization:

Authorization:

[Signature]
Mark L. Loether, P.E., CFM, PTOE
Acting Deputy Director
Planning & Development Services Division

Other Authorization:

SUBJECT: An Ordinance that amends contract #460009871 between the City of Houston and Klotz Associates, Inc. and appropriates additional funds for the development of the Stormwater Evaluation Enhancement Tool (SWEET). M-000220-0005-3

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

M/WBE INFORMATION: The M/WBE goal for the project is set at 24%. The original contract appropriations total was \$419,272. The consultant has been paid \$256,874.90 (61.26%) to date. Of this amount, \$84,996.00 (20.27%) has been paid to M/WBE sub consultants to date. Assuming approval of the requested additional appropriation, the contract amount will be increased to \$1,367,841.00 and the consultant has updated the following program to achieve this goal.

	M/WBE Firm	Work Description	Amount	% of Total Contract
1	ISANI Consultants, Inc.	Construction Management & Engineering Services	\$164,140.92	12%
2	KIT Professionals, Inc.	Full Service Engineering Consulting And Information Technologies Solutions Provider	\$164,140.92	12%
		Total	\$328,281.84	24.0%

DWK:MLL:CEH:RJC

P:\PLANNING BRANCH\STORMWATER EVALUATION ENHANCMENT TOOL\IRCA - KLOTZ CONTRACT PHASE 2.DOCX

C: Marty Stein
Howard Hilliard,
Alvin Wright,

See Agenda
Back up for
Item 39 for
December 15, 2010
Meeting



MOTION NO. 2010 0905

MOTION by Council Member Pennington that the following item be postponed to January 5, 2011:

Item 55 - Review on the record and make determination relative to the appeal from the decision of the Electrical Board, filed on behalf of Patrick Hebert regarding the revocation of his State of Texas master electrician registration and Charles Hebert regarding the revocation of his State of Texas contractor's registration with the State of Texas as Heights Electrical Services, Inc

Seconded by Council Member Jones and carried.

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

Council Member Adams absent due to being ill

Council Member Noriega absent on personal business

PASSED AND ADOPTED this 22nd day of December 2010.

Pursuant to Article VI, Section 6 of the City Charter, the effective date of the foregoing motion is December 28, 2010.

City Secretary



CITY OF HOUSTON

Legal Department

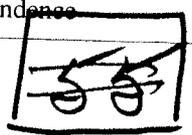
Interoffice

Correspondence

See Agenda BACK up
for Item 39 for
December 15, 2010
MEETING

39

DEC 15 2010



DEC 27 2010

To: Anna Russell
City Secretary

From: Mary Frances Clark
Assistant City Attorney

Date: November 24, 2010

Subject: Mr. Larry Vick's Request to Appeal to City Council from the decision of the Electrical Board revoking the contractor's registration of Heights Electric Services and revoking the master electrician registration of Mr. Patrick Hebert

You have requested advice as to whether Mr. Larry Vick, the attorney for Heights Electric Services, Inc., has timely filed and therefore may be granted an appeal to the City Council of the Electrical Board's ("Board") decision regarding the revocation of Heights Electric Services' contractor's registration and the revocation of Mr. Patrick Hebert's master electrician's registration.

Mr. Charles Hebert and Mr. Patrick Hebert appeared before the Board on November 2, 2010, to respond to an alleged violation of Section 204 of the City of Houston Electrical Code, "Failure to Correct Work." The Board revoked the contractor's and master electrician's licenses and provided Mr. Charles Hebert and Mr. Patrick Hebert with revocation letters on November 4, 2010.

Section 203.7 of the City of Houston Electrical Code provides, "Any interested person aggrieved and affected by a decision of the Board may appeal to the City Council by delivering a written notice of appeal to the City Secretary within 10 calendar days from the date of deposit of the decision of the Board in the mail." Mr. Vick's notice of appeal was received by the City on November 12, 2010, which is within 10 calendar days from the date of the revocation of Heights Electric Services' contractor's registration and the revocation of Mr. Patrick Hebert's master electrician's registration. Accordingly, Mr. Vick's appeal to City Council is timely and may be granted.

If you have any questions concerning this memorandum, please let me know.