

AGENDA - COUNCIL MEETING - TUESDAY - JULY 19, 2011 - 1:30 P. M.
COUNCIL CHAMBER - SECOND FLOOR - CITY HALL
901 BAGBY - HOUSTON, TEXAS

PRAYER AND PLEDGE OF ALLEGIANCE - Council Member Gonzalez

1:30 P. M. - ROLL CALL

ADOPT MINUTES OF PREVIOUS MEETING

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

5:00 P. M. - RECESS

RECONVENE

WEDNESDAY - JULY 20, 2011 - 9:00 A. M.

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

MAYOR'S REPORT

CONSENT AGENDA NUMBERS 1 through 32

MISCELLANEOUS - NUMBERS 1 and 2

1. RECOMMENDATION from Director Finance Department for approval of FY2012 Budgets submitted by the **HOUSTON ARTS ALLIANCE, THE HOUSTON MUSEUM DISTRICT ASSOCIATION, MILLER THEATRE ADVISORY BOARD, INC,** and **THEATER DISTRICT IMPROVEMENT, INC** for the support, advancement and promotion of the Arts
2. RECOMMENDATION from Director Finance Department for approval of Supplemental Budgets submitted by the **HOUSTON ARTS ALLIANCE, MILLER THEATRE ADVISORY BOARD, INC, THE MUSEUM DISTRICT ASSOCIATION,** and the **THEATER DISTRICT IMPROVEMENT, INC** for the promotion of the Arts

AGENDA - JULY 20, 2011 - PAGE 2

ACCEPT WORK - NUMBERS 3 and 4

3. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$7,566,523.50 and acceptance of work on contract with **TRIPLE B SERVICES, L.L.P.** for Trinity Houston Gardens Drainage Improvements - 0.08% under the original contract amount - **DISTRICT B - JOHNSON**
4. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$3,825,027.79 and acceptance of work on contract with **METRO CITY CONSTRUCTION, L.P.** for Concrete Pavement Management and Improvement Program (Kashmere Project) - 3.05% over the original contract amount - **DISTRICT B - JOHNSON**

PROPERTY - NUMBER 5

5. RECOMMENDATION from Director General Services Department to authorize the sealed bid sale of Parcel SY11-110, the former HPD Property Room, located at 1300 Morin and to appoint Michael Urban and David Ambrose independent appraisers and Andrea Fahrenthold alternate appraiser to establish the value - **DISTRICT H - GONZALEZ**

PURCHASING AND TABULATION OF BIDS - NUMBERS 6 and 7

6. **HEWLETT PACKARD COMPANY** for Technology Hardware through the City's Master Agreement with the Texas Department of Information Resources for the Information Technology Department - \$720,668.67 - Equipment Acquisition Consolidated Fund
7. **S & S WORLDWIDE, INC** for Recreational, Educational and Miscellaneous Supplies for the Parks & Recreation Department - 5 Years - \$380,000.00 - General Fund

ORDINANCES - NUMBERS 8 through 32

8. ORDINANCE finding and determining that public convenience and necessity no longer require the continued of a sewer, pipe and conduit easement; vacating and abandoning said easement to John P. and Theresa A. Havens owners in consideration of their dedication of an alternate easement, all within Tract E, River Oaks Homewoods Addition, payment to the City of \$2,100.00, and other consideration; approving an easement conveyance - **DISTRICT G - PENNINGTON**
9. ORDINANCE amending Exhibit "A" of City of Houston Ordinance No. 2011-88 by adding four Engineer/Operator Positions and one Deputy Chief Position and by deleting one Shop Supervisor Position; substituting the amended exhibit as part of the current Fire Department Classified Personnel Ordinance
10. ORDINANCE approving the issuance of bonds and notes by the **UPPER KIRBY REDEVELOPMENT AUTHORITY** - **DISTRICTS C - CLUTTERBUCK and G - PENNINGTON**
11. ORDINANCE approving and authorizing second amendment to contract (Approved by Ordinance No. 2002-0952) between the City of Houston and **ACS STATE AND LOCAL SOLUTIONS, INC** for EMS Ambulance Fee Collection Services - 5 Years - Revenue
12. ORDINANCE approving and authorizing the submission of application to the **UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES** for grant assistance from the Centers for Disease Control and Prevention for the Affordable Care Act - Building Epidemiology Lab and Health Info Systems Capacity for Infectious Disease Grant; declaring the City's eligibility for such grant; authorizing the Director of the Houston Department of Health and Human Services or his designee to act as the City's representative in the application process, with the authority to approve, accept, reject, alter or terminate such grant funds, if awarded, and to apply for and accept all subsequent awards, if any, pertaining to the program - \$2,179,893.00 - Grant Fund

ORDINANCES - continued

13. ORDINANCE approving and authorizing the submission of application to the **UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES** for grant assistance from the Centers for Disease Control and Prevention for the Emerging Infections Sentinel Network Project; declaring the City's eligibility for such grant; authorizing the Director of the Houston Department of Health and Human Services or his designee to act as the City's representative in the application process, with the authority to approve, accept, reject, alter or terminate such grant funds, if awarded, and to apply for and accept all subsequent awards, if any, pertaining to the program - \$2,250,000.00 Grant Fund
14. Omitted
15. ORDINANCE approving and authorizing Performance Based Loan Agreement between the City of Houston and **THE MEN'S CENTER, INCORPORATED, as borrower**, to provide \$3,000,000 of Federal "HOME" Funds to assist with the construction of a 64 unit Transitional Housing Facility to be located at 1108 Alabama and San Jacinto in Houston, Texas, that will provide affordable housing to low and moderate income persons - **DISTRICT I - RODRIGUEZ**
16. ORDINANCE approving and authorizing Performance Based Loan Agreement between the City of Houston and **VN TEAMWORK, INC, as borrower**, and **GOLDEN BAMBOO III, LTD, as owner**, to provide \$828,450 of Federal "HOME" Funds (CHDO set aside) to assist with the land acquisition and related costs for a 130 unit Senior Housing Community to be located at Synott Road and Bellaire Boulevard in Houston, Texas, that will provide affordable housing to low and moderate income persons - **DISTRICT F - HOANG**
17. ORDINANCE approving and authorizing Performance Based Loan Agreement between the City of Houston and **RE-WARD THIRD WARD, as borrower**, and **ZION GARDENS, LTD, as owner**, to provide \$1,398,750 of Federal "HOME" Funds to assist with the construction of a 70 unit Multifamily Development to be located at 2500 Webster in Houston, Texas, that will provide affordable housing to low and moderate income persons - **DISTRICT I - RODRIGUEZ**
18. ORDINANCE establishing the City-YMCA Joint Homeless Housing Fund in the Housing Special Revenue Fund; establishing the sources and uses of the Fund therein for Homeless Housing Programs funded jointly by the City and the YMCA; authorizing the deposit into the fund under the Fund of the \$285,293 reimbursed by the YMCA pursuant to the grant agreement approved by Ordinance No. 98-476; approving and amendment to the grant agreement approved by Ordinance No. 98-476
19. ORDINANCE approving and authorizing amendments to the 1993 and 1994 Final Statement of Community Development objectives and projected use of funds and the 1996, 1997, 1998, 1999, 2000, 2001, 2002, 2003, 2005 and 2008 Consolidated Plans, including the grant applications for the Community Development Block Grant Program, submitted to the United States Department of Housing and Urban Development under Title I of the Housing and Community Development Act of 1974, as amended
20. ORDINANCE approving and authorizing the submission of a joint application for grant assistance from the Bureau of Justice Assistance to fund the FY2011 Edward Byrne Memorial Justice Assistance Grant Program and approving an Interlocal Agreement between the City of Houston and **HARRIS COUNTY** as joint applicants for such grant; declaring the City's eligibility for such grant; authorizing the Mayor to act as the City's representative in the application process; authorizing the Chief of the Houston Police Department, or Acting Chief, or any designated Assistant Chief of the Police Department, to accept such grant funds, if awarded, and to apply for and accept all subsequent awards, if any, pertaining to the application

ORDINANCES - continued

21. ORDINANCE approving and authorizing the submission of an application for grant assistance to the **NATIONAL INSTITUTE OF JUSTICE** to fund the FY11 Forensic DNA Backlog Reduction Program; declaring the City's eligibility for such grant; authorizing the Chief of the Houston Police Department to act as the City's representative in the application process, to accept such grant funds, if awarded, and to apply for and accept all subsequent awards, if any, pertaining to the program
22. ORDINANCE approving and authorizing contract between the City of Houston and **SAM HOUSTON STATE UNIVERSITY** for Research Services pertaining to a National Institute of Justice Grant Award for a project titled Action Research to enhance investigations and prosecutions of sexual assaults in Houston; establishing a maximum contract amount \$80,890.03 - Grant Fund
23. ORDINANCE amending Ordinance No. 2009-1359, as amended, to increase the maximum contract amount for contract between the City of Houston and **RON SMITH & ASSOCIATES, INC** (Contract #4600009345) for Latent Print Support Services - \$2,832,036.00 - General Fund
24. ORDINANCE awarding ten Job Order Contracts between the City of Houston and **VANCE INSULATION, LLC, DSW HOMES, LLC, CBIC CONSTRUCTION AND DEVELOPMENT, LLC, GREAT AMERICAN INSULATION, INC, BROWN STERLING BUILDERS, INC, TLC ENGINEERING, INC, HORIZON INTERNATIONAL GROUP, LLC, PEDRAZA HVAC, INC, EXCELSIOR DEVELOPMENT, INC, and LONE STAR ROOFING HOME REPAIR SERVICES, INC** for the General Services Department Residential Energy Efficiency Program, contingent on contractor's submission of all required contract documents; providing a maximum contract amount 1 Year - \$5,000,000.00 per contract
25. ORDINANCE appropriating \$48,840.00 out of Parks Consolidated Construction Fund as an additional appropriation for Professional Architectural Services Contract between the City of Houston and **HARRISON KORNBERG ARCHITECTS, LLC** for Renovation to the Parks and Recreation Department Campus and Park (Approved by Ordinance No. 2006-0086) - **DISTRICT I - RODRIGUEZ**
26. ORDINANCE appropriating \$98,485.00 out of Airports Improvement Fund and approving and ratifying the Manual Purchase Order No. SPD-MLK-051111-002 issued to **BURNS & MCDONNELL** for Professional Consulting Services related to Design and Construction of Bypass Chilled Water Lines at George Bush Intercontinental Airport (Project No. 622) - **DISTRICT B - JOHNSON**
27. ORDINANCE appropriating \$2,600,000.00 out of Airports Improvement Fund and approving and supplemental allocation to contract for Professional Consulting Services by and between the City of Houston and **JACOBS ENGINEERING GROUP, INC** for Airport Spatial Information System Development and Management Services for the Houston Airport System (Project No. 584A); Contract No. 4600007373) - **DISTRICTS B - JOHNSON; E - SULLIVAN and I - RODRIGUEZ**
28. ORDINANCE appropriating \$1,562,860.00 out of Water & Sewer System Consolidated Construction Fund for the Chelford City MUD Regional Treatment Facility Improvement Project **DISTRICTS F - HOANG and G - PENNINGTON**
29. ORDINANCE consenting to the addition of 12.54 acres of land to **HARRIS COUNTY WATER CONTROL & IMPROVEMENT DISTRICT NO. 155**, for inclusion in its district

ORDINANCES - continued

30. ORDINANCE granting to **FCC ENVIRONMENTAL, 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 - **FIRST READING**
31. ORDINANCE No. 2011-586, passed first reading July 13, 2011
ORDINANCE granting to **ROBERT E. JENKO, INC d/b/a RELIABLE PIPE CLEANING, A Texas Corporation**, the right, privilege and franchise to collect, haul and transport solid waste and industrial waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions
THIRD AND FINAL READING
32. ORDINANCE No. 2011-587, passed second reading July 13, 2011
ORDINANCE granting to **THE DUMPSTER GUYS, 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
THIRD AND FINAL READING

END OF CONSENT AGENDA

CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA

NON CONSENT AGENDA - NUMBER 33

MISCELLANEOUS

33. **SET A HEARING DATE** regarding amendments to the Project Plan and Reinvestment Zone Financing Plan for **REINVESTMENT ZONE NO. 17 (MEMORIAL CITY ZONE)** - **DISTRICTS A - STARDIG and G - PENNINGTON**
HEARING DATE - 9:00 A.M. - WEDNESDAY - AUGUST 3, 2011

MATTERS HELD - NUMBERS 34 through 40

34. WRITTEN Motion by Council Member Costello to amend Item 28A below to amend Section 4 of the ordinance to reduce the maximum contract amount from \$20 million to \$13.5 million
POSTPONED BY MOTION #2011-550, 7/6/11
This was Item 28 on Agenda of July 6, 2011
- a. ORDINANCE awarding contract to **SPRINT SOLUTIONS, INC** for Next Generation Wireless Devices and Services for the Information Technology Department; providing a maximum contract amount - 3 Years with two one-year options - \$20,000,000.00 - Central Service Revolving Fund
POSTPONED BY MOTION #2011-551, 7/6/11
This was Item 28A on Agenda of July 6, 2011
35. RECOMMENDATION from Director Planning & Development Department to designate an Honorary Street Marker for **MS. HAZEL MAE TATE** located at the intersection of Memel Street and West Huntington Street - **DISTRICT B - JOHNSON**
TAGGED BY COUNCIL MEMBER JONES
This was Item 4 on Agenda of July 13, 2011

MATTERS HELD - continued

36. ORDINANCE appropriating \$12,069,827.00 out of Airports Improvement Fund; amending Manual Purchase Order No. SPR-SRD-040511-001 to **COMFORT SYSTEMS USA, SOUTH CENTRAL, INC** for Construction of Chilled Water Lines at George Bush Intercontinental Airport (ratified by Ordinance No. 2011-588) to increase the maximum spending authority to \$17,068,827.00 and to incorporate the construction addendum thereto as on file in the Houston Airport System **DISTRICT B - JOHNSON** - **TAGGED BY COUNCIL MEMBERS JOHNSON and HOANG**
This was Item 12 on Agenda of July 13, 2011
37. ORDINANCE approving and authorizing Lease Agreement between the City of Houston and **SUMMIT SEAFOOD SUPPLY, INC** for certain premises at William P. Hobby Airport - **DISTRICT I - RODRIGUEZ** - **TAGGED BY COUNCIL MEMBER HOANG**
This was Item 13 on Agenda of July 13, 2011
38. ORDINANCE approving and authorizing contract between the City and the **GREATER HOUSTON CONVENTION AND VISITORS BUREAU** for the enhancement of Protocol Services and mutual coordination efforts in the promotion of tourism and the solicitation of Convention business - \$420,000.00 - General Fund
TAGGED BY COUNCIL MEMBERS JOHNSON, CLUTTERBUCK and STARDIG
This was Item 18 on Agenda of July 13, 2011
39. MUNICIPAL Setting Designation Ordinance prohibiting the use of designated groundwater beneath one tract of land containing 6.5040 acres commonly known as 18310 Market Street Houston, Harris County, Texas; and supporting issuance of a Municipal Setting Designation by the Texas Commission on Environmental Quality - **TAGGED BY COUNCIL MEMBER SULLIVAN**
This was Item 23 on Agenda of July 13, 2011
40. MOTION by Council Member Lovell/Seconded by Council Member Gonzalez to adopt the recommendation from the Director Department of Public Works & Engineering for approval of the Municipal Drainage Utility System Appeal Process
TAGGED BY COUNCIL MEMBER CLUTTERBUCK
This was Item 26 on Agenda of July 13, 2011

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

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

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

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

CITY COUNCIL CHAMBER - CITY HALL 2nd FLOOR - TUESDAY

JULY 19, 2011 2:00 PM

NON-AGENDA

3MIN 3MIN 3MIN

MS. LINDER GATTERSON – 5628 Tuskegee – 77091 - 832-883-4556 – laid off and open injury

MR. JOSEPH OMO OMUARI – 3939 N. Frwy., No. 210 – 77022 – 832-696-9204 – Civility Ordinance

MS. LAJEAN ROBINSON – 4010 Brookston Dr. – 77045 – 281-832-2672 – Financial Assistance

MR. WILLIAM BEAL – No address – No phone – Lord Jesus Christ: Roman Catholic Church

MR. MARK GONZALES – 4351 Telephone, No. 113 – 77087 – 281-787-9838 – Traffic and tour buses

MR. CRAIG STEWART – 1269 W. 17th – 77008 – 281-736-6706 – Red Light Cameras – Mayor’s refusal to take them down

MR. SANTOS MARTINEZ – 209 South 74th – 77011 – 832-723-4147 – Sidewalks issues

PREVIOUS

1MIN 1MIN 1MIN

PRESIDENT JOSEPH CHARLES - Post Office Box 524373 - 77052-4373 – 713-928-2871 – US President J Charles – N/Z-G/Case W/World Leaders Adjoined Positions – World Crisis

REV. JOE ANGEL LOPEZ - 13334 Wells River Dr. – 77041 - 832-891-2724 – Parking Management suffers from manual berra lack of leadership

MR. RICHARD ARNOLD – 5118 Klein Brook – 77066 – 832-205-3340 – Houston Airport System

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA #

SUBJECT: Pass Motion Approving FY 2012 Budgets submitted by the Houston Arts Alliance, The Houston Museum District Association, Miller Theater Advisory Board, Inc. and Theater District Improvement, Inc. for the support, advancement, and promotion of the arts.	Category #	Page 1 of 2	Agenda Item# /
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FROM: (Department or other point of origin): Kelly Dowe Director of Finance	Origination Date July 13, 2011	Agenda Date JUL 20 2011
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DIRECTOR'S SIGNATURE: 	Council Districts affected: All
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copy

For additional information contact:
 Minnette Boesel, Mayor's Assistant for Cultural Affairs
 Phone: (713)837-9593
 Ron Kissner, Deputy Assistant Director- Finance Department
 Phone: (713)837-9676

Date and identification of prior authorizing Council Action:
 2010-0741 Sept. 22, 2010

RECOMMENDATION: (Summary)
 Pass Motion approving FY 2012 Budgets submitted by the Houston Arts Alliance, The Houston Museum District Association, Miller Theater Advisory Board, Inc. and Theater District Improvement, Inc. for the support, advancement, and promotion of the arts.

Amount of Funding: 19.3% of FY2012 Hotel Occupancy Tax Revenue: \$11,500,000.00 (Estimated)	Finance Department Budget:
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SOURCE OF FUNDING: General Fund Grant Fund Enterprise Fund Other (Specify)

SPECIFIC EXPLANATION:

The four arts organizations are entering year two of a three year contract to be administered by the Finance Department. The quarterly payments will be distributed to each group from the Hotel Occupancy Tax revenues transferred to the City from the Houston First Corporation.

Fiscal Year 2012 marks the 34th year of the public/private partnership of the City of Houston in support of the arts in Houston. This long standing collaboration has proved highly effective in developing the nonprofit arts community and providing vital services to citizens and visitors in Houston. In the 34 years of this partnership, Houston's nonprofit arts sector has grown significantly. Today, more than 250 nonprofit arts groups provide Houston's citizens and visitors with a vibrant and diverse array of arts and cultural programs. The many artistic offerings contribute significantly to the enjoyment, enrichment, and entertainment of Houstonians and visitors who participate in the public programs offered by Houston's galleries, museums, concert halls, theaters, lecture halls, and festivals. The variety and diversity of the artistic offering, supported by the City of Houston Arts Alliance, has helped to secure Houston's position as a premier arts city in Texas and the United States.

The Texas Tax Code allows municipalities to spend up to a maximum of 19.3% of Hotel Occupancy Tax (HOT) revenues for the support of the arts to promote tourism and advance the convention and hotel industry. The proposed budgets will provide ongoing support for Houston's major arts institutions as well as qualified small and mid-sized groups that express Houston's rich cultural diversity.

Each organization will receive direct quarterly payments in the percentage breakdown shown below.

Houston Arts Alliance (39.5%)
 HAA will continue to administer a competitive grants program, based on a 'best practices' peer review process, to provide general operating support for a range of non-profit arts and cultural organizations, individual artists and special art projects. HAA will also administer a variety of outreach and support services including the Business Volunteer for the Arts program, Free Night of Theatre, Arts Database Management Program, Arts Incubator Program, space125gallery and Artshound.com. *HAA's management of the City's civic art program is provided through separate contracts that will be brought to Council for approval in the future.*

REQUIRED AUTHORIZATION

Finance Director: 

Date:	SUBJECT: Pass Motion approving the FY 2012 Budget submitted by the Houston Arts Alliance, The Houston Museum District Association, Miller Theater Advisory Board, Inc. and Theater District Improvement, Inc. for the support, advancement, and promotion of the arts.	Originator's Initials	Page 2 of 2
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SPECIFIC EXPLANATION (CONT'D)

The Houston Museum District Association (18%)

Marketing and tourism support for 11 museums within a 1.5 mile radius that provide rich experiences in art, history, culture, nature and science. Members include Children's Museum of Houston, Houston Museum of Natural Science, The Jung Center, The Menil Collection, Rice University Art Gallery, Contemporary Arts Museum Houston, Holocaust Museum Houston, Houston Zoo, The Health Museum, Lawndale Art Center, and Museum of Fine Arts, Houston.

Miller Theatre Advisory Board, Inc. (16%)

Support for the only outdoor proscenium theatre in the United States that offers, totally free of charge to the public, an annual season of artistically excellent and culturally diverse performances. Attendance of 245,300 in 2008 increased by 75% to nearly 431,000 in both 2009 and 2010. To date in 2011, we are experiencing even larger crowds: 253,185 vs. 181,390 at the same time last year, and predict yet another dramatic increase in annual attendance. The Miller Theatre Advisory Board is an all-volunteer body appointed by the Mayor and confirmed by City Council.

Theater District Improvement, Inc. (24%)

Tourism marketing for the Houston Symphony, Houston Grand Opera, Houston Ballet, Alley Theatre, Theatre Under The Stars, Society for the Performing Arts and Da Camera of Houston. The 2009-10 season was outstanding with 2.1 million attendees.

City's Initiative Grant Program (2.5%)

Administered by HAA, the program provides small grants, usually ranging from \$2,000 to \$15,000, to emerging arts organizations or to take advantage of special opportunities.

Miller Theatre Advisory Board
 Hotel Occupancy Tax Funds Expenses
 City Contract beginning 07/01/11

<u>Revenue</u>	<u>07/11-06/12</u>
Hotel Occupancy Tax	\$ 1,840,000
<u>Expenses</u>	
HOT Grant Expenses	\$ 1,152,000
Program Enhancements (incl. Fireworks & Captioning)	\$ 30,000
MTAB Presents	\$ 150,000
Outreach & Education	\$ 150,000
Posters & Brochures	\$ 22,000
Salaries	\$ 217,000
Payroll Tax Expense	\$ 20,000
403(b) Benefit Plan	\$ 13,000
Health Insurance	\$ 27,000
Conferences	\$ 5,000
Mileage Reimbursement	\$ 750
Contract Services	\$ 3,000
Accounting Fees	\$ 15,000
Bank Fees/Service Charges	\$ 250
Computer Software & Updates	\$ 1,500
Courier Service	\$ 550
Insurance	\$ 13,000
Dues/Memberships	\$ 1,500
Office Equipment/Furnishings	\$ 2,250
Office Supplies	\$ 4,000
Postage	\$ 2,500
Printing	\$ 3,000
Storage	\$ 2,000
Telephone	\$ 4,700
<i>Total Expenses</i>	1,840,000

Please note: The Miller Theatre Advisory Board operates on a calendar-year basis; therefore, MTAB has encumbered amounts (from prior periods) in excess of the contract amount for performances through the entire Miller season (calendar year 2012).

Houston Museum District Association Budget for Hotel Occupancy Tax Funds FY 2011-2012

FY 2011-2012 Hotel Occupancy Tax funds are allocated to the Houston Museum District Association and 11 member museums for the following purposes:

<u>Purposes</u>	<u>Budget</u>
<u>Museum District tourism marketing programs:</u>	<u>\$ 124,200</u>
To support tourism marketing efforts that include a tourism information brochure, web site and an annual open house.	
 <u>Museum tourism marketing/PR programs:</u>	 <u>\$ 2,070,000</u>
Museum of Fine Arts, Houston	\$614,873
Houston Museum of Natural Science	\$400,835
The Menil Collection	\$297,707
Contemporary Arts Museum Houston	\$138,152
Children's Museum of Houston	\$138,152
Houston Zoo	\$ 79,778
Health Museum	\$ 79,778
Holocaust Museum Houston	\$ 79,778
Rice University Art Gallery	\$ 38,916
Lawndale Art Center	\$ 38,916
Jung Center	\$ 38,916
 <u>Total</u>	 <u>\$ 2,070,000</u>

Exhibit A
Theater District Improvement, Inc.
Gross Receipts Budget for
Hotel Occupancy Tax Funds
FY 2011-2012

FY 2011-12 Hotel Occupancy Tax funds are allocated to the Theater District Improvement, Inc. and 7 member arts organizations for the following purposes:

<u>Purposes</u>	<u>Adopted</u>
<u>Budget</u>	
<u>Theater District tourism marketing programs</u>	\$200,000
<p>To support tourism marketing efforts that include <i>Downtown</i> magazine, downtownhouston.org web site, an eblast, social media, Houston Young People for the Arts, programming to bring new audiences to the Houston Theater District, an annual open house and other tourism marketing initiatives.</p>	
<u>Theater District tourism marketing/PR programs</u>	\$2,560,000
Houston Symphony	\$627,712.00
Houston Grand Opera	\$588,032.00
Houston Ballet	\$479,488.00
Alley Theatre	\$359,424.00
Theatre Under The Stars	\$361,984.00
Society for the Performing Arts	\$103,424.00
Da Camera of Houston	\$39,936.00
<u>Total</u>	\$2,760,000

EXHIBIT "B-1"
GROSS RECEIPT BUDGET

HOUSTON ARTS ALLIANCE (HAA)

FISCAL YEAR 2012 GROSS RECEIPT BUDGET
for City of Houston Hotel Occupancy Tax (HOT) Funding

PURPOSE	AMOUNT
Administrative Support @ 10.5%	\$ 476,962.50
HAA Programs	730,537.50
HAA Grants	3,335,000.00
Subtotal	<u>4,542,500.00</u>
 City Initiative Grants	 <u>287,500.00</u>
 Total Budgeted Amount	 <u><u>\$ 4,830,000.00</u></u>

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

SUBJECT: Approve Motion authorizing Supplemental Budgets submitted by the Houston Arts Alliance, Miller Theater Advisory Board, Inc, The Museum District Association & the Theater District Improvement, Inc.

Category #

Page 1 of 1

Agenda Item#

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FROM: (Department or other point of origin):
Kelly Dowe, Director of Finance

Origination Date
July 15, 2011

Agenda Date

JUL 20 2011

DIRECTOR'S SIGNATURE:

[Handwritten Signature]

Council Districts affected:
All

For additional information contact:

Minnette Boesel, Mayor's Assistant for Cultural Affairs
Phone: (832)393-1097

Ron Kissner, Deputy Assistant Director, Finance Department
Phone: (713)837-9593

Date and identification of prior authorizing Council Action:

2010-0741 Sept. 22, 2010

RECOMMENDATION: (Summary)

Approve Motion authorizing Supplemental Budgets submitted by Houston Arts Alliance, Miller Theater Advisory Board, Inc., The Museum District Association & the Theater District Improvement, Inc.

Amount of Funding: \$ 711,771.48 of FY 2011 Hotel Occupancy Tax Revenue
CED Enterprise Fund: 8601

Finance Department Budget:

SPECIFIC EXPLANATION:

The City of Houston has entered into a three year contract for FY 2011 thru FY 2013 with the Houston Arts Alliance ("HAA"), Miller Theater Advisory Board, Inc. (MTAB), The Theater District Improvement, Inc. and The Museum District Association to promote the arts. During FY 2011 the City made quarterly payments to each contractor in a total amount equal to 19.3 percent of the City's gross hotel occupancy tax ("HOT") receipts. HOT estimates at the time of the FY 2011 contract projected the Arts Contractors would receive approximately \$10,325,500 total in FY 2011. Based on actual year-end figures, the Arts Contractors' share of the HOT revenues is \$11,037,271.48 which is \$711,771.48 over the amount projected in the FY 2011 budget in year one of the three year contract with the City. Pursuant to the terms of the contract, the Arts Contractors must each submit a supplemental budget outlining how it will utilize the funds over and above the original projected amount and obtain City Council approval before it can receive the additional funds.

Proposed supplemental budgets are attached.

The Finance Department recommends approval of the Arts Contractors' supplemental budgets for FY 2011.

REQUIRED AUTHORIZATION

Finance Department

Other Authorization

Other Authorization

[Handwritten Signature]



houstonartsalliance
celebrating five years

**Houston Arts Alliance
Hotel Occupancy Tax Supplemental Funds Budget
COH Fiscal Year 2011**

HOT revenue for fiscal year 2011 is expected to be \$57.1 million, which exceeds the contracted amount of \$53.5 million by \$3.6 million. Our estimated share is \$291,816 of the fifth quarter supplemental payment, which will be allocated as follows:

HAA HOT FIFTH QUARTER	\$298,944
HAA ADMIN-10.5%	\$59,725
CITY SPEC INITIATIVE GRANTS-2.5%	\$17,794
HAA PROGRAM & GRANTS -84%	\$221,219

The Executive Committee for Houston Arts Alliance has approved using the fifth quarter supplemental payment for a new grant program, which will be called Arts Marketing Grant. This grant, that will total \$221,219, provides funding to not-for-profit organizations in the City of Houston who are recipients of General Operating Support (GOS), General Operating Support Expansion (GOSE) or Artist Project Grants (APG) grants from HAA in fiscal year 2011. Many of our grantees are the mid-size to smaller art and cultural organizations with limited resources that have a need for funds that can be spent on targeted marketing and promotion efforts such as website development, advertising, printed collateral materials and video or b-roll production. The purpose of the grant will be for promoting Houston as a tourism destination.

HAA will award grants up to **\$15,000** per organization based on a competitive panel review process. HAA plans to announce the program at an arts town hall meeting in September.

Program funds of \$59,725 will be dedicated to enhanced arts marketing. HAA plans to upgrade the software and design of the web based arts calendar Artshound.com. In June 2011, Artshound.com had 53,000 site visits; 31,000 unique visitors, and more than three million hits. Additionally, HAA will increase advertising in state print media in conjunction with the Greater Houston Convention and Visitors Bureau.

Miller Theatre Advisory Board, Inc.
FY 2011 Supplemental Budget (Proposed)
Hotel Occupancy Tax Revenues

Revenue

Hotel Occupancy Tax \$ 113,883.44

Expenses

HOT Grants/Performances & Programming Expenses \$ 88,301.00

MTAB Presents Production Expenses \$ 15,582.00

Marketing \$ 10,000.44

Total Expenses \$ 113,883.44

Miller Theatre Advisory Board, Inc.

FY 2011 Supplemental Budget (Proposed) Hotel Occupancy Tax Revenues

To present the 2012 season of always-free performances at Miller Outdoor Theatre and for marketing all of the season's performances as tourist destinations, the Miller Theatre Advisory Board (MTAB) will use supplementary Hotel Occupancy Tax funds to restore funding to 2009 levels for grants made to Houston's performing arts and cultural organizations and entertain applications from qualified non-profits not previously funded. Due to the reduction in HOT funds available for the 2010 season, grants were reduced from 5% to 15% and MTAB was not able to consider funding any new applicants.

These free performances are a vital cultural asset to the City of Houston and Houstonians and visitors are responding in record numbers to the high quality, diverse programming. Attendance of 245,300 in 2008 increased by 75% to nearly 431,000 in both 2009 and 2010. To date in 2011, we are experiencing even larger crowds: 253,185 vs 181,390 at the same time last year, and predict yet another dramatic increase in annual attendance.

The 2012 Season will include performances from:

- Houston Grand Opera
- Theatre Under The Stars
- Houston Ballet
- The Houston Symphony's series of symphonic performances culminating with the July 4th spectacular
- U of H's annual Houston Shakespeare Festival
- BACE Entertainment's annual "Dancin in the Street-Motown & More Revue"
- Dance of Asian America's East Meets West X and Splendid China IX featuring guest artists from the prestigious China Dancers Association
- Performances celebrating Cinco de Mayo, El Grito and Juneteenth
- Indian Performing Arts- Samskriti's "Incredible India!"
- 33rd Annual Festival Chicano
- 23rd Annual Accordion Kings & Queens
- Kaminari Taiko's "16th Annual Grand Taiko Concert"
- The Houston debut of "The Original Tribute to the Blues Brothers" and the Houston engagement of the world-famous Ballet Folklórico de México de Amalia Hernández

240,000 brochures will be printed and distributed to promote the 2012 season, including distribution at area-hotels and visitors' centers. Texas visitors will be reached through advertisements in Texas Highways and the GCVB's Official Visitors Guide, and extensive online marketing efforts via Tour Texas, Facebook, Twitter, Yelp, and ReachLocal.

The Miller Theatre Advisory Board and the many performing arts organizations that make Miller Outdoor Theatre a wonderful tourist destination thank City Council for its ongoing financial support.

We appreciate your consideration.

THEATER DISTRICT IMPROVEMENT, INC.
Overage 2010-11 Fiscal Year

The following is a breakdown of the overage City of Houston distribution to the Theater District Improvement, Inc.

ORGANIZATION	DISTRIBUTION AMOUNT	% OF DISTRIBUTION
Overage Payment from City of Houston	\$ 170,825.15	
Amount to Houston Downtown Improvement, Inc.		
	<u>\$ 170,825.15</u>	
Alley Theatre	23,983.85	14.04%
Houston Ballet	31,995.55	18.73%
Da Camera of Houston	2,664.87	1.56%
Houston Grand Opera	39,238.54	22.97%
Society for the Performing Arts	6,901.34	4.04%
Houston Symphony	41,886.33	24.52%
Theatre Under The Stars	<u>24,154.68</u>	<u>14.14%</u>
Total Distribution	<u>\$ 170,825.15</u>	<u>100.00%</u>

Houston Museum District Association
 Budget for Hotel Occupancy Tax Funds
 FY 2010-2011 – 5th Quarter

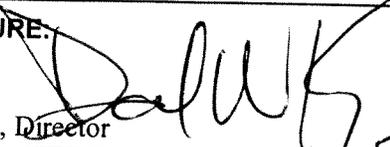
FY 2010-2011 fifth quarter Hotel Occupancy Tax funds are allocated to the Houston Museum District Association and 11 member museums for the following purposes:

<u>Purposes</u>	<u>Budget</u>
<u>Museum District tourism marketing programs:</u>	<u>\$ 7,687</u>
To support tourism marketing efforts that include a tourism information brochure, web site and an annual open house.	
 <u>Museum tourism marketing/PR programs:</u>	 <u>\$ 120,432</u>
Museum of Fine Arts, Houston	\$38,056
Houston Museum of Natural Science	\$24,809
The Menil Collection	\$18,426
Contemporary Arts Museum Houston	\$ 8,551
Children's Museum of Houston	\$ 8,551
Houston Zoo	\$ 4,938
Health Museum	\$ 4,938
Holocaust Museum Houston	\$ 4,938
Rice University Art Gallery	\$ 2,409
Lawndale Art Center	\$ 2,409
Jung Center	\$ 2,409
 <u>Total</u>	 <u>\$ 128,119</u>

TO: Mayor via City Secretary REQUEST FOR COUNCIL ACTION

SUBJECT: Accept Work for Trinity Houston Gardens Drainage Improvements; WBS No. M-000292-0001-4; S-000500-0065-4; R-000500-0065-4.	Page 1 of 1	Agenda Item # 3
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FROM (Department or other point of origin): Department of Public Works and Engineering	Origination Date	Agenda Date JUL 20 2011
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DIRECTOR'S SIGNATURE:  Daniel W. Krueger, P.E., Director	Council Districts affected: B sk
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For additional information contact:  J. Timothy Lincoln, P.E. Senior Assistant Director Phone: (832) 395-2355	Date and Identification of prior authorizing Council Action: Ord. # 2008-652 dated 07/23/2008
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RECOMMENDATION: (Summary) Pass a motion to approve the final Contract Amount of \$7,566,523.50 or 0.08% under the original Contract Amount, accept the Work, and authorize final payment.

Amount and Source of Funding: No additional funding required. Total (original) appropriation of \$8,616,000.00 with \$4,275,000.00 from the Drainage Improvement Commercial Paper Series F, Fund No. 4030, \$1,291,000.00 from the Water and Sewer System Consolidated Construction Fund No. 8500, \$50,000.00 from CDBG funding and \$3,000,000.00 is allocated from CDBG funding conditioned on the receipt of funds from the U.S. DHUD.

PROJECT NOTICE/JUSTIFICATION: This project was part of the Capital Improvement Plan Program (CIP) and was required to provide drainage improvement to alleviate flooding due to insufficient pipe capacity in this subdivision.

The cost participation by Housing and Community Development of \$3,000,000.00 (CDBG) funds were included in the total funding for this project.

DESCRIPTION/SCOPE: This project consisted of approximately 3,080 linear feet of reinforced concrete box storm sewers; 5,536 linear feet of 24-inch, 36-inch, 42-inch, 48-inch, 54-inch and 60-inch storm sewers; 2,617 linear feet of 8-inch, 12-inch and 18-inch sanitary sewers; 14,725 linear feet of 8-inch waterlines, roadside ditch re-grade and culvert replacement, concrete roadway reconstruction with curb and gutter. United Engineers, Inc. designed the project with 362 calendar days allowed for construction. The project was awarded to Triple B Services, L. L. P. with an original Contract Amount of \$7,572,822.50.

LOCATION: The project area is generally bounded by Laura Koppe Road on the north, Denmark Street on the south, Lockwood Drive on the west and Westcott Road on the east. The project is located in Key Map Grids 454G, H, L and M.

CONTRACT COMPLETION AND COST: The Contractor, Triple B Services, L. L. P., has completed the work under the subject Contract. The project was completed with an extension of 59 days approved by Change Orders No. 1 and 2. The final cost of the project, including overrun and underrun of estimated bid quantities, and previously approved Change Orders No. 1 through 4 is \$7,566,523.50. This is a decrease of \$6,299.00 or 0.08% under the original Contract Amount.

The decreased cost is a result of the difference between planned and measured quantities. This decrease is primarily the result of an underrun in various bid items, including General Requirement Items, Paving Items, Storm Sewer Items, Sanitary Sewer Items, Water Items, and Extra Unite Items, which were not necessary to complete the Project.

M/WBE PARTICIPATION: The M/WBE goal for this project was 22%. According to the Housing and Community Development Department, the actual participation was 22.16%. Contractor's M/WBE performance evaluation was rated Satisfactory.

DWK:DRM:JTL^{sk}LS:SK:ha
Z:\E&C Construction\East Sector\PROJECTS\M-000292-0001-4 Trinity Gardens\Closureout\RCA\RCA - Closureout.doc Closeout File/21.0

REQUIRED AUTHORIZATION			CUIC ID # 20HA127
Finance Department:	Other Authorization:	Other Authorization:  Daniel R. Menendez, P.E., Deputy Director Engineering and Construction Division	

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Accept Work for Concrete Pavement Management and Improvement Program (Kashmere Project); WBS No. N-000782-0002-4; S-000500-0072-4.

Category #1, 7

Page 1 of 1

Agenda Item # 4

FROM (Department or other point of origin):

Department of Public Works and Engineering

Origination Date

Agenda Date

JUL 20 2011

DIRECTOR'S SIGNATURE:

Daniel W. Krueger, P.E., Director

Council District affected:

B

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. # 2009-355 dated: 04/29/2009

RECOMMENDATION: (Summary) Pass a motion to approve the final Contract Amount of \$3,825,027.79 or 3.05% 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 \$4,703,592.00 with \$3,903,981.00 from the Street and Bridge Consolidated Construction Fund No. 4506 and \$799,611.00 from the Water and Sewer System Consolidated Construction Fund No. 8500.

PROJECT NOTICE/JUSTIFICATION: This project was part of the Neighborhood Street Reconstruction (NSR) Program and was required to improve the condition of residential streets, enhance mobility, pedestrian access and drainage.

DESCRIPTION/SCOPE: This project was part of the Neighborhood Street Reconstruction (NSR) Program, and it consisted of the reconstruction of neighborhood streets, including concrete roadway with curbs, sidewalk, and underground utilities as required. Scientech Engineers, Inc. designed the project with 365 calendar days allowed for construction. The project was awarded to Metro City Construction, L.P. with an original Contract Amount of \$3,711,818.79.

LOCATION: The project area is Wipprecht from Crane to 610 North Loop, Lavender from Crane to 610 North Loop, Pickfair from Crane to 610 North Loop and Pardee from Wipprecht to Lockwood. The project is located in Key Map Grids 454U and 454Y.

CONTRACT COMPLETION AND COST: The Contractor, Metro City Construction, L.P., has completed the work under the subject Contract. The project was completed with an additional 31 days approved by Change Orders No. 1 and 2. The final cost of the project, including overrun and underrun of estimated bid quantities, and previously approved Change Orders No. 1 and 2, is \$3,825,027.79, an increase of \$113,209.00 or 3.05% over the original Contract Amount.

The increased cost is a result of the difference between planned and measured quantities and previously approved Change Orders No. 1 and 2, which were necessary to complete the project.

M/W/SBE PARTICIPATION: The M/W/SBE goal established for this project was 22%. According to Affirmative Action and Contract Compliance Division, the participation was 21.80%. Contractor's M/W/SBE performance evaluation was rated Satisfactory.

DWK:DRM:JTL:JLS:EK:ha

Z:\E&C Construction\South Sector\PROJECT FOLDER\N-00610A-00D4-4\21.0 Close-Out Documentation\RCA\RCA - Closeout.doc File No.:N-000782-0002-4\21.0

REQUIRED AUTHORIZATION

20HA128

MOT

Finance Department:

Other Authorization:

Other Authorization:

[Signature]

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

SUBJECT: Declare surplus, authorize the sealed bid sale of the property, and appoint two appraisers and an alternate appraiser in connection with the sale of 1300 Morin (Parcel No. SY11-110) .	Page 1 of 1	Agenda Item 5
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FROM (Department or other point of origin): General Services Department	Origination Date	Agenda Date JUL 20 2011
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DIRECTOR'S SIGNATURE: Scott Minnix <i>3/25/11</i> <i>Scott Minnix</i>	Council District(s) affected: H
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For additional information contact: Jacquelyn L. Nisby Phone: 832-393-8023	Date and identification of prior authorizing Council action:
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RECOMMENDATION: Declare surplus, authorize the sealed bid sale of the property, and appoint two appraisers and an alternate appraiser in connection with the sale of **1300 Morin (Parcel No. SY11-110)**.

Amount and Source Of Funding: Revenue	Finance Budget:
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SPECIFIC EXPLANATION: The Houston Police Department (HPD) has determined that Parcel No. SY11-110, the former HPD Property Room located at 1300 Morin, is surplus to their needs and available for sale. All City departments with land needs have been canvassed and have indicated no interest in the property. The property may now be considered surplus to the City's needs and made available for sealed bid sale to the highest bidder according to Section 272.001(a) of the Local Government Code and Section 2-236 of the Houston Code of Ordinances.

- Therefore, the General Services Department recommends that City Council:
1. Declare surplus and authorize the sealed bid sale of Parcel No SY11-110; subject to the City's billboard restrictions, all easements, all public utilities and the applicable covenants, conditions and restrictions;
 2. Authorize the City Secretary to advertise the property for sealed bid sale to the highest bidder over the established minimum bid amount;
 3. Authorize the Legal Department to prepare the necessary transaction documents; and
 4. Appoint two independent real estate appraisers and an alternate, as listed below, to establish the value of Parcel No. SY11-110, located at 1300 Morin, which is expected to exceed the \$1million threshold amount set in the Code of Ordinances.
 - Michael Urban
 - David Ambrose, Ambrose Appraisal Company
 - Andrea Fahrenthold, AMF Appraisal Group, Inc. (Alternate)

SM:HB:JLN:RDG:rdg
 xc: Marta Crinejo, Anna Russell, Jacquelyn L. Nisby and Andrew F. Icken

REQUIRED AUTHORIZATION CUIC ID# 25 RG 7

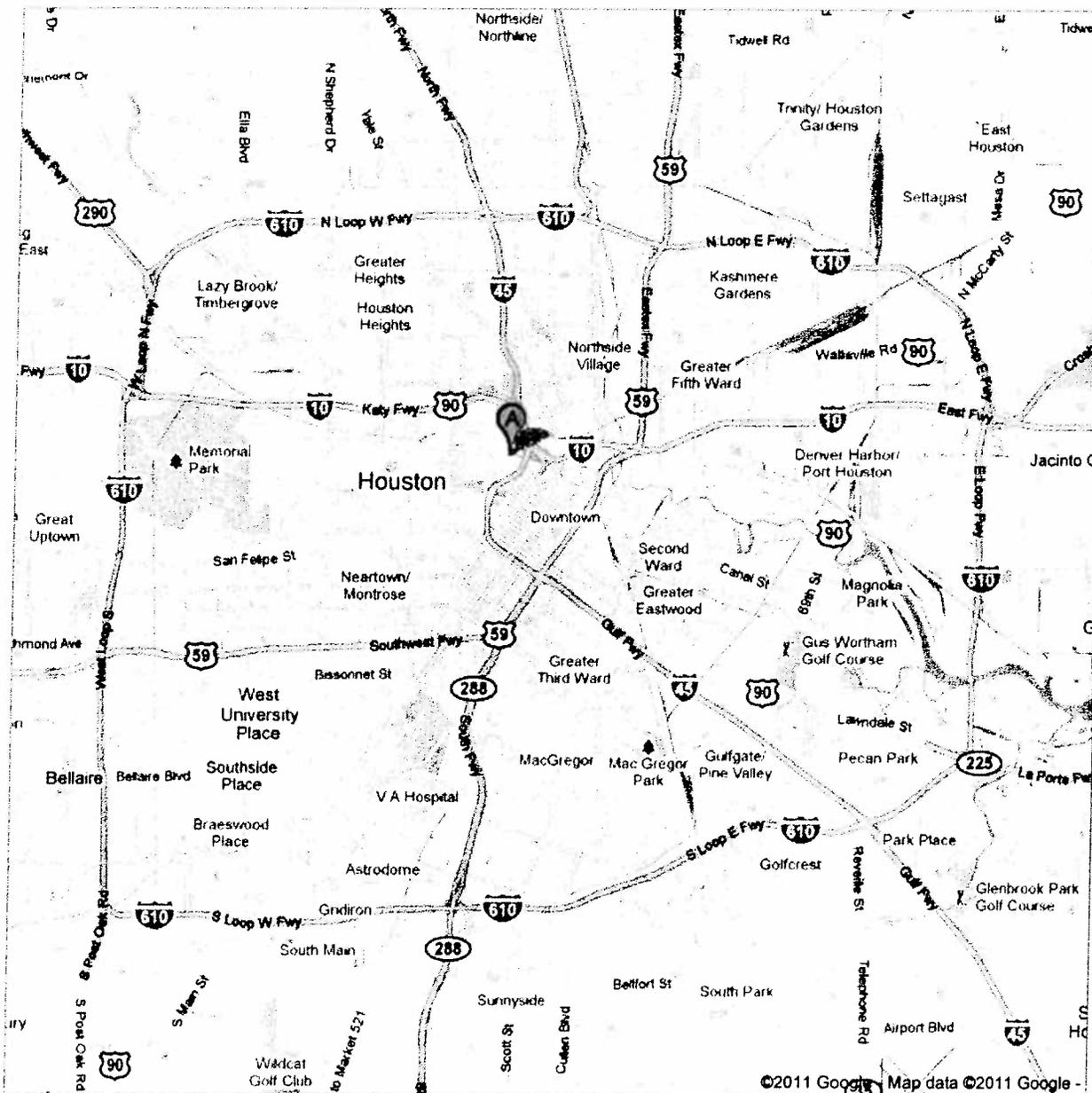
General Services Department: <i>Humberto Bautista</i> Humberto Bautista, P.E. Assistant Director		Houston Police Department: <i>Charles A. McClelland, Jr.</i> Charles A. McClelland, Jr. Chief
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Google maps

Address 1300 Morin Pl
Houston, TX 77002

Get Google Maps on your phone

Text the word "GMAPS" to 466453



REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 9093

Subject: Approve the Purchase of Technology Hardware through the City's Master Agreement with the Texas Department of Information Resources for the Information Technology Department S17-H23998

Category #
4

Page 1 of 1

Agenda Item
6

FROM (Department or other point of origin):

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

Origination Date

July 13, 2011

Agenda Date

JUL 20 2011

DIRECTOR'S SIGNATURE

Calvin D. Wells

Council District(s) affected
All

For additional information contact:

Gary Morris Phone: (832) 393-0065
Douglas Moore Phone: (832) 393-8724

Date and Identification of prior authorizing Council Action:

Ord. 2011-530 passed 6/22/11

RECOMMENDATION: (Summary)

Approve the purchase of technology hardware in the total amount of \$720,668.67 through the City's Master Agreement with the Texas Department of Information Resources for the Information Technology Department.

Award Amount: \$720,668.67

Finance Budget

\$720,668.67 FY 11 Equipment Acquisition Consolidated Fund (1800) WBS-160017-0001
(Appr. Ord. No. 2011-530 Approved 6/22/11)

SPECIFIC EXPLANATION:

The City Purchasing Agent recommends that City Council approve the purchase of technology hardware in the total amount of \$720,668.67 through the City's Master Agreement with the Texas Department of Information Resources (DIR) for the Information Technology Department (ITD) and that authorization be given to issue purchase orders, as needed, to DIR's Go Direct Vendor, Hewlett Packard Company. Hewlett Packard Company's designated reseller for this procurement is Criner Daniels & Associates, Inc., a certified City of Houston M/WBE vendor.

The technology hardware consists of the Hewlett Packard blade system servers, rack mounts, server switches and storage area networks. The technology hardware will be utilized to acquire the production environment for the Municipal Courts Department's (MCD) new application, Court's System Management and Resources Technology (CSMART). Moreover, the new technology hardware will provide the proper storage to accommodate the data, images, workflow-process and application. The MCD current application, Court View, has reached its end of life capacity, which requires the new equipment to be purchased for CSMART.

The ITD has been working in partnership with the MCD since late 2008 developing the Courts Operation System. The new CSMART system will be used to automate the decision manual operations of judges and clerks.

Buyer: Murdock Smith III

REQUIRED AUTHORIZATION

Finance Department:

Other Authorization:

Other Authorization:

MS

DM

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 9077

Subject: Formal Bids Received for Recreational, Educational and Miscellaneous Supplies for the Parks and Recreation Department S21-S23836

Category #
4

Page 1 of 2

Agenda Item

7

FROM (Department or other point of origin):

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

Origination Date

July 07, 2011

Agenda Date

JUL 20 2011

DIRECTOR'S SIGNATURE

Calvin D. Wells

Council District(s) affected
All

For additional information contact:

Luci Correa Phone: (832) 395-7057
Desiree Heath Phone: (832) 393-8742

Date and Identification of prior authorizing Council Action:

RECOMMENDATION: (Summary)

Approve an award to S&S Worldwide, Inc. on its low overall bid meeting specifications in an amount not to exceed \$380,000.00 for recreational, educational and miscellaneous supplies for the Parks and Recreation Department.

Estimated Spending Authority: \$380,000.00

Finance Budget

\$380,000.00 - General Fund (1000)

SPECIFIC EXPLANATION:

The City Purchasing Agent recommends that City Council approve an award to S&S Worldwide, Inc., on its low overall bid meeting specifications for recreational, educational and miscellaneous supplies in an amount not to exceed \$380,000.00 for the Parks and Recreation Department. It is further requested that authorization be given to make purchases, as needed, for a 60-month period. This award consists of various types of arts, crafts and games that will be used by the Department to support the Summer Enrichment, Summer Reading, Special Events, Seniors and Arts & Entertainment Programs.

This is a price list solicitation. The best discount which determines the low bid for a price list is the best bid received for quantities of high-use items selected as sample pricing items based on the current needs of the Department. The bid total for the sample pricing items does not represent the total amount estimated to be purchased; rather, this award recommendation is for the total estimated expenditures projected over the 60-month period based on the low bid submitted for the representative samples.

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

S & S Worldwide, Inc.: Award on its low overall bid meeting specifications for Groups 1 - 8 (S&S Worldwide Recreation Catalog 2011 which includes; but is not limited to, sport balls, 30" ultra hoops, board games, construction paper, glue, crayons, paints, disposable aprons, and assorted craft kits) in an amount not to exceed \$380,000.00.

COMPANY

SAMPLE PRICING

- | | |
|-----------------------------------|---|
| 1. Oriental Trading Company | \$ 31.32 (Partial Bid/Conditioned Bid) |
| 2. School Specialty | \$ 211.53 (Partial Bid/Higher Unit Price/Did Not Meet Specifications) |
| 3. A to Z Educational Supplies | \$ 1,092.36 (Partial Bid/Higher Unit Price) |
| 4. S&S Worldwide, Inc. | \$ 1,236.92 |

REQUIRED AUTHORIZATION

Finance Department:

Other Authorization:

Other Authorization:

NOT

Date: 7/7/2011	Subject: Formal Bids Received for Recreational, Educational and Miscellaneous Supplies for the Parks and Recreation Department S21-S23836	Originator's Initials LM	Page 2 of 2
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M/WBE Subcontracting: This bid was issued with a 4% M/WBE goal. **S&S Worldwide, Inc.** has designated the below named company as its certified M/WBE subcontractor.

<u>Company</u>	<u>Type of Work</u>	<u>Dollar Amount</u>
Burnetts Package Express	Delivery	\$15,200.00

The Mayor's Office of Business Opportunity will monitor this award.

Buyer: L. Marquez

Estimated Spending Authority

DEPARTMENT	FY2012	OUT YEARS	TOTAL
Parks and Recreation	\$10,000.00	\$370,000.00	\$380,000.00

SUBJECT: Ordinance authorizing the abandonment and sale of a 6,592-square-foot sewer, pipe, and conduit easement, in exchange for the conveyance to the City of a 7,725-square-foot storm sewer easement, all located within Tract E, River Oaks Homewoods Addition. **Parcels SY10-065 and LY11-045**

Page
1 of 2

Agenda Item #

8

FROM (Department or other point of origin):

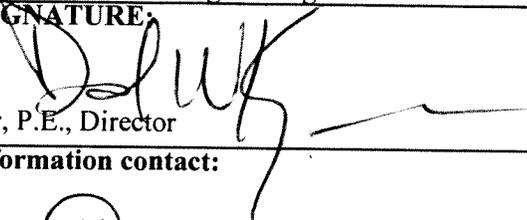
Origination Date

Agenda Date

JUL 20 2011

Department of Public Works and Engineering

DIRECTOR'S SIGNATURE:



Council District affected: G

Daniel W. Krueger, P.E., Director

Key Map 492Q 

For additional information contact:

Date and identification of prior authorizing Council Action:

Nancy P. Collins  Phone: (832) 395-3130
Senior Assistant Director-Real Estate

C.M. 2010-0562 (7/28/10)

RECOMMENDATION: (Summary) It is recommended City Council approve an ordinance authorizing the abandonment and sale of a 6,592-square-foot sewer, pipe, and conduit easement, in exchange for a consideration of \$2,100.00 plus the conveyance to the City of a 7,725-square-foot storm sewer easement, all located within Tract E, River Oaks Homewoods Addition. **Parcels SY10-065 and LY11-045**

Amount and Source of Funding: Not Applicable

SPECIFIC EXPLANATION:

By Motion 2010-0562, City Council authorized the abandonment and sale of a ±6,592-square-foot unspecified easement, in exchange for the conveyance to the City of a ±7,725-square-foot storm sewer easement, all located within Tract E, River Oaks Homewoods Addition. Thereafter, additional research revealed that the unspecified easement was actually a sewer, pipe, and conduit easement, and the conveyance parcel number was updated accordingly. The transaction was processed as reflected in the above subject description. John P. Havens and Theresa A. Havens, the property owners, plan to relocate the subject easement to facilitate the construction of an addition to their existing home on their property.

John P. Havens and Theresa A. Havens have complied with the motion requirements, have accepted the City's offer, and have rendered payment in full.

The City will abandon and sell to John P. Havens and Theresa A. Havens:

Parcel SY10-065

6,592-square-foot sewer, pipe, and conduit easement \$331,907.00 (R)
Valued at \$50.35 per square foot

TOTAL ABANDONMENTS

\$331,907.00

In exchange, John P. Havens and Theresa A. Havens will pay:

Cash \$2,100.00 (minimum fee)
Plus convey to the City

Parcel LY11-045

7,725-square-foot storm sewer easement \$388,954.00 (R)
Valued at \$50.35 per square foot

TOTAL CASH AND CONVEYANCES

\$391,054.00

tj\sy10-065.rc2.doc

CUIC #20TJ010

REQUIRED AUTHORIZATION

Finance Department:

Other Authorization:

Other Authorization:



Mark E. Loethen, P.E., CFM, PTOE
Deputy Director
Planning and Development Services Division

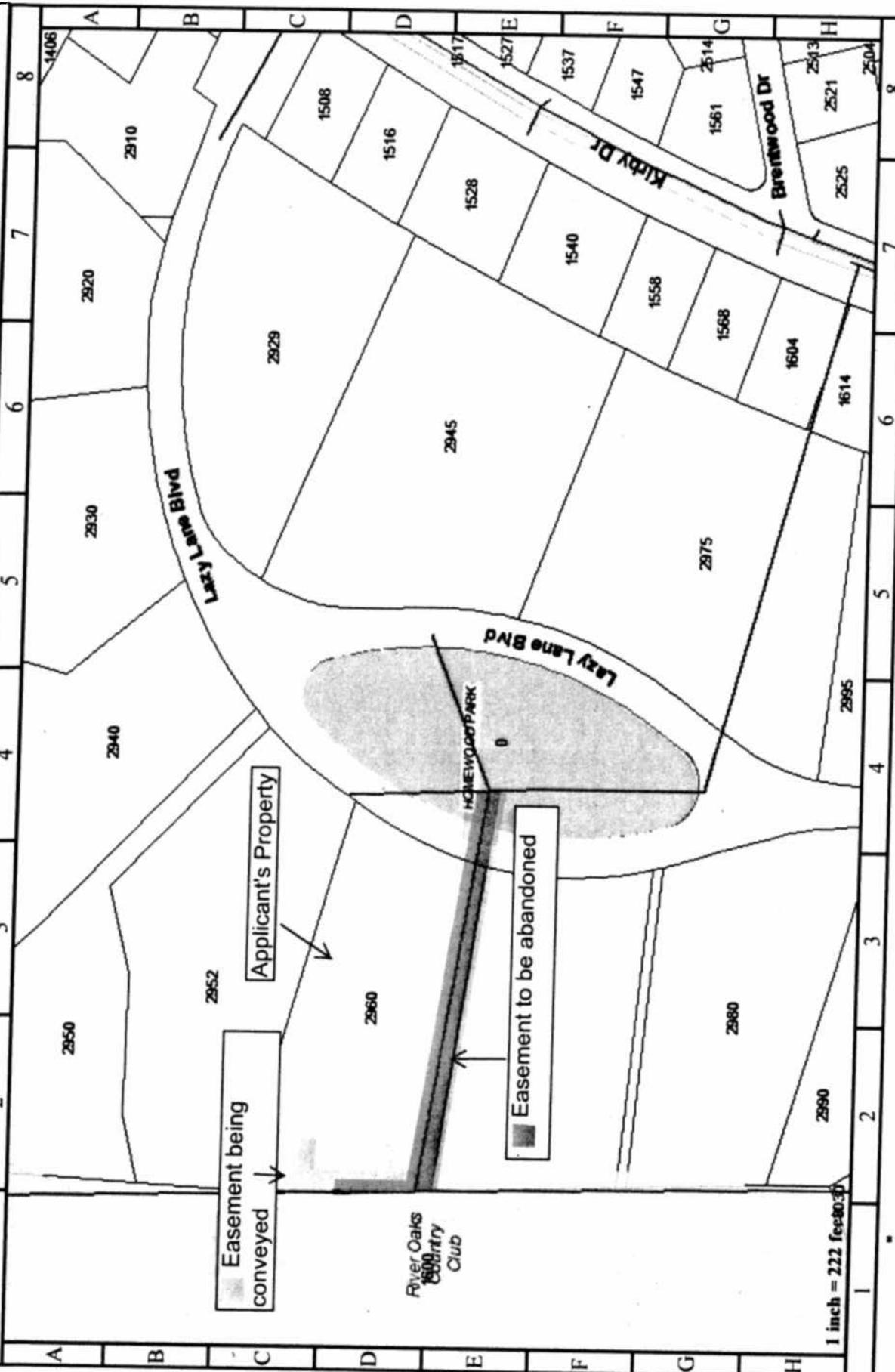
Date:	Subject: Ordinance authorizing the abandonment and sale of a 6,592-square-foot sewer, pipe, and conduit easement, in exchange for the conveyance to the City of a 7,725-square-foot storm sewer easement, all located within Tract E, River Oaks Homewoods Addition. Parcels SY10-065 and LY11-045	Originator's Initials 	Page <u>2</u> of <u>2</u>
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Inasmuch as the value of the \$2,100.00 minimum fee plus the easement being conveyed to the City are greater than the value of the easement being abandoned and sold, it is recommended City Council approve an ordinance authorizing the abandonment and sale of a 6,592-square-foot sewer, pipe, and conduit easement, in exchange for the conveyance to the City of a 7,725-square-foot storm sewer easement, all located within Tract E, River Oaks Homewoods Addition.

DWK:NPC:tj

- c: Jun Chang, P.E., D.WRE
- Marta Crinejo
- Marlene Gafrick
- Daniel Menendez, P.E.

Abandonment and sale of a 6,592-square-foot sewer, pipe, and conduit easement, in exchange for the conveyance to the City of a 7,725-square-foot storm sewer easement, all located within Tract E, River Oaks Homewoods Addition. **Parcels SY10-065 and LY11-045**



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

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



REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 9111

Subject: Ordinance changing the Classified Personnel Ordinance to add four Engineer Operator positions, add one Deputy Chief position and delete one Shop Supervisor position as agreed upon per the terms of the Collective Bargaining Agreement (CBA).

Category #
3

Page 1 of 1

Agenda Item

9

FROM (Department or other point of origin):

Terry Garrison
Fire Chief
Fire

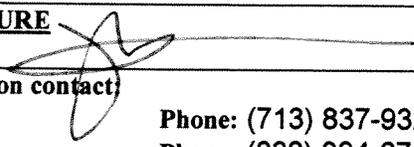
Origination Date

July 06, 2011

Agenda Date

JUL 20 2011

DIRECTOR'S SIGNATURE



Council District(s) affected
All

For additional information contact:

Janet Mccown
Beda Kent

Phone: (713) 837-9325
Phone: (832) 394-6748

Date and Identification of prior authorizing Council Action:

Feb 9, 2011 Ordinance 2011-88

RECOMMENDATION: (Summary)

Adopt an Ordinance adding four Engineer Operator positions, add one Deputy Chief positions and delete one Shop Supervisor position to the Classified Personnel Ordinance per the terms of the CBA adopted by City Council on July 29, 2011

Funding for these positions was included in the FY12 Budget submission

Finance Budget

SPECIFIC EXPLANATION:

The Director of Human Resources and the Houston Fire Department request City Council approve changes to the Classified Personnel Ordinance to increase the number of Engineer Operator positions by four, increase the number of Deputy Chief positions by one, and decrease the number of Shop Supervisor positions by one. These changes in staffing are part of the negotiated Collective Bargaining Agreement between The City of Houston and Houston Professional Fire Fighters Association, Local 341.

The staff increases will provide one (1) Incident Command Technician (ICT) position of an Engineer Operator (E/O) to our Emergency Response division per shift and provide proper staffing of the Deputy Chief (Shift Commander) position in Emergency Response.

Article 18, Section 2(a) specifically states, "...The City shall increase the existing number of E/O Incident Command Technicians by one (1) in fiscal year 2012,..." There are currently 21 District Chiefs per shift. The addition of these ICT positions will bring the total number of positions in the department to 16 in FY12. The ICT position was created to enhance the safety of firefighters in a working fire and provide the Incident Commander with assistance in monitoring fireground activity. The fireground is a dynamic environment requiring an Incident Commander to constantly assess and re-assess information to make the most effective decision to mitigate an emergency.

As an additional effort to provide better safety of fireground operations and reduce the span of control for one Shift Commander over the 21 District Chiefs, a second was created resulting in a North and South Shift Commander as arranged in the Interim Agreement between the above parties. This change resulted in eight (8) Deputy Chief positions, two per shift. Currently, higher class assignment of a District Chief is staffing this position.

Title	Present Positions	Amount Change	Proposed Total	FY12 Incremental Cost
Engineer/Operator	1074	4	1078	\$51,122.00
Deputy Chief	7	1	8	\$53,967.00

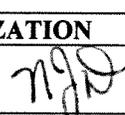
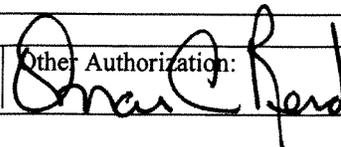
The incremental cost as indicated above includes base pay and benefits and is included in our FY12 budget submission.

Article 34, Section 7 specifically states, "... There are two (2) currently authorized positions of Shop Supervisor. The existing authorized position that is currently vacant, shall be abolished immediately..." This position is not staffed in the FY12 budget; however, would have an annual cost of \$90,216.00 of salary and benefits.

REQUIRED AUTHORIZATION

Finance Department:

Other Authorization:

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA #

SUBJECT: Adopt an Ordinance authorizing the issuance of additional bonds and notes by the Upper Kirby Redevelopment Authority (Tax Increment Reinvestment Zone Number Nineteen).

Category #

Page
1 of 1

Agenda Item#

10

FROM: (Department or other point of origin):

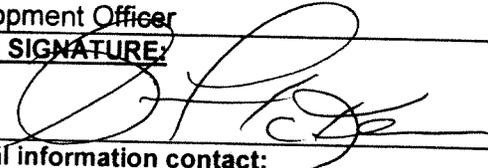
Andrew F. Icken
Chief Development Officer

Origination Date

Agenda Date

JUL 20 2011

DIRECTOR'S SIGNATURE:



Council Districts affected:
C & G

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. 1999-0767, 07/21/99, Res. 2001-0047, 10/24/01, Ord. 2002-0709, 07/31/02, Ord. 2008-0978, 11/05/08

RECOMMENDATION: (Summary)

That City Council adopt an Ordinance increasing the authorization of the Upper Kirby Redevelopment Authority to issue additional bonds and notes up to \$45 million.

Amount of Funding: N/A

Finance Budget:

SOURCE OF FUNDING:

General Fund Grant Fund Enterprise Fund
 Other (Specify)

Specific Explanation:

By various prior ordinances, City Council has authorized the Upper Kirby Redevelopment Authority ("Authority") to issue bonds and notes in an aggregate principal amount of up to \$18,000,000 million at any one time. The Authority currently has approximately \$5,700,000 million of notes outstanding. To implement its Fiscal Year 2012 thru Fiscal Year 2016 Capital Improvement Plan, the Authority will need to obtain financing to fund its proposed design and construction plans and will need to issue up to \$45 million in notes. This will require an increase of \$27 million in the total amount of bonds and notes the Authority is currently authorized to issue.

Approval of this Ordinance will allow the Authority to issue bonds and notes up to \$45 million to provide the capital needed to support redevelopment projects in the Zone consisting primarily of major roadway, street reconstruction, public utility improvements, parks and cultural and public facilities improvement projects.

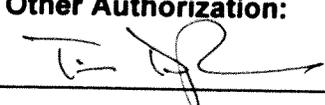
cc: Marta Crinejo, Agenda Director
Anna Russell, City Secretary
Deborah McAbee, Senior Assistant City Attorney
Dave Feldman, City Attorney

REQUIRED AUTHORIZATION

Finance Director:

Other Authorization:

Other Authorization:



REQUEST FOR COUNCIL ACTION

RCA# 8635

TO: Mayor via City Secretary

Subject: Ordinance Approving and Authorizing a Second amendment to a Contract between the City of Houston and ACS State and Local Solutions, Inc. for EMS Ambulance Fee Billing Services

Category #

Page 1 of 2

Agenda Item

11

FROM (Department or other point of origin):

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

Origination Date

July 14, 2011

Agenda Date

JUL 20 2011

DIRECTOR'S SIGNATURE

Council District(s) affected

All

For additional information contact:

Frank Carmody Phone: (713) 837-9521
Christopher Newport Phone: (713) 837-9533

Date and Identification of prior authorizing Council Action:

Ord # 2002-0952; Passed October 23, 2002
Ord # 2007-1211; Passed October 30, 2007

RECOMMENDATION: (Summary)

Approve an ordinance authorizing the second amendment to Contract No. C54484 between the City of Houston and ACS State and Local Solutions, Inc. to modify the scope of services and fees of the Contract, and to extend the term of the Contract to five years from the date of countersignature, with two one-year renewal options.

Revenue Contract

Finance Budget

SPECIFIC EXPLANATION:

The Director of the Administration & Regulatory Affairs Department (ARA) recommends City Council approve the second amendment to a contract between the City of Houston and ACS State and Local Solutions, Inc. (ACS) to provide EMS fee billing services. The proposed second amendment to this contract will upgrade equipment utilized by Houston Fire Department (HFD) personnel in 276 vehicles (plus a 20% spare inventory), increase the City's ability to collect on outstanding accounts receivable, increase the M/WBE goal amount, and result in \$3.6 Million annual savings. The proposed amendment will establish a contract term of five years from the date of City's countersignature of the contract, with two one-year renewal options.

Under this contract, the City earns gross revenue through the billing and collection of fees associated with Basic Life Support (BLS) and Advanced Life Support (ALS) emergency transports by HFD. ACS is compensated via a flat contingency fee which is a percentage of gross revenue collections per month. This contract generated \$33.5M from 128,000 transports in FY11, approximately \$2M above ARA's estimated revenues for FY11.

The proposed second amendment to the contract with ACS will reduce the contingency fee to 10.19% (plus the amortization of the additional 175 equipment sets) from the current effective fee of 20%. The negotiated fee reduction will result in \$3.6 Million in annual savings or \$18 M over the life of the contract. Furthermore, ACS has agreed to apply the lower fee amount to all gross revenue collected in July 2011.

The proposed amendment requires ACS to provide billing and collection software, hardware, installation, maintenance, support, data backup and system security, to include implementation and integration of a new electronic Patient Care Record (ePCR) software system. ACS will refresh existing computer equipment with new, state of the art hardware and software in 136 HFD vehicles, and will also install hardware and software in an additional 140 vehicles. The new system is significantly more user-friendly and efficient than the existing system, and is expected to increase the percentage of patient medical and billing information captured by HFD personnel. The second amendment to the contract with ACS modifies the contract to include a provision that in the event the City terminates the contract, ACS shall transfer title to the new equipment and assign all related software licenses and software warranties to the City. ACS will also be required to train HFD personnel on the new equipment and software as well as maintain a technical support team to assist whenever necessary over the term of the contract.

The second amendment to the contract enables the Director of ARA to recall uncollected accounts receivable more than 180 days overdue from ACS. This contract modification will facilitate the potential collection of a greater degree of outstanding EMS bills by alternate processing via a dedicated collections process to be established by the Legal and Finance Departments. Under the current contract, outstanding accounts are not returned to the City, which limits alternative collections options and potential additional revenue to be collected from such options.

In order to provide the City with full capability to assess vendor performance, ACS will be required to utilize fully auditable billing, collection and accounts receivable systems that secure patient information in accordance with governing accounting, debt collection

REQUIRED AUTHORIZATION

Finance Department:

Other Authorization:

Other Authorization:

Date: 7/14/2010	Subject: Ordinance Approving and Authorizing a Second amendment to a Contract between the City of Houston and ACS State and Local Solutions, Inc. for EMS Ambulance Fee Billing Services	Originator's Initials CAN	Page 2 of 2
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and privacy rules and statutes. ACS is further required to implement and maintain a data warehouse that ensures 100% transparency and oversight of billing operations. ACS shall provide to City staff user-friendly, continuous, open web-based access to the billing and collections data down to the individual claim, transaction, and clinical data elements. ARA personnel will have access to a contractually-mandated dynamic reporting toolkit with multi-dimensional analytical capabilities and powerful, web-based reporting options to enable rigorous oversight and auditing functions.

To ensure customer service issues are effectively and efficiently addressed, ACS shall be required to refer all complaints involving quality of care provided during transports to designated City personnel. ACS currently has a call center, staffed with English and Spanish speaking personnel, which is operated Monday through Friday from 8:30 am to 5:00 pm to address customer issues and provide information.

M/WBE Subcontracting:

The current contract is a goal-oriented contract with a 12% M/WBE participation level; ACS is currently achieving a participate level of 13.88%. The proposed second amendment will raise the M/WBE goal to 14% for the contract with ACS.

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

SUBJECT: An ordinance approving and authorizing the application to the United States Department of Health and Human Services, Centers for Disease Control for the Affordable Care Act (ACA)-Building Epidemiology, Lab and Health Info Systems Capacity for Infectious Disease grant

Category # 9

Page 1 of 1

Agenda Item #

125

FROM (Department or other point of origin):
Houston Department of Health and Human Services

Origination Date
June 20, 2011

Agenda Date

JUL 20 2011

DIRECTOR'S SIGNATURE:

Stephen J. Williams

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: (Summary)

Approval of an ordinance authorizing the application to the United States Department of Health and Human Services, Centers for Disease Control for the Affordable Care Act (ACA)-Building Epidemiology, Lab and Health Info Systems Capacity for Infectious Disease grant

Amount of Funding: \$2,179,893.00 Fund 5000 – Federal Government

Finance Department:

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

SPECIFIC EXPLANATION:

The Houston Department of Health and Human Services (HDHHS) requests City Council approval and authorization of an application to the U.S. Department of Health and Human Services, Centers for Disease Control and Prevention (CDC) for the Affordable Care Act (ACA)-Building Epidemiology, Lab and Health Info Systems Capacity for Infectious Disease grant. HDHHS also requests City Council to authorize the Director to accept and expend approved funding as soon as awarded and accept supplemental awards offered by the CDC during the entire project period. The total project period is from September 30, 2010 through July 31, 2012. The grant period covered by this application is from August 1, 2011 through July 31, 2012 in the amount of \$2,179,893.

HDHHS received funding in 2010 to enhance its existing epidemiology, laboratory and health information systems (ELHIS). This funding will:

- support continuous operation of the ELHIS;
- support efforts to improve targeted prevention and control in antimicrobial use surveillance, meningococcal vaccine study, pertussis surveillance and viral hepatitis;
- support continuous collaborative surveillance efforts with other city, county, state and federal partners;
- enable electronic lab reporting to continue with various hospital systems; and
- enable HDHHS to meet epidemiologist, laboratorians and other staff needs to support project goals.

cc: Finance Department
Legal Department
Agenda Director

REQUIRED AUTHORIZATION

Finance Department

Other Authorization:

Other Authorization:

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: An ordinance approving and authorizing the application to the United States Department of Health and Human Services, Centers for Disease Control for the Emerging Infections Sentinel Network

Category # 9

Page 1 of 1

Agenda Item # 13

FROM (Department or other point of origin): Houston Department of Health and Human Services

Origination Date June 20, 2011

Agenda Date JUL 20 2011

DIRECTOR'S SIGNATURE: *Stephen Williams*

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: (Summary)

An ordinance approving and authorizing the application to the United States Department of Health and Human Services, Centers for Disease Control for the Emerging Infections Sentinel Network

Amount of Funding: \$2,250,000 Fund 5000 - Federal Government

Finance Department:

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

SPECIFIC EXPLANATION:

The Houston Department of Health and Human Services (HDHHS) requests City Council approval and authorization of an application to the U.S. Department of Health and Human Services, Centers for Disease Control and Prevention (CDC) for the Emerging Infections Sentinel Network. HDHHS also requests City Council to authorize the Director to accept and expend approved funding as soon as awarded and accept supplemental awards offered by the CDC during the entire project period. The total project period is from July 1, 2011 through June 30, 2016 for a total funding of \$2,250,000. The grant period covered by this application is from July 1, 2011 through July 31, 2012 in the amount of \$450,000.

Funding from CDC is requested for the Southwest Texas Emerging Infectious Surveillance Network (STEISN). The objectives of STEISN are to:

- link participating organizations to monitor a variety of infectious diseases and enhance communication and collaborate among network members and the public health community;
- Serve as a readily accessible, flexible and proactive mechanism to address urgent public health infectious diseases;
- Improve understanding of specific public health issues, such as international travel and enhance preparedness to meet new infectious disease threats among domestic and globally mobile populations; and;
- Automate the process of emerging infectious disease surveillance from hospitals, clinics/private providers and ports-of-entry.

The operational plan of STEISN will expand the current sentinel surveillance network to include additional healthcare providers, including those serving predominately minority and underserved patients.

cc: Finance Department
Legal Department
Agenda Director

REQUIRED AUTHORIZATION

Finance Department

Other Authorization:

Other Authorization:

REQUEST FOR COUNCIL ACTION

To: Mayor via City Secretary			
Subject: An Ordinance approving and authorizing an agreement between Houston Independent School District and the City of Houston to manage and produce a back to school festival		Page 1 of 2	Agenda Item 14
FROM (Department or other point of origin): Mayor's Office of Neighborhood Services		Origination Date: July 8 th , 2011	Agenda Date: JUL 20 2011 1 3 2011
DIRECTOR'S SIGNATURE: Catherine Flowers, Director 		Council District(s) affected: All	
For additional information contact: Nelson Espitia - 832.393.0955		Date and Identification of prior authorizing Council Action:	
RECOMMENDATION: (Summary): An Ordinance approving and authorizing an agreement between Houston Independent School District and the city of Houston to manage and produce a back to school festival			
Amount of Funding: N/A		Finance Budget:	
SPECIFIC EXPLANATION: Requesting that Council approve an agreement between the City of Houston and the Houston Independent School District for the purpose of hosting a back-to-school event to be held on Saturday, August 6, 2011 at the George R. Brown Convention Center from 8:00 a.m. to 12:00 p.m. The purpose of the Back-to-School Fest (BTSF) is to provide a platform for families to obtain HISD and City of Houston information critical to their well-being. Families will receive on-site education, health and social services. Area agencies will provide a variety of free screenings (including state-mandated immunizations). Basic assistance with school supplies and uniforms will be offered. The Houston Independent School District has requested an agreement to lay out the following: City of Houston will provide <ul style="list-style-type: none"> • Help HISD solicit sponsors • Pro-bono Space for the Event at the George R. Brown Convention Center • Provide lunches through the City's Houston Parks and Recreation Department Summer Lunch Program • Provide 250 volunteers to staff the event. • Provide volunteer nurses to administer vaccines • Provide other City services as needed. HISD will provide: <ul style="list-style-type: none"> • Help the City solicit sponsors • Provide 250 volunteers to staff the event. • Provide volunteer nurses to administer vaccines • reimburse the City and HISD for expenses incurred by each in producing the Event, with 50% of the funds used for City expenses and 50% used for HISD expenses. • Provide 20 hours of pro-bono graphic design services through HISD print services department • Host event website 			
Approval of this item is recommended.			
REQUIRED AUTHORIZATION			
Other Authorization:	Other Authorization:	Other Authorization:	



HOUSTON INDEPENDENT SCHOOL DISTRICT

HATTIE MAE WHITE EDUCATIONAL SUPPORT CENTER
4400 WEST 18th STREET • HOUSTON, TEXAS 77092-8501

www.houstonisd.org
www.twitter.com/HoustonISD



CITY OF HOUSTON

901 BAGBY STREET • HOUSTON, TEXAS 77002

www.houstontx.gov

Dear Friend,

The City of Houston and the Houston Independent School District (HISD) invite you to participate as a sponsor in the first annual citywide Back-to-School Fest. We would be honored if you joined us in a collaborative effort benefiting an estimated 25,000 students and their families from modest income households.

The Houston region is home to about 20 percent of the students in Texas. Approximately 660,000 reside within Houston's city limits, and 63 percent of those students are considered economically disadvantaged. Houston ISD is the state's largest school district, serving more than 204,000 students, 80 percent of whom are economically disadvantaged. This creates a substantial need for assistance with basic requirements necessary to begin the school year, such as school supplies, uniforms, and health vaccinations. It is in our best interest to ensure that our students are prepared to begin school and are ready to learn on the first day.

Through the citywide Back-to-School Fest, we will focus on reaching families that face serious economic challenges. The event will feature informational exhibits showcasing HISD programs and services as well as city and community resources and services. This is a great opportunity for families to talk directly to HISD and City of Houston staff to receive important information needed to be strong partners in their children's education and well being. Your sponsorship will help us prepare students for the start of the 2011-2012 school year as we invest in Houston's future workforce.

Houston is known as a caring and giving City, willing to share our time and resources to support our students in furthering their education. Please join us on Saturday, August 6, 2011, from 8am-12pm at the George R. Brown Convention Center with other community and business partners.

Sincerely,

Annise D. Parker
Mayor
City of Houston

Terry B. Grier, Ed.D.
Superintendent of Schools
Houston Independent School District



HCO 11-87a

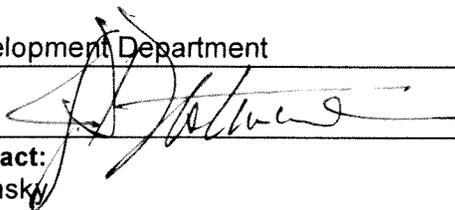
TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

11- Mens Center

SUBJECT: An Ordinance authorizing a loan agreement between City of Houston and The Men's Center, Inc.	Category #	Page 1 of 2	Agenda Item # 15
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FROM (Department or other point of origin): Jim Noteware Housing and Community Development Department	Origination Date 7/14/11	Agenda Date JUL 20 2011
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DIRECTOR'S SIGNATURE: 	Council District affected: District "I"
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For additional information contact: Eta Paransky Phone: (713) 868-8449	Date and identification of prior authorizing Council action:
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RECOMMENDATION: (Summary)
The Housing and Community Development Department (HCDD) recommends approval of an Ordinance authorizing an Agreement between City of Houston and The Men's Center, Inc. to construct a 64-unit transitional housing facility.

Amount of Funding: \$3,000,000	Finance Budget:
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SOURCE OF FUNDING General Fund Grant Fund Enterprise Fund

Other (Specify) HOME Investment Partnership Fund

SPECIFIC EXPLANATION:

The Men's Center, Inc., a non-profit Texas corporation under Section 501(c)(3), is requesting a \$3,000,000 loan from the City of Houston for the construction of a transitional housing facility. The facility will be located at 1108 Alabama and San Jacinto. Since its founding in 1958, the Men's Center has served over 25,000 men in the Houston area. The Men's Center provides transitional/temporary housing, meals, job assistance and recreation for homeless men who are on their way to recovery from drug and alcohol addiction. The average stay is eighteen months. This new facility is a collaborative effort between City of Houston, Harris County, Men's Center and private foundations.

The Men's Center will construct a 4-story transitional housing facility on land owned by the Center. The new facility will consists of 64 efficiency units serving 128 homeless men, and each unit will be approximately 400 square feet with a bathroom. The amenities consist of an elevator, laundry facilities on each floor, day room, manager's area, kitchenette on each floor and outside common areas. The project will achieve LEED Certification through the use of energy efficient appliances, lighting, HVAC systems and insulation. Low-emitting materials, adhesives and paints will also be used.

The Men's Center campus consists of eight building located downtown Houston; 3805 Main Street (Meeting Hall); 3810 Fannin (Dorm); 3809 Main St. (Kitchen & Office); 3816 Fannin (Residential); 3811 Fannin (Residential); 3803 Fannin (Residential); 1100 Alabama (Residential) and 1104 Alabama (Parking). The addition of the 64-unit transitional housing facility will allow the Men's Center to serve 128 additional homeless men and increase the center's capacity by 23%.

The Men's Center has 21 staff members who all have been through the program and provide onsite support and counseling to the clients as they go through the recovery process. The center provides six Alcoholic Anonymous meetings onsite daily. All residents are required to attend 3 Alcoholic Anonymous meeting per week. The Men's Center collaborates with area agencies to provide off-site supportive services: Mental Health and Mental Retardation; Shepherd's Center; A Ministry of Main Street Ministries Houston; Memorial Herman Prevention & Recovery Center Behavioral Health Services; SEARCH; Career Recovery Services and the Harris County Hospital District.

REQUIRED AUTHORIZATION		
Finance Director:	Other Authorization:	Other Authorization:

Date
7/14/11

Subject: An Ordinance authorizing a loan agreement between City of Houston and The Men's Center, Inc.

**Originator's
Initials**

Page
2 of 2

The City will restrict 31 of 64 units (48%) through a Land Use Restriction 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. Harris County will restrict 25 units.

Estimated Sources of Funds:

HOME (COH)	\$ 3,000,000	\$ 46,875 per unit	37%
HOME (Harris)	1,667,000	26,047 per unit	21%
Men's Center	1,911,536	29,868 per unit	24%
Herzstein Foundation	200,000	3,125 per unit	02%
Houston Endowment	665,600	10,400 per unit	08%
Fondren Foundation	300,000	4,688 per unit	04%
Brown Foundation	300,000	4,688 per unit	04%
TOTAL	\$ 8,044,136	\$125,690 per unit	100%

Estimated Uses of Funds:

Land (equity)	\$ 796,452	\$ 12,445 per unit
Hard Costs	6,469,684	101,089 per unit
Soft Costs	778,000	12,156 per unit
TOTAL	\$ 8,044,136	\$125,690 per unit

This item was presented to the Housing and Community Development Committee on May 19, 2011, and no action was taken due to lack of quorum.

This project is consistent with the City of Houston Consolidated Plan to provide affordable housing. The Department recommends approval of an Agreement between the City of Houston and the Men's Center, Inc.

JN:EP:JN

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

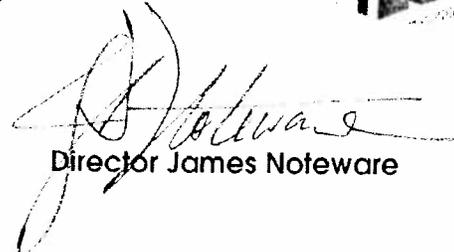


Interoffice

Correspondence



To: Members of Houston City Council via
the City Council Agenda Office

From:  Director James Noteware

Attn: Marta Crinejo

Date: July 15, 2011

Subject: Policy Exception

The Housing and Community Development Department (HCDD) respectfully requests City Council not tag two (2) Requests for Council Action (RCA) appearing on the July 20, 2011 Council Agenda. The RCAs are as follows:

Project	Contracting Entity	Project Information	COH HOME	Total Cost	COH Restricted Units (20 Yrs)	Total Units
The Men's Center	The Men's Center	Homeless Transitional Housing w/ Services Tax Credit / New Construction	3,000,000	8,041,136	31	64
Golden Bamboo III	VN TeamWork	Senior Affordable Housing w/ Services Tax Credit / New Construction	828,450	16,920,686	10	130

Both items require Council approval by July 29, 2011 in order to meet the obligation to commit the \$14 million HOME Investment Partnership ("HOME") funds allocation which will expire July 31, 2011.

Historically, the deadline for allocating HOME funds has been August 31st or September 30th (based on HUD's execution of the HOME agreement¹). HCDD's Multi-family Division was notified in April of this year's early July deadline. Since then, the Department has been working diligently to prepare the RCA for these projects.

The entire underwriting process usually takes 120 days to complete and involves many disparate players and activities (the City's funds are usually only one-part of a project's multifaceted capital structure). This underwriting process includes internal consideration of numerous factors; posting of public notices; various HUD conditions and approvals; and development and negotiation of documents with borrowers, senior lenders, and Low Income Housing Tax Credit syndicates and investors.

In light of the earlier deadline, HCDD successfully condensed the process to only 90 days. HCD submitted, and council approved, an ordinance last week committing HOME funds for the Travis Street project

¹ According to the Federal Regulation (24 CFR Part 92), HUD will recapture HOME funds in the HOME Treasury account by the amount of any funds that are not committed within 24 months after the last day of the month in which HUD notifies the entity of HUD's execution of the HOME Investment Partnership Agreement.

serving homeless veterans. Unfortunately, as is customary with complex financial transactions, some approvals and documentation stretched the process for these two RCAs beyond July 13th (the date at which time a no-tag would not have been necessary).

Because of the great need for these projects serving special needs populations, as well as the need to commit these HOME funds by the Federal Government's deadline, I am asking that these RCAs not be tagged. Both items were presented to the Housing and Community Development Committee on May 19, 2011, without opposition.

I do not like requesting any item not be tagged. I apologize for having to do so and for any inconvenience this may cause. In full disclosure - due to the complex nature of HCD's transactions, the occasional no-tag request is unfortunately inevitable in rare and extremely important circumstances. The Department will continue to work on indentifying efficiencies to improve our processes and overall functions.

If you have any questions or concerns, please contact me at 713-868-8305 or Marc Eichenbaum at 713-865-4557.

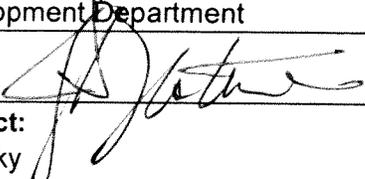
Thank you.

TO: Mayor via City Secretary REQUEST FOR COUNCIL ACTION

11- Golden Bamboo III

SUBJECT: An Ordinance authorizing an Agreement between City of Houston and VN TeamWork, Inc.	Category #	Page 1 of 2	Agenda Item # 16
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FROM (Department or other point of origin): Jim Noteware Housing and Community Development Department	Origination Date 6/22/11	Agenda Date JUL 20 2011
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DIRECTOR'S SIGNATURE: 	Council District affected: District "F"
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For additional information contact: Eta Paransky Phone: (713) 868-8449	Date and identification of prior authorizing Council action:
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RECOMMENDATION: (Summary)

The Housing and Community Development Department (HCDD) recommends approval of an Ordinance authorizing an Agreement between the City of Houston and VN TeamWork, Inc. for the construction of a 130-unit senior housing development.

Amount and Source of Funding: \$828,450 HOME Investment Partnership Fund (CHDO set aside)	Finance Budget:
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SPECIFIC EXPLANATION:

VN TeamWork, Inc. (VNT) a 501 (c) (3) nonprofit corporation certified as a Community Housing Development Organization will be the borrower of the subject loan. The ownership structure for the project is proposed as follows: Golden Bamboo III, Ltd, owner, VNTW Golden Bamboo III, LLC, .005% general partner which is 100% owned by VN TeamWork, Inc., Chatham Development, LLC, .005% special limited partner whose sole member is David Cherny, RBC Tax Credit Equity, LLC, 99.98% limited partner, and RBC Tax Credit Manager II, Inc., .01% special limited partner.

VNT is requesting an \$828,450 Performance Based Loan (PBL) from the City of Houston to provide funding for the land acquisition and closing costs related to a 130-unit senior housing community, which will provide affordable housing to low and moderate income seniors aged 55 and older. The land will be purchased from current owner, developer, and property manager of this development, The NRP Group, LLC.

Golden Bamboo Village III will be built on a 6.83 acre site located at Synott Rd. and Bellaire Blvd. in District F. The property is 15 miles west of the Medical Center and 20 miles southwest of Downtown, and is surrounded by retailers, restaurants, and businesses.

VN Teamwork will provide onsite social services as well as offsite services at their VNT headquarters, located 2.5 miles away. They will assist with health screening, immunizations, preventative cancer care, financial planning assistance, legal services, notary services, continuing education, computer courses, CPR & First Aid, and English as a second language classes. Overall, Golden Bamboo III and affiliated facilities will provide safe and supportive housing.

The development will offer full perimeter fencing, controlled gate access, a laundry room, a swimming pool, a fitness center, and a community room. The unit mix consists of 65 one-bedroom units averaging 755 square feet each and 65 two-bedroom units averaging 900 square feet each.

REQUIRED AUTHORIZATION		
Finance Director:	Other Authorization:	Other Authorization:

Sterling Bank will provide a first lien construction loan up to \$12,900,000 and permanent loan in an approximate amount of \$2,800,000. The construction loan will be an interest only, Prime + 1.00%, revolving line of credit during the first 36 months (with pay downs coming from the Tax Credit investor). The loan will then convert to a 15 year permanent loan with principal and interest payments based on a 7% interest rate and 30 year amortization. The Relationship Manager at Sterling, Mahesh Aiyer, has closed 170 LIHTC deals since 1997 and has worked with the City to close four LIHTC properties in the past two years. Sterling Bank has closed 15 LIHTC deals plus another six are anticipated to close in the next two months.

RBC's 99.99% interest in the partnership will be acquired for a total capital contribution of \$13,290,740. This price represents a price per tax credit dollar of \$.8250. There will be five capital contributions, beginning at closing and at certain benchmarks throughout the construction of the property.

The City of Houston HOME (CHDO set aside) performance based loan to VN TeamWork, Inc. will be an \$828,450, 0% performance based loan with a 20 year affordability period. 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 Restriction Agreement (LURA). The City's LURA will be superior to all other liens on the property, and will have an affordability period of 20 years. The general contract will be bonded for payment, performance, and maintenance and NRP Contractors, LLC will guarantee completion of construction and will be released upon completion and stabilization.

While the entire property (all 130 units) will be restricted, per Tax Credit requirements, there will be 10 HOME restricted units in this property at 60% AMI or lower, 5 one bedroom units and 5 two bedroom units.

Sources of Funds:	Overall Budget	Per Unit	Per SF
Tax Credit Proceeds	\$13,290,740	\$102,236	\$124
Sterling Bank (1st Lien)	\$2,800,000	\$21,538	\$26
City of Houston/HOME (CHDO)	\$828,450	\$6,373	\$8
<u>Deferred Developer Fee</u>	<u>\$1,496</u>	<u>\$12</u>	<u>\$0</u>
Total Source of Funds	\$16,920,686	\$130,159	\$157

Uses of Funds:	Overall Budget	Per Unit	Per SF
Acquisition Cost	\$1,110,000	\$8,538	\$10
Hard Costs	\$10,369,234	\$79,763	\$96
Soft Costs	\$1,243,500	\$41,450	\$12
<u>Financing & Other Costs</u>	<u>\$4,197,951</u>	<u>\$32,292</u>	<u>\$39</u>
Total Uses of Funds	\$16,920,685	\$130,159	\$157

This project is consistent with the City of Houston Consolidated Plan to create affordable senior housing units. The Department recommends approval of an Agreement between the City of Houston and VN TeamWork, Inc. This item was presented to the Housing and Community Development Committee on May 19, 2011, and no action was taken due to lack of quorum.

JN:EP:PC

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

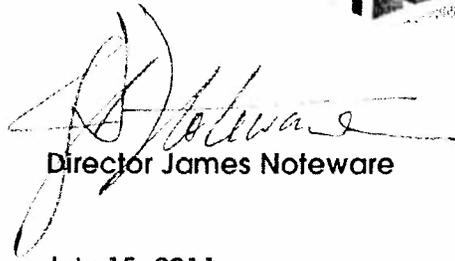


Interoffice

Correspondence



To: Members of Houston City Council via
the City Council Agenda Office

From:  Director James Noteware

Attn: Marta Crinejo

Date: July 15, 2011

Subject: Policy Exception

The Housing and Community Development Department (HCDD) respectfully requests City Council not tag two (2) Requests for Council Action (RCA) appearing on the July 20, 2011 Council Agenda. The RCAs are as follows:

Project	Contracting Entity	Project Information	COH HOME	Total Cost	COH Restricted Units (20 Yrs)	Total Units
The Men's Center	The Men's Center	Homeless Transitional Housing w/ Services Tax Credit / New Construction	3,000,000	8,044,136	31	64
Golden Bamboo III	VN TeamWork	Senior Affordable Housing w/ Services Tax Credit / New Construction	828,450	16,920,686	10	130

Both items require Council approval by July 29, 2011 in order to meet the obligation to commit the \$14 million HOME Investment Partnership ("HOME") funds allocation which will expire July 31, 2011.

Historically, the deadline for allocating HOME funds has been August 31st or September 30th (based on HUD's execution of the HOME agreement¹). HCDD's Multi-family Division was notified in April of this year's early July deadline. Since then, the Department has been working diligently to prepare the RCA for these projects.

The entire underwriting process usually takes 120 days to complete and involves many disparate players and activities (the City's funds are usually only one-part of a project's multifaceted capital structure). This underwriting process includes internal consideration of numerous factors; posting of public notices; various HUD conditions and approvals; and development and negotiation of documents with borrowers, senior lenders, and Low Income Housing Tax Credit syndicates and investors.

In light of the earlier deadline, HCDD successfully condensed the process to only 90 days. HCD submitted, and council approved, an ordinance last week committing HOME funds for the Travis Street project

¹ According to the Federal Regulation (24 CFR Part 92), HUD will recapture HOME funds in the HOME Treasury account by the amount of any funds that are not committed within 24 months after the last day of the month in which HUD notifies the entity of HUD's execution of the HOME Investment Partnership Agreement.

serving homeless veterans. Unfortunately, as is customary with complex financial transactions, some approvals and documentation stretched the process for these two RCAs beyond July 13th (the date at which time a no-tag would not have been necessary).

Because of the great need for these projects serving special needs populations, as well as the need to commit these HOME funds by the Federal Government's deadline, I am asking that these RCAs not be tagged. Both items were presented to the Housing and Community Development Committee on May 19, 2011, without opposition.

I do not like requesting any item not be tagged. I apologize for having to do so and for any inconvenience this may cause. In full disclosure - due to the complex nature of HCD's transactions, the occasional no-tag request is unfortunately inevitable in rare and extremely important circumstances. The Department will continue to work on indentifying efficiencies to improve our processes and overall functions.

If you have any questions or concerns, please contact me at 713-868-8305 or Marc Eichenbaum at 713-865-4557.

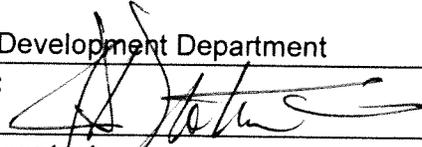
Thank you.

HCD11-90

TO: Mayor via City Secretary REQUEST FOR COUNCIL ACTION 11 Re-Ward Third Ward

SUBJECT: An Ordinance authorizing an Agreement between City of Houston and Re-Ward Third Ward for the construction of Zion Gardens Apartments.	Category #	Page 1 of 2	Agenda Item # 17
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FROM (Department or other point of origin): James D. Noteware Housing and Community Development Department	Origination Date 7/8/11	Agenda Date JUL 20 2011
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DIRECTOR'S SIGNATURE: 	Council District affected: District "I"
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For additional information contact: Eta Paransky Phone: (713) 868-8449	Date and identification of prior authorizing Council action:
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RECOMMENDATION: (Summary)

The Housing and Community Development Department (HCDD) recommends approval of an Ordinance authorizing an Agreement between City of Houston and Third Ward Reward for the construction of a 70-unit multi-family development.

Amount and Source of Funding: \$1,398,750 HOME Investment Partnership Fund (CHDO set aside)	Finance Budget:
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SPECIFIC EXPLANATION:

Re-Ward Third Ward, a Texas non-profit corporation, and a HCDD certified Housing and Community Development Organization is requesting a \$1,398,750 performance based loan (PBL) from the City of Houston for the construction of a 70-unit multi-family development to be known as Zion Gardens Apartments. Zion Gardens will be located at 2500 Webster near St Charles. Zion Gardens will provide affordable units with supportive services for individuals, families and persons with special needs. Thirty units will be designated for persons with special needs.

Re-ward Third Ward received 9% Low Income Housing Tax Credits from the Texas Department of Housing and Community Affairs to develop Zion Gardens. Zion Gardens, Ltd, a Texas Limited Partnership is the owner of the proposed Zion Gardens Apartments. An affiliate entity of Kenneth Fambro of Integrated Real Estate Group will be the primary developer along with Integrated Construction and Development, LP acting as the general contractor. Zion Gardens Affordable Housing, LLC, a Texas limited liability company, is the general partner of Zion Gardens Apartments. Re-Ward Third Ward is the manager of Zion Gardens Affordable Housing. Raymond James Tax Credit Funds, Inc., a national tax-credit syndicator, will acquire a 99.99% interest in the partnership by providing tax credit equity of \$7,916,827.

Zion Gardens Apartments will be built on a 1.09 acre site located in Houston's historic Third Ward neighborhood. Third Ward is located just southeast of downtown Houston, and is one of Houston's oldest African American communities. The Third Ward is home to the University of Houston and Texas Southern University, a community hospital, several community businesses, and numerous non-profit and community development organizations. Third Ward is also in close proximity to downtown Houston, the Texas Medical Center, two major parks, the Museum District, and two major sports complexes. Easy access to public transportation in and around the Third Ward makes it a very desirable and accessible neighborhood in which to live.

The development will offer brick and hardiplank construction, perimeter fencing, and a children's playground. The unit mix consists of (38) 2-bedroom/1-bath units, (28) 3-bedroom/2bath units, and (4) 4-bedroom/2-bath units. Unit amenities include washer/dryer connections, laminate counter tops, and ceiling fans. Green building features include Energy Star appliances, radiant barriers as well as other energy efficiencies in the building construction.

REQUIRED AUTHORIZATION		
Finance Director:	Other Authorization:	Other Authorization:

Date
7/8/11

Subject: An Ordinance authorizing an Agreement between City of Houston and Re-Ward Third Ward for the construction of Zion Gardens Apartments.

**Originator's
Initials**

Page
2 of 2

Re-Ward Third Ward will collaborate with other local organizations for the provision of supportive services. They will assist with GED counseling, homebuyer counseling, employment services, crisis prevention, and after school activities. Overall, Zion Gardens Apartments will provide decent, safe, quality affordable housing with supportive services available to its residents.

The City of Houston will provide HOME funds to Re-Ward Third Ward at a 0% interest rate and a 20- year term. The PBL is 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 City requirements. The City will place rent and tenant restrictions on the property through a Land Use Restriction Agreement (LURA). The City's LURA will be superior to all other liens on the property and be in effect for 20 years.

The City will restrict 17 of 70 units (24%), all of which will be for households earning less than 60% of the AMI. Of these units, 4 will be reserved for households whose income is less than 50% of area median income. The restricted units will float throughout the project.

Estimated Sources of Funds:

JP Morgan Chase	\$ 2,200,000	\$ 31,429 per unit	18%
HOME Funds	1,398,750	19,982 per unit	12%
Tax Credit Equity	7,916,827	113,097 per unit	66%
Deferred Developer Fee	<u>483,218</u>	<u>6,903</u> per unit	<u>4%</u>
TOTAL	\$11,998,795	\$171,411per unit	100%

Estimated Uses of Funds:

Acquisition	\$ 750,000	\$ 10,714 per unit
Hard Costs	7,650,497	109,293 per unit
Soft Costs	2,033,298	29,047 per unit
Developer Fees	<u>1,565,000</u>	<u>22,357</u> per unit
TOTAL	\$11,998,795	\$ 171,411per unit

This item was presented to the Housing and Community Development Committee on May 19, 2011, and no action was taken due to lack of quorum.

This project is consistent with the City of Houston Consolidated Plan to provide affordable housing. The Department recommends approval of an Agreement between the City of Houston and Re-Ward Third Ward.

JN:EP:BF

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

TO: Mayor via City Secretary REQUEST FOR COUNCIL ACTION

SUBJECT: Ordinance approving an amendment to the Grant Agreement between the City and the Young Men's Christian Association of the Greater Houston Area (YMCA) and establishing a special fund reserve in the Housing Special Revenue Fund to be jointly funded by the City and the YMCA.	Category #	Page 1 of 1	Agenda Item # <div style="text-align: right; font-size: 2em;">18</div>
FROM (Department or other point of origin): James D. Noteware, Director Housing and Community Development Department (HCDD)	Origination Date 7/14/11	Agenda Date JUL 20 2011	
DIRECTOR'S SIGNATURE: 	Council District affected: Citywide		
For additional information contact: Eta Paranksy Phone: 713-868-8449	Date and identification of prior authorizing Council action: Ord. 98-476, 6/17/98		

RECOMMENDATION: (Summary)
 City Council approve an Ordinance amending the Grant Agreement between the City and the YMCA and establishing a special fund reserve in the Housing Special Revenue Fund to be funded jointly by the City and the YMCA.

Amount of Funding: **\$285,293** **Finance Budget:**

SOURCE OF FUNDING [] General Fund [] Grant Fund [] Enterprise Fund
 Other (Specify) HOUSING SPECIAL REVENUE FUND

SPECIFIC EXPLANATION:
 In 1998, the City and the YMCA entered into a Grant Agreement, approved by Ordinance No. 98-476 (Agreement), pursuant to which the City granted funds to the YMCA from the general obligation Commercial Paper Notes for the rehabilitation of three transitional housing properties owned and operated by the YMCA, including the "Downtown property" located at 1600 Louisiana Street. In exchange for the grant, the YMCA agreed to operate these properties for 15 years, and agreed that should it sell any of these properties during the 15-year grant period, to reimburse the City a certain portion of the proceeds. In 2010, the YMCA sold the Downtown property, remitted a check to HCDD in the amount of \$285,293, and requested that the City release the Downtown property use restrictions of the Agreement.

To assure these funds continue to be used for affordable housing and services to affordable housing residents, HCDD and the YMCA desire that the City establish a special fund reserve within the Housing Special Revenue Fund dedicated to funding City-YMCA collaborative projects. HCDD will fund the special fund reserve with the \$285,293 YMCA reimbursement, and the YMCA will contribute a matching grant of \$285,293. The parties contemplate entering into a written agreement by which both parties may propose projects, but any expenditure of funds must be approved by City Council and the YMCA's governing board. Any money remaining in the special fund reserve five years after the effective date of the Ordinance establishing the fund will be divided equally between the City and the YMCA.

This item was presented to the Housing and Community Development Committee on April 21, 2011, and no action was taken due to lack of quorum.

The Department recommends that City Council approve an Ordinance establishing a special fund reserve within the Housing Special Revenue Fund, authorizing the deposit of the \$285,293 reimbursed to the City and the YMCA's matching funds, authorizing the Director of HCDD to negotiate a written agreement governing the funds, and adopting an amendment to the Grant Agreement to release the Downtown property from use restrictions.

- cc: Marta Crinejo, Agenda Director
 Anna Russell, City Secretary
 David Feldman, City Attorney
 Deborah McAbee, Senior Assistant City Attorney

REQUIRED AUTHORIZATION

Finance Dept.	Other Authorization:	Other Authorization:
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Date

May 18, 2011

Subject The Housing and Community Development Department recommends City Council's approval of an Ordinance to amend the 1993, 1994, 1996, 1997, 1998, 1999, 2000, 2001, 2002, 2003, 2005, and 2008, Projected Use of Funds Budgets for the 19th, 20th, 22nd, 23rd, 24th, 25th, 26th, 27th, 28th, 29th, 31st, and 34th Program Years (Budgets) respectively, under the Community Development Block Grant to transfer funds remaining on completed projects and funds remaining in unallocated neighborhood facilities under the public facilities and improvement activity, in the total amount of \$800,000, to a new project, the Harris County Cemetery.

**Originator's
Initials**

**Page
2 of 2**

Program Year/Project	Amount Budgeted
1993 - Southwest Multi - Service Center	(25,965.97)
1993 - Harris County Cemetery Project	25,965.97
1994 - Neighborhood Facilities	(.78)
1994 - Harris County Cemetery Project	.78
1996-Southwest Mult- -Service Center	(22,347.06)
1996- Harris County Cemetery Project	22,347.06
1996 - Neighborhood Facilities	(19,052.78)
1996 - Harris County Cemetery Project	19,052.78
1997 - Neighborhood Facilities	(33,274.97)
1997 - Harris County Cemetery Project	33,274.97
1998 - Neighborhood Facilities	(2,789.39)
1998 - Harris County Cemetery Project	2,789.39
1999 - Neighborhood Facilities	(49,227.04)
1999 - Harris County Cemetery Project	49,227.04
2000 - Neighborhood Facilities	(53,438.10)
2000 - Harris County Cemetery Project	53,438.10
2001- Street Construction (Benson)	(15,147.72)
2001 - Harris County Cemetery Project	15,147.72
2002 - Street Overlay	(19,568.70)
2002 - Harris County Cemetery Project	19,568.70
2002 - Southwest Multi - Service Center	(444.00)
2002 - Harris County Cemetery Project	444.00
2002 - Neighborhood Facilities	(19,739.50)
2002 - Harris County Cemetery Project	19,739.50
2003 - Neighborhood Facilities	(4,322.49)
2003 - Harris County Cemetery Project	4,322.49
2005 - Southwest Multi-Service Center	(103,003.61)
2005 - Harris County Cemetery Project	103,003.61
2005 - Carnegie Branch Library	(600.00)
2005 - Harris County Cemetery Project	600.00
2005 - Dixon Branch Library	(600.00)
2005 - Harris County Cemetery Project	600.00
2005 - Flores Branch	(600.00)
2006 - Harris County Cemetery Project	600.00
2005 - Lakewood Branch	(875.00)
2005 - Harris County Cemetery Project	875.00
2005 - Park Place Branch	(600.00)
2005 - Harris County Cemetery Project	600.00
2005 - Pleasantville Branch	(875.00)
2005 - Harris County Cemetery Project	875.00
2005 - Scenic Wood Branch	(600.00)
2005 - Harris County Cemetery Project	600.00
2005 - Smith Branch Library	(50.00)
2005 - Harris County Cemetery Project	50.00
2005 - Stanaker Branch	(600.00)
2005 - Harris County Cemetery Project	600.00
2005 - Tuttle Branch	(600.00)
2005 - Harris County Cemetery Project	600.00
2008 - Neighborhood Facilities	(425,677.89)
2008 - Harris County Cemetery Project	425,677.89

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Approval of an ordinance authorizing the Houston Police Department to apply for and accept funds from the Department of Justice Fiscal Year 2011 Justice Assistance Grant.	Category #	Page 1 of 1	Agenda Item # 20
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FROM: (Department or other point of origin): Houston Police Department	Origination Date	Agenda Date JUL 20 2011
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DIRECTOR'S SIGNATURE: <i>Charles A. McClelland, Jr.</i> Charles A. McClelland, Jr., Chief of Police	Council Districts affected: All
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For additional information contact: Joseph A. Fenninger, CFO and Deputy Director 713-308-1770 <i>JAF</i>	Date and identification of prior authorizing Council Action:
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RECOMMENDATION: (Summary)
The Houston Police Department recommends City Council approve an ordinance authorizing application for and acceptance of grant funds from the Department of Justice Fiscal Year 2011 Justice Assistance Grant.

Amount of Funding: Grant Revenue Fiscal Year 2011 Justice Assistance Grant from the DOJ: \$2,988,782	Finance Budget:
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SOURCE OF FUNDING: General Fund Grant Fund Enterprise Fund Other (Specify)

Department of Justice/Amount Requested: \$2,988,782

SPECIFIC EXPLANATION:

FY 2011 Justice Assistance Grant

The Houston Police Department (HPD) is submitting an application for grant funding to the Department of Justice for the Fiscal Year 2011 Justice Assistance Grant (JAG). HPD has been designated as the lead agency and jointly applies for the funding with the Harris County Sheriff's Office (HCSO), per an interlocal agreement. The grant is non-competitive and formula driven. This formula based amount will be split equally with HCSO, providing both entities with \$1,494,391, for a total of \$2,988,782. As a requirement of the grant process, HPD is required to obtain an ordinance authorizing the application for and acceptance of the grant funds. **This grant does not require a cash match.**

The \$1,494,391 of JAG funding provides HPD with flexibility to prioritize funding where it is most beneficial. HPD proposes to allocate this funding to civilian support personnel and classified overtime as a continuation of previous awards. The grant will fund six positions in the Information Services group and one in the Budget and Finance Division. The Information Services employees provide critical support in implementing and supporting computer systems across the Houston Police Department while the Budget and Finance Division employee provides financial services and professional oversight of various grants administered by the Houston Police Department. Further, the grant will also provide funding for targeted law enforcement overtime for patrol and other high demand areas as law enforcement needs require.

HCSO will utilize their funding toward upgrades to the jail system, general audio/video equipment upgrades, purchase of forensic and tactical equipment and training.

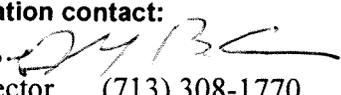
REQUIRED AUTHORIZATION

Finance Budget:	Other Authorization: <i>JAF 7/2/11</i>	Other Authorization: <i>Charles A. McClelland, Jr.</i>
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SUBJECT: Ordinance authorizing the Houston Police Department to apply for and accept National Institute of Justice (NIJ) funding for the FY 2011 DNA Backlog Reduction Program.	Category # 1	Page 1 of 1	Agenda Item # 21
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FROM: (Department or other point of origin): Houston Police Department	Origination Date	Agenda Date JUL 20 2011
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DIRECTOR'S SIGNATURE: Charles A. McClelland, Jr. Chief of Police 	Council Districts affected: ALL
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For additional information contact: Joseph A. Fenninger, CFO and Deputy Director (713) 308-1770 	Date and identification of prior authorizing Council Action:
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RECOMMENDATION: (Summary)
The Houston Police Department recommends that City Council adopt an ordinance authorizing an application for and acceptance of grant funds from the National Institute of Justice (NIJ) to fund the FY 2011 DNA Backlog Reduction Program for the Crime Lab.

Amount of Funding: <table border="0"> <tr> <td><u>NIJ</u></td> <td><u>Cash Match</u></td> <td><u>In-Kind</u></td> <td><u>Total Funding</u></td> <td>F & A Budget:</td> </tr> <tr> <td>\$1,532,118</td> <td>-0-</td> <td>-0-</td> <td>\$1,532,118</td> <td></td> </tr> </table>	<u>NIJ</u>	<u>Cash Match</u>	<u>In-Kind</u>	<u>Total Funding</u>	F & A Budget:	\$1,532,118	-0-	-0-	\$1,532,118	
<u>NIJ</u>	<u>Cash Match</u>	<u>In-Kind</u>	<u>Total Funding</u>	F & A Budget:						
\$1,532,118	-0-	-0-	\$1,532,118							

SOURCE OF FUNDING: General Fund Grant Fund Enterprise Fund

Other (Specify) FY 2011 DNA Reduction Program: \$1,532,118

SPECIFIC EXPLANATION:

The National Institute of Justice of the U.S. Department of Justice (DOJ) Office of Justice Programs makes grant funds available to assist units of local government to reduce DNA casework backlogs. The Houston Police Department Crime Lab is requesting City Council approval to apply for and accept \$1,532,118 in grant funds from the National Institute of Justice to be used towards the following goals:

- Reducing the forensic DNA case backlog through outsourcing; and
- Reducing the number of untested sexual assault kits stored in the Property Room and Crime Lab

The HPD Crime Lab can expect to reduce the DNA case backlog through outsourcing. The Crime Lab also expects to complete work on at least 3,500 sexual assault kits with federal funding by hiring ten (10) contract screeners. The backlog of non-screened sexual assault cases stored in the Property Room and Crime Lab will be reduced by approximately 25% by maintaining employment of 10 contract employees during the grant period from October 1, 2011 to March 31, 2013. This grant will allow the continuation of the work being performed under the FY10 DOJ grant award that has already proven to be successful in reducing the number of sexual assault kit backlog cases by 367 as of July 6, 2011, through the employment and in-house training of 10 contract scientists.

This grant does not require a cash or in-kind match.

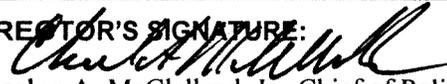
F&A Director:	Other Authorization: 	Other Authorization:
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TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Ordinance increasing the maximum amount of Professional Services Contract with Ron Smith & Associates, Inc. to provide management services to the Houston Police Department (HPD) Latent Print Processing/ Comparison Unit.	Page 1 of 2	Agenda Item # 23
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FROM: (Department or other point of origin): Houston Police Department	Origination Date:	Agenda Date: JUL 20 2011
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DIRECTOR'S SIGNATURE:  Charles A. McClelland, Jr., Chief of Police	Council District affected: All
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For additional information contact: Joseph A. Fenninger  Phone: 713-308-1770 CFO and Deputy Director	Date and identification of prior authorizing Council action: Ordinance 2008-1233, 12/30/08; Motion 2009-0892, 12/09/09; Ordinance 2009-1359, 12/16/09; Ordinance 2010-0539, 06/30/10; Ordinance 2011-0140, 02/23/11
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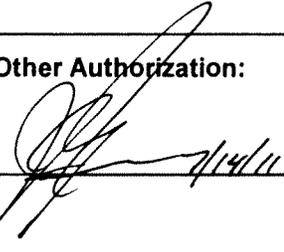
RECOMMENDATION: Adopt an ordinance increasing the maximum contract amount with Ron Smith & Associates, Inc. to provide operational and management services for the HPD Latent Print Processing/Comparison Unit.

Amount and Source of Funding: \$2,832,036 - General Fund - 1000
Maximum Contract Amount: \$8,366,073

Specific Explanation:
Ron Smith & Associates, Inc. (RSA) has managed the day-to-day operations of HPD's Latent Print Processing/ Comparison Unit since January of 2010, and has directly addressed and resolved many of the structural, operational, financial, and contractual issues surrounding the rebuilding of the unit. A total of \$2,832,036 is included in the HPD adopted budget to continue the RSA contract throughout FY12. HPD recommends that City Council adopt an ordinance approving additional spending authority in the amount of \$2,832,036, raising the maximum contract value to \$8,366,073. The amount budgeted represents ongoing cost of operations that would largely be incurred if HPD had comparable in-house staffing for the Latent Print Unit.

Background Information:
In December of 2008, City Council approved a two-year contract with Ron Smith & Associates, Inc. to provide a technical audit of the Latent Print Processing/ Comparison Unit along with other units of HPD's Identification Division. The contractor's findings confirmed that, in order to improve effectiveness and efficiency along with eliminating a growing backlog of cases, the Latent Print Processing/ Comparison Unit had to be substantially overhauled. Because HPD did not have the internal expertise or capacity to perform this exercise, and having already gone through the vetting process of choosing the most experienced and qualified forensics firm to perform the audit, in December of 2009, HPD recommended and City Council approved a first amendment to the contract with Ron Smith & Associates, Inc. The contract amendment increased the maximum contract amount to \$2,902,037, allocated additional funding of \$2.33 million for FY10, and extended the contract term to December 2012 plus two additional option years. The new deliverables included, but were not limited to, an assessment of the operations of all aspects of the Latent Print Processing/ Comparison Unit, reanalysis and rework of violent crime cases, processing of backlog cases, continued management of daily operations, and the production of appropriate manuals and reports. FY11 funding of \$2,332,000 to continue the work was approved by City Council on June 30, 2010, raising the maximum contract value to \$5,234,037. An additional increase of \$300,000 was requested and approved by City Council on February 23, 2011 which raised the maximum contract amount to \$5,534,037.

REQUIRED AUTHORIZATION

Finance:	Other Authorization: 	Other Authorization:
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Date	Subject: Ordinance increasing the maximum contract amount of Professional Services Contract with Ron Smith & Associates, Inc. to provide management services to the Houston Police Department (HPD) Latent Print Processing/ Comparison Unit.	Originator's Initials <i>JM</i>	Page 2 of 2
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While providing the day-to-day coverage of the Latent Print Processing/ Comparison Unit, RSA is also working to process prints from 6,100 cases through local, state, and federal databases for possible comparisons. Additionally, RSA continues work-up on prints from another 1,730 cases that have already been compared to local, state and federal databases from an original group of 2,800 cases that were worked through the re-analysis process. The analysis process is a labor intensive and exacting process wherein a case that results in positive fingerprint identifications can take approximately four to five hours for the certified latent print examiner to conduct the analysis. From the inception of the project, RSA has examined over 4,900 cases with approximately 16,300 fingerprints analyzed. To date, RSA has made almost 3,000 identifications from the fingerprints that were analyzed with no erroneous identifications being found in the re-analysis work. RSA is also in the process of training HPD personnel to become Latent Print Processors. These employees will eventually be able to identify the types of evidence that can be processed for investigative purposes and will be able to capture information that will be subsequently analyzed by a certified latent print examiner.

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Award Ten Job Order Contracts for the Residential Energy Efficiency Program	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 JUL 20 2011
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DIRECTOR'S SIGNATURE Scott Minnix <i>Scott Minnix</i>	Council District(s) affected: All
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For additional information contact: Jacquelyn L. Nisby <i>J. Nisby</i> Phone: 832-393-8023	Date and identification of prior authorizing Council action:
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RECOMMENDATION: Award Job Order Contracts for the Residential Energy Efficiency Program to Vance Insulation, LLC, DSW Homes, LLC, CBIC Construction and Development, LLC, Great American Insulation Inc., Brown Sterling Builders, Inc., TLC Engineering, Inc., Horizon International Group, LLC, Pedraza HVAC, Inc., Excelsior Development, Inc. and Lone Star Roofing Home Repair Services, Inc.

Amount and Source Of Funding: N/A	Finance Budget:
Maximum Contract Amount for each contract: \$5,000,000.00 - 1 year	

SPECIFIC EXPLANATION: The City of Houston entered into a Grant Contract with the Texas Department of Housing and Community Affairs (TDHCA) in September, 2009. The contract provides approximately \$23.5M in American Recovery and Reinvestment Act (ARRA) funds to develop and implement a Weatherization Assistance Program. Currently, the contract's period of performance runs through August 31, 2011. To date, the Residential Energy Efficiency Program (REEP) developed by the City has spent approximately \$11.1M and weatherized 1,719 homes.

On December 16, 2009, City Council awarded four job order contracts to Payless Insulation, Inc.; WXR LLC f/k/a Direct Energy, LP; Standard Renewable Energy, LP; and PMG Project Management Group, LLC (PMG), to provide energy efficiency upgrades under the REEP. Due to the August 31, 2011 expenditure deadline and the backlog of approved residential and apartment units under the Program, additional contractors are needed to perform the work and accelerate the spending through the Program.

On March 17, 2011, the City of Houston received Statements of Qualifications (SOQs) from ten firms in response to the Request for Qualifications (RFQ) advertised during March. A three member committee comprised of current employees administering and managing the REEP reviewed the SOQs and deemed all of the submittals qualified to participate in the Program. All ten firms submitted the required paperwork, including insurance certificates, necessary to enter into a contract with the City. Therefore, the General Services Department recommends that City Council award job order contracts to the following ten firms: Vance Insulation, LLC, DSW Homes, LLC, CBIC Construction and Development, LLC, Great American Insulation Inc., Brown Sterling Builders, Inc., TLC Engineering, Inc., Horizon International Group, LLC, Pedraza HVAC, Inc., Excelsior Development, Inc. and Lone Star Roofing Home Services, Inc.

The referenced contract amount is sufficient to accommodate any maximum amount of work that any one contractor may perform and is consistent with the representations made in the RFQ. Additionally, all work must be completed within one-year even if the TDHCA extends the expenditure deadline noted in the grant.

REQUIRED AUTHORIZATION

CVIC ID 25MSC193

NDT

General Services Department: <i>Humberto Bautista</i> Humberto Bautista, P.E. Assistant Director		
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Date	SUBJECT: Award Nine Job Order Contracts for the Residential Energy Efficiency Program	Originator's Initials HB	Page 2 of 2
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PROJECT LOCATIONS: Citywide

M/WBE PARTICIPATION: A 14% MBE goal and 10% SBE goal have been established for each contract. Since these are job order contracts, sub-consultant MBE/SBE utilization will be determined as projects and proposals are produced.

PAY OR PLAY PROGRAM: The proposed contracts require compliance with the City's "Pay or Play" Ordinance regarding health benefits for employees of City contractors. In this case, all contractors, except Lone Star Roofing Home Services, Inc., will provide benefits for some employees but will pay into the Contractor Responsibility Fund for others in compliance with City policy. Lone Star Roofing Home Services, Inc. provides health benefits to eligible employees in compliance with City policy.

ARRA REQUIREMENTS: Each contractor will adhere to and comply with the special reporting requirements associated with the ARRA Grant as required by the Department of Energy and/or the City of Houston.

The City of Houston will adhere to and comply with the special reporting requirements associated with this ARRA Grant as required by the granting agency and/or U.S. Office of Management and Budget.

SM:HB:hb

c: Marta Crinejo; Jacquelyn L. Nisby, Calvin Curtis, Laura Spanjian

SUBJECT: Appropriate Additional Funds Professional Architectural Services Contract Harrison Kornberg Architects, LLC Renovation to the Parks and Recreation Department Campus and Park WBS No. F-0504D1-0001-3	Page 1 of 2	Agenda Item <div style="text-align: right;">25</div>
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FROM (Department or other point of origin): General Services Department	Origination Date 7-13-11	Agenda Date JUL 20 2011
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DIRECTOR'S SIGNATURE Scott Minnix 	Council District(s) affected: 1
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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. 2006-86; dated January 25, 2006 Ordinance No. 2007-1278; dated November 14, 2007
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RECOMMENDATION: Appropriate additional funds for the project.

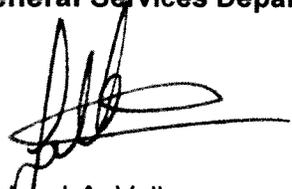
Amount and Source Of Funding: \$48,840.00 – Parks Consolidated Construction Fund (4502)	Finance Budget:
Previous Funding: \$1,511,910.00 – Parks Consolidated Construction Fund (4502)	

SPECIFIC EXPLANATION: On January 25, 2006, Ordinance 2006-86, City Council approved an architectural services contract with Harrison Kornberg Architects, LLC to develop a fully programmed Master Plan for the Parks and Recreation Department Campus and Park, which included Gragg Park, the Wheeler Warehouse Building and the Gragg Building. The Master Plan emphasized the need to renovate the 50-year-old Gragg Building to current uniform standards of condition, security, safety and accessibility, and also identified the need for additional work and storage space to accommodate current staff and plans for future growth. The first amendment to the contract, approved on November 14, 2007, implemented the Master Plan for the Gragg Building and Wheeler Warehouse Building. The design of the Gragg Building and Wheeler Warehouse Building incorporated LEED™ (Leadership in Energy and Environmental Design) credits to achieve a Certified Level. The renovation of the Gragg Building was substantially completed on October 30, 2009, and received LEED Gold certification and local, state and national historic designations.

The requested appropriation is necessary to further develop the Master Plan for Gragg Park, provide a forensic study and engineering and design services for repair of a foundation crack in the southwest wing of the Gragg Building, and additional design services for minor enhancements to the Gragg Building.

PROJECT LOCATION: 2999 South Wayside Dr. (Key Map 534G)

REQUIRED AUTHORIZATION CUIC ID# 25PARK152

General Services Department:  Richard A. Vella Chief of Design & Construction Division	Parks and Recreation Department:  Joe Turner Director
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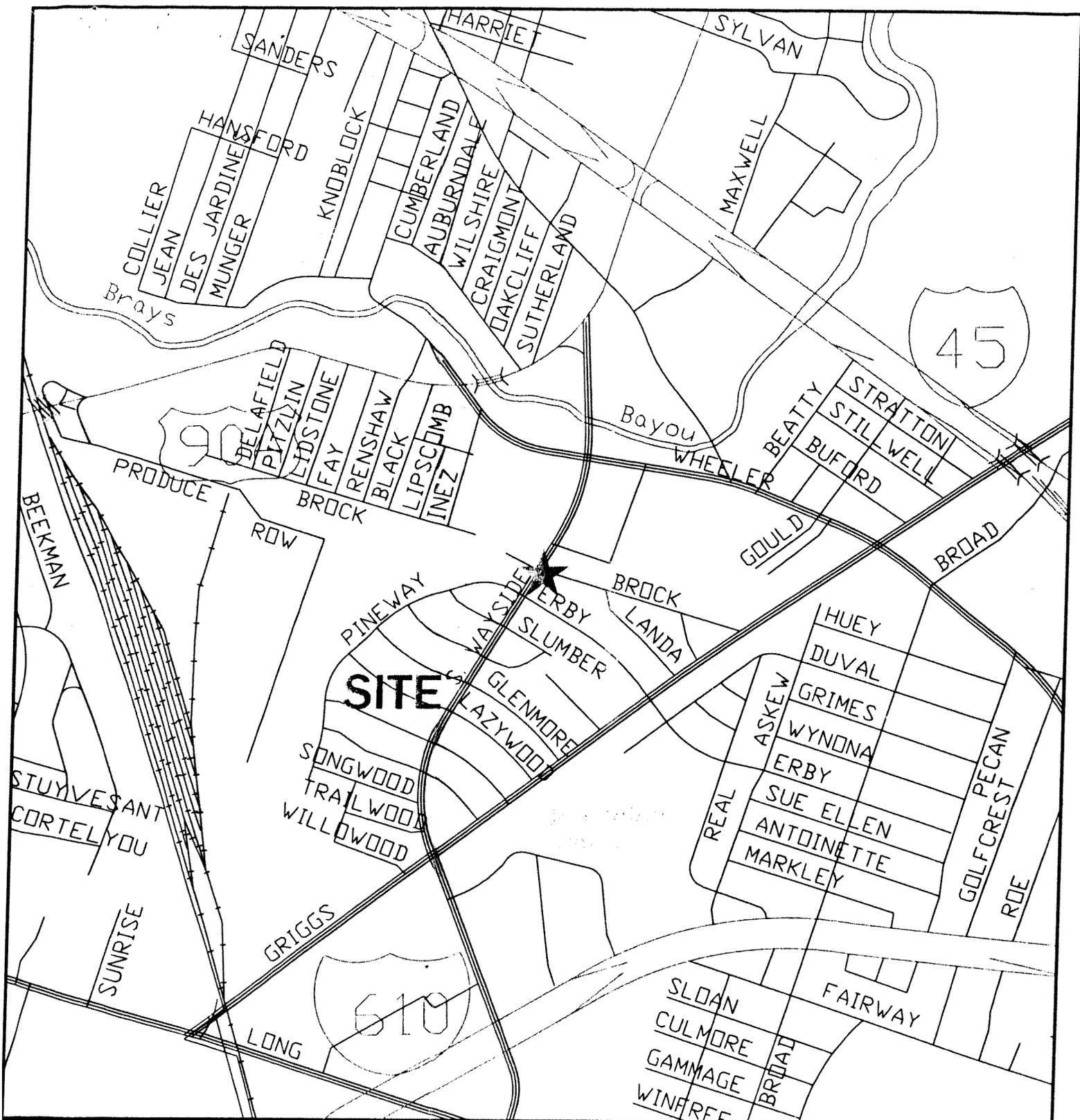
Date	SUBJECT: Appropriate Additional Funds Professional Architectural Services Contract Harrison Kornberg Architects, LLC Renovation to the Parks and Recreation Department Campus and Park WBS No. F-0504D1-0001-3	Originator's Initials DE	Page 2 of 2
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M/WBE INFORMATION: The original contract and this additional appropriation have a 24% M/WBE goal. To date, Harrison Kornberg has achieved 20.69% M/WBE participation.

Harrison Kornberg's original M/WBE plan included cost estimation and construction management services which were eliminated due to a change in the scope of work. In addition, the landscape architectural services' scope, included in the original M/WBE goal, was greatly reduced during the progress of the contract. Harrison Kornberg is working with the Office of Business Opportunity and have identified two certified firms to use to ensure optimal M/WBE participation by the completion of the contract.

SM:JN:RAV:LJ:DE:de

c: Marta Crinejo, Jacquelyn L. Nisby, Calvin Curtis, Morris Scott, Luci Correa, Christopher Gonzales, Bea Ornelas, File 507



PARD CAMPUS AND PARK
 2999 SOUTH WAYSIDE DR.
 HOUSTON, TX 77023

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

Subject: Ordinance Relating to Engineering Services in Support of Emergency Construction of Bypass Chilled Water Lines at IAH (Project No. 622) (WBS# A-000091-0010-4-01)	Category #	Page 1 of 2	Agenda Item # 26
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FROM (Department or other point of origin): Houston Airport System	Origination Date July 14, 2011	Agenda Date JUL 20 2011
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DIRECTOR'S SIGNATURE: <i>M. ...</i>	Council District affected: B
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For additional information contact: Lance Lyttle <i>HL</i> Phone: 281-233-1889 Robert Bielek 281-233-1941	Date and identification of prior authorizing Council action: N/A
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AMOUNT & SOURCE OF FUNDING: EPO No. SPD-MLK-051111-002 \$98,485.00 CIP No. A-0091.34 HAS Arpt Improvement (8011)	Prior appropriations: N/A
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RECOMMENDATION: (Summary)
 Ordinance appropriating the sum of \$98,485.00 out of the Airports Improvement Fund; ratifying the manual EPO No. SPD-MLK-051111-002 issued to Burns & McDonnell on May 11, 2011 for professional consulting services related to design and construction of bypass chilled water lines at George Bush Intercontinental Airport/Houston (Project No. 622); approving issuance of a system EPO to replace the manual EPO; and authorizing progress payments.

PROJECT LOCATION: George Bush Intercontinental Airport/Houston (IAH)

BACKGROUND: A set of direct buried chilled water lines that deliver cooling water to the terminals at IAH has developed a serious leak. The water leaking from the system is potentially eroding soil beneath JFK Boulevard and the abutments for the Taxiway RA bridge, which carries approximately 60 to 70% of the surface aircraft traffic at IAH.

Burns & McDonnell, a firm specializing in airport utility work, has provided the engineering oversight of the design portion which was previously funded under Purchase Order No. 4500138492 in the amount of \$50,000 that was issued on April 6, 2011. With the project moving to the Construction Phase, a manual EPO in the amount of \$98,485.00 has been issued to Burns & McDonnell on May 11, 2011 to provide continuation of their engineering oversight services for the construction portion of the project.

PROJECT SUMMARY: The Director of the Houston Airport System recommends that City Council enact an ordinance appropriating the sum of \$98,485.00 out of the Airports Improvement Fund; ratifying the manual EPO No. SPD-MLK-051111-002 issued to Burns & McDonnell on May 11, 2011 for engineering support services related to design and construction of bypass chilled water lines at George Bush Intercontinental Airport/Houston (Project No. 622); approving issuance of a system EPO to replace the manual EPO; and authorizing progress payments.

- This engineering oversight services for the construction portion of the contract shall include the following:
- Develop an Independent Project Estimate covering the construction of the piping replacement by Comfort Systems USA, South Central.
 - Support the weekly design meetings.

REQUIRED AUTHORIZATION

Finance Department: <input checked="" type="checkbox"/>	Other Authorization:	Other Authorization:
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Date July 14, 2011	Subject: Ordinance Relating to Engineering Services in Support of Emergency Construction of Bypass Chilled Water Lines at IAH (Project 622) (WBS# A-000091-0010-4-01)	Originator's Initials WD	Page 2 of 2
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- Provide engineering oversight over the construction activities during the construction phase of the project.

It is anticipated that the construction will take approximately 225 days.

PROJECT COST: The appropriation for Engineering Supervision for the Construction Phase of the Project is \$98,485.00.

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Supplemental Allocation to Contract for Professional Consulting Services with Jacobs Engineering Group, Inc. for Airport Spatial Information System (ASIS) Development/Management Services for the Houston Airport System, Project 584A, (WBS# A-000417-0002-3-01; Contract No. 4600007373)	Page 1 of 2	Agenda Item # 27
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FROM (Department or other point of origin): Houston Airport System	Origination Date June 10, 2011	Agenda Date JUL 20 2011
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DIRECTOR'S SIGNATURE: <i>M. Lee</i>	Council District affected: B, E & I
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For additional information contact: Lance Lyttle <i>HL</i> Phone: 281-233-1889 Carlos Ortiz <i>CO</i> 281-233-1842 <i>KR</i>	Date and identification of prior authorizing Council action: 11/15/06 (O) 2006-1150 04/02/08 (O) 2008-0268 04/29/09 (O) 2009-0351 12/02/09 (O) 2009-1224
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AMOUNT & SOURCE OF FUNDING: CIP No. A-0417.09 \$2,600,000.00 Arpt Improvemt (8011) <i>98</i>	Prior appropriations: 11/15/06.....\$2,000,000.00 Arpt Improvemt Fd (8011) 04/02/08.....\$2,000,000.00 Arpt Improvemt Fd (8011) 04/29/09.....\$1,000,000.00 Arpt Improvemt Fd (8011) 12/02/09.....\$2,000,000.00 Arpt Improvemt Fd (8011) Total.....\$7,000,000.00
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RECOMMENDATION: (Summary) Enact an Ordinance to approve a supplemental allocation to the Professional Consulting Services contract with Jacobs Engineering Group, Inc. and appropriate the necessary funds to finance the cost of these services.

SPECIFIC EXPLANATION: On November 15, 2006, the City entered into a professional consulting services contract with Jacobs Engineering Group, Inc. (formerly Carter & Burgess, Inc.) for Airport Spatial Information System (ASIS) Development Services for the Houston Airport System (HAS). Services provided to date include the development of an organizational structure for GIS administration, system components for future GIS projects, acquisition of required hardware and software, development of standards and procedures, and the development and deployment of a Digital Document Management System (DDMS) that integrates with the ASIS application. Additionally, utility infrastructure mapping databases and procedures for George Bush Intercontinental Airport/Houston (IAH), William P. Hobby Airport (HOU) and Ellington Airport (EFD) have been created and are being populated with utility data.

It was anticipated at the time of the original appropriation that supplemental funding would be requested for continued development and updates to ASIS. On April 2, 2008 and April 29, 2009, Council approved Amendment Nos. 1 and 2 to provide additional funding for further development and updates to ASIS. On December 2, 2009, Council approved a supplemental allocation to provide uninterrupted service for development of ASIS.

REQUIRED AUTHORIZATION

Finance Department:	Other Authorization:	Other Authorization: <i>NOT</i>
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Date June 10, 2011	Subject: : Supplemental Allocation to Contract for Professional Consulting Services with Jacobs Engineering Group, Inc. for Airport Spatial Information System (ASIS) Development/Management Services for the Houston Airport System, Project 584A, (WBS# A-000417-0002-3-01; Contract No. 4600007373)	Originator's Initials TB	Page 2 of 2
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It is now requested that Council approve a supplemental allocation in the amount of \$2,600,000.00 to provide continued services for the following initiatives:

- Provide all services required to comply with recently mandated Federal Aviation Administration (FAA) Advisory guidelines for collecting and submitting data to FAA's Airports Geographic Information System (AGIS) for HOU and EFD by end of 2011. This effort will include, but is not limited to, the acquisition of high resolution aerial imagery, planimetric mapping, ground surveying, data collection, planning, interim FAA submittals and the final submittal of all required documents and data to FAA.
- Provide on-site personnel for collecting and entering data, technical support and the continued development of the ASIS program.
- Integrating and linking other HAS information systems to the Airport Spatial Information System (ASIS).
- Enhancements and extensions to ASIS and the web portal OASIS.
- Scanning, indexing and data loading of HAS record documents into the Digital Document Management System.
- Conduct field surveys and inventory of IAH, HOU and EFD surface features, such as manholes, valves, meters, hydrants, signage, lighting, airfield markings, etc.

With the approval of this final supplemental allocation, all work under this contract will be completed on or before November 2013.

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

Firms	Type of Work	Amount	%
Landtech Consultants, Inc.	Survey, Asset Inventory and On-site Staff Support	\$200,000	7.7%
Martinez Geospatial, Inc.	Aerial Imagery and Planimetric Mapping	\$450,000	17.3%
Total		\$650,000	25.0%

The Jacobs Engineering Group, Inc. is currently achieving 24.9% DBE Participation on a 24% goal. The Houston Airport System Office of Small Business Development and Contract Compliance approves of this plan.

This project is eligible for federal funding through the FAA's AIP program. Appropriate fund source adjustments will be made in the future, if additional funding becomes available.

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

SUBJECT: Appropriation of Funds for the City of Houston's Share of the Chelford City MUD Regional Wastewater Treatment Facility Improvement Project W.B.S. No. R-000020-0005-4

Page
1 of 1

Agenda Item
#

28

FROM (Department or other point of origin):

Origination Date

Agenda Date

Department of Public Works and Engineering

JUL 20 2011

DIRECTOR'S SIGNATURE

Council District affected:
F, G

SKZ

Daniel W. Krueger, P.E.

For additional information contact:

Date and Identification of prior authorizing Council action:

Mark L. Loethen, P.E., CFM, PTOE
Deputy Director (832) 395-2705

Ordinance No. 84-1588; November 13, 1984
Ordinance No. 86-1972; December 30, 1986

RECOMMENDATION: (Summary)

Approve an ordinance appropriating funds for the City of Houston's share of the Chelford City MUD Regional Wastewater Treatment Facility Improvement Project and approving disbursement.

Amount and Source of Funding:

\$1,562,860.00 from Water and Sewer System Consolidated Construction Fund 8500

W.R. 7/12/2011

SPECIFIC EXPLANATION:

The City of Houston is a co-participant in the Chelford City MUD Regional Wastewater Treatment Facility as a result of annexing West Houston Municipal Utility District and Harris County Municipal Utility District No. 98 in 1984 and 1986, respectively. Chelford City Municipal Utility District ("Chelford") manages the regional facility for eight (8) participants. By contract, operation and maintenance expenses as well as capital improvements are shared by the co-participants.

It has now become necessary to appropriate capital funds to rehabilitate certain portions of the facility. The rehabilitation project includes the replacement of control panels and bar screens at the lift stations. Replacement of aeration blowers and controls are also required because they are beyond their service life and parts are no longer available. It is also necessary to rehab the piping for the return activated sludge lines that are deteriorated. Finally, the project will rehab the belt filter presses for the dewatering of sludge.

Under the contract, Chelford provided a notice of necessity which includes a written report from its consulting engineer of the proposed work and the estimated costs of design and construction. No later than six (6) months after receipt of the notice of necessity, the participants are required to provide to Chelford their share of the estimated costs for design and construction. The pro-rata share of the estimated cost is based on the capacity owned in the treatment facility. The City of Houston's beneficial ownership of capacity in the treatment facility is 23.27%. The estimate of the City of Houston's share for this project is \$1,562,860.00, which includes the cost for engineering, construction, and contingencies.

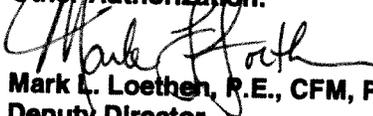
It is recommended that \$1,562,860.00 be appropriated for this rehabilitation and disbursement of the funds be approved.

REQUIRED AUTHORIZATION

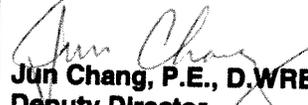
20UPA106

Finance Department

Other Authorization:


Mark L. Loethen, P.E., CFM, PTOE
Deputy Director
Planning & Development Services Div.

Other Authorization:


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



CITY OF HOUSTON

Department of Public Works and Engineering

Interoffice

Correspondence

To: Daniel W. Krueger, P.E.
Director

From: Deputy Director

Date: June 28, 2011

cc: Jun Chang, P.E., D.WRE

Subject: **APPROPRIATION OF FUNDS FOR CHELFORD
CITY MUD REGIONAL WASTEWATER
TREATMENT FACILITY IMPROVEMENTS**

Request signatures on the attached RCA for appropriation of funds for City's share of capital cost for improvements to the Chelford City MUD Regional Wastewater Treatment Facility ("Facility").

The City has two existing wastewater service contracts with Chelford City Municipal Utility District ("Chelford City") as a result of annexing West Houston MUD in 1984 and Harris County MUD No. 98 in 1986. Chelford City owns and operates the Facility and provides wastewater treatment to its participants through capacity entitlements. The City currently owns 23.27% of the capacity in the Facility and pays a monthly operating and maintenance charge. Request for capital improvement funds are allowed per contract when there is a necessity to rehab or expand the Facility to meet regulatory requirements.

Chelford City, based on their consultant engineer's recommendation, has provided a need-based request for capital funds for improvements to the Facility. The request for funds is divided in three components: 1) mandatory repairs to stay in compliance of permit; 2) upgrades to the sludge disposal system; and 3) system upgrades to reduce energy consumption. Based on coordination and review with the Legal Department and other Divisions within PWE, it is concluded that the City will need to provide the funds for the mandatory repairs. In addition, the improvements to the sludge disposal system will be beneficial to control and avoid increases in future operating and maintenance charges.

The City's share of the capital cost for the improvements is \$1,562,860, based on capacity ownership in the Facility.

The wastewater service contracts are 40-year terms, of which one will expire in approximately 7 years and the other in 10 years. Within the last five years, the operating and maintenance charges has increased 79% from 2006 to 2010. The Division's plan is to continue to monitor and scrutinize the operating and maintenance costs. The current cost of service is higher than the City's cost to provide the same service. Therefore, the Division recommends to divert flows out of the Facility and into the City's Upper Brays Wastewater Treatment Plant at the end of the contract terms through future capital projects.

Please let me know if you have any questions regarding this request.

A handwritten signature in black ink, appearing to read "Mark Loethen".

Mark L. Loethen, P.E., CFM, PTOE
Deputy Director
Planning and Development Services Division

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

SUBJECT: Petition for the City's consent to the addition of 12.54 acres of land to Harris County Water Control Improvement District No. 155 (Key Map No. 325-R & 326-N)	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 JUL 20 2011
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DIRECTOR'S SIGNATURE <i>Daniel W. Krueger</i> Daniel W. Krueger, P.E.	Council District affected: "ETJ"
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For additional information contact: <i>us</i> Mark L. Loethen, P.E., CFM, PTOE Deputy Director (832) 395-2705	Date and identification of prior authorizing Council action:
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RECOMMENDATION: (Summary)

The petition for the addition of 12.54 acres of land to Harris County Water Control Improvement District No. 155 be approved.

Amount and Source of Funding:

NONE REQUIRED

SPECIFIC EXPLANATION:

Harris County Water Control Improvement District No. 155 has petitioned the City of Houston for consent to add 12.54 acres of land, located in the city's extraterritorial jurisdiction, to the district.

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

The district is located in the vicinity of US Highway 290, Bauer Road, Schiel Road and Fairfield Place Drive. The district desires to add 12.54 acres, thus yielding a total of 2,438.6330 acres. The district is served by the Harris County Municipal Utility District No. 358 Wastewater Treatment Plant. The other districts served by the regional plant are Harris County Municipal Utility Districts Nos. 322, 354, 396 and 397. The nearest major drainage facility for Harris County Water Control Improvement District No. 155 is Bradford Creek which flows into Cypress Creek then into Spring Creek and finally into the San Jacinto River.

Potable water is provided by Harris County Municipal Utility District No. 358. By executing the Petition for Consent, the district has acknowledged that all plans for the construction of water conveyance, wastewater collection, and storm water collection systems within the district must be approved by the City of Houston prior to their construction.

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

Attachments

cc: Marta Crinejo Marlene Gafrick Jun Chang
Bill Zrioka Deborah McAbee Carl Smitha

REQUIRED AUTHORIZATION 20UPA107

Finance Department	Other Authorization: <i>Mark L. Loethen</i> Mark L. Loethen, P.E., CFM, PTOE Deputy Director Planning & Development Services Div.	Other Authorization:
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CITY OF HOUSTON



Department of Public Works and Engineering
Water District Consent Application Form



Application Accepted as Complete (to be completed by PW&E)

Application is hereby made for consent of the City of Houston to the creation/ addition of 12.54 acres to Harris County WCID 155 under the provisions of Chap. 51 Texas Water Code.

Kathleen Ellison
Attorney for the District

Attorney: Fulbright & Jaworski, LLP - Kathleen Ellison

Address: 1301 McKinney, Suite 5100

Houston, Texas

Zip: 77010

Phone: 713-651-3612

Engineer: AECOM Technical Services Inc. - Larry Mueller

Address: 5757 Woodway

Houston, Texas

Zip: 77057

Phone: 713-267-2754

Owners: Exxon Land Development, Inc

Address: 550 Greens Parkway, Suite 100

Houston, Texas

Zip: 77067

Phone: 281-874-8465

(If more than one owner, attach additional page. List all owners of property within the District)

LOCATION

INSIDE CITY

OUTSIDE CITY

Survey J. W. Baker

NAME OF COUNTY (S) Harris

Abstract 116

Geographic Location: List only major streets, bayous or creeks:

North of: US 290

East of: Bauer Road

South of: Schiel Road

West of: Fairfield Place Drive

WATER DISTRICT DATA

Total Acreage of District: 2426.093

Existing Plus Proposed Land 2438.633

Development Breakdown (Percentage) for tract being considered for annexation:

Single Family Residential 100%

Multi-Family Residential

Commercial

Industrial

Institutional

Sewage generated by the District will be served by a : District Plant Regional Plant

Sewage Treatment Plant Name: Harris County MUD 358 Wastewater Treatment Plant

NPDES/TPDES Permit No: 13296-002

TCEQ Permit No:



CITY OF HOUSTON



Department of Public Works and Engineering
Water District Consent Application Form

Existing Capacity (MGD): 2,000,000

Ultimate Capacity (MGD): 3,200,000

Size of treatment plant site: 10.7 square feet/acres.

If the treatment plant is to serve the District only, indicate the permitted capacity of the plant: _____ MGD.

If the treatment plant is to serve other Districts or properties (i.e. regional), please indicate total permitted capacity of the plant. List all Districts served, or to be served, within the plant and their allotted capacities

(If more than two Districts – attach additional page):

Total permitted capacity: 2.0

MGD of (Regional Plant).

Name of District: See attached

MGD Capacity Allocation _____

or property owner(s)

Name of District: See attached

MGD Capacity Allocation _____

Water Treatment Plant Name: HCMUD No. 358 Water Plant No. 1

Water Treatment Plant Address: 21015 Maple Village Dr - Main Plant,

Well Permit No: 146599 thru 146603; (5 wells)

Existing Capacity:

Well(s): 5,500

GPM

Booster Pump(s): 19,000

GPM

Tank(s): 4.16

MG

Ultimate Capacity:

Well(s): 8,700

GPM

Booster Pump(s): 24,000

GPM

Tank(s): 5.26

MG

Size of Treatment Plant Site: 6.85

square feet/acres.

Comments or Additional Information: _____



CITY OF HOUSTON



Department of Public Works and Engineering
Water District Consent Application Form

CHECKLIST

- The attorney for the district signed the application.
- The rounding of the acreage is consistent throughout the metes and bounds, petition, application, survey, and vicinity map, if listed.
- All documents are scanned electronically including survey and vicinity maps and copies submitted by e-mail or cd-rom (the original with original signature must be delivered in hard copy).

Attachments

- Petition to the state.
- Exhibit A metes and bounds.
- Exhibit B Consent Conditions, either ETJ (2006 version) or in-city. If this is an in-city mud, exhibit must state bonds must be approved by the city.
- The sealed survey plat is included.
- An 8 ½ inches by 11 inches vicinity map is attached and shows nearby roads and depicts the original boundary of the district (East West South and North direction delineated correctly on maps). If this is an annexation, also highlight the area to be annexed.
- Letters from adjacent districts and municipalities stating availability of utility service are attached. (This is for creation petitions and is applicable only if there is not an existing regional plant.)
- Certificates of Authority from lien holders.
- An application fee of \$425 per each non-contiguous tract included.

Please submit a complete original with all attachments to:

City of Houston, Planning & Development Services Division, Attention: Veronica Osegueda, 611 Walker St., 21st Floor; Houston, TX 77002.

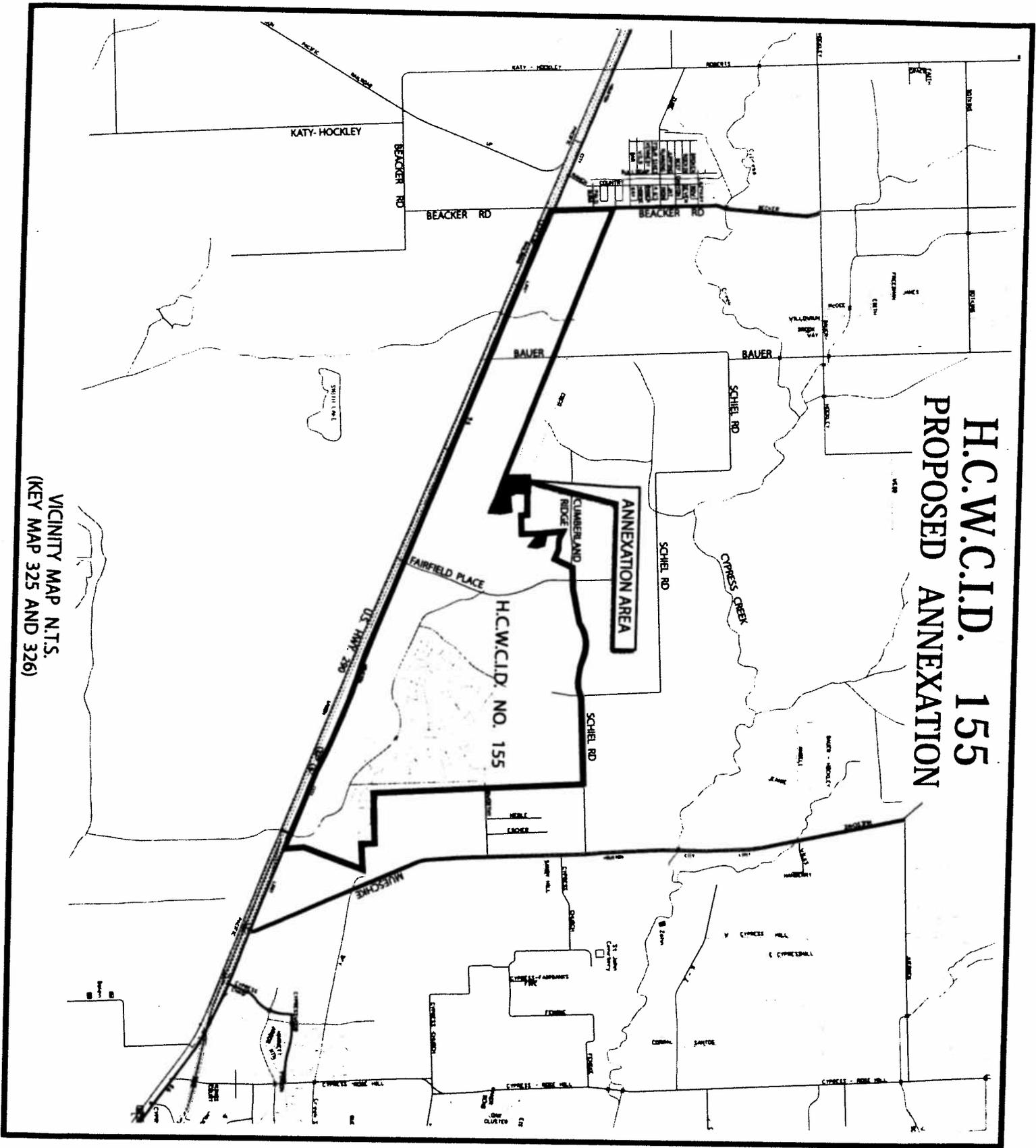
An electronic copy of the entire consent application, including all attachments, will expedite processing and is encouraged. Please submit the electronic copy to mudreview@cityofhouston.net.

PLEASE NOTE, APPLICATION WILL NOT BE ACCEPTED AS COMPLETE FOR PROCESSING UNLESS ALL ITEMS ARE INCLUDED. INCOMPLETE APPLICATIONS ARE SUBJECT TO RETURN.

The applicant may be contacted at anytime during the review process for additional information, even after the application is accepted as complete.

Please direct any questions regarding consent applications to mudreview@cityofhouston.net.

H.C.W.C.I.D. 155 PROPOSED ANNEXATION



VICINITY MAP N.T.S.
(KEY MAP 325 AND 326)

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

SUBJECT:

Ordinance granting a Commercial Solid Waste Operator Franchise

RCA #

Agenda Item#

30

FROM: (Department or other point of origin):

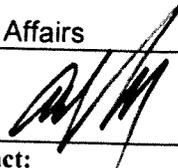
Alfred J. Moran, Director
Administration & Regulatory Affairs

Origination Date
07/06/11

Agenda Date

JUL 20 2011

DIRECTOR'S SIGNATURE:



Council Districts affected:

ALL

For additional information contact:

Juan Olguin JFO
Nikki Cooper

Phone: (713) 837- 9623
Phone: (713) 837- 9889

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

RECOMMENDATION: (Summary)

Approve an ordinance granting a Commercial Solid Waste Operator Franchise

Amount of Funding:
REVENUE

FIN Budget:

SOURCE OF FUNDING:

General Fund Grant Fund Enterprise Fund Other (Specify)

SPECIFIC EXPLANATION:

It is recommended that City Council approve an ordinance granting a Commercial Solid Waste Operator Franchise to the following solid waste operator pursuant to Article VI, Chapter 39. The proposed Franchisee is:

1. FCC Environmental, 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:

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#

31 ~~24~~ ~~27~~

FROM: (Department or other point of origin):

Alfred J. Moran, Director
Administration & Regulatory Affairs

Origination Date
06/15/11

Agenda Date
~~JUL 13 2011~~
JUL 06 2011
JUL 20 2011

DIRECTOR'S SIGNATURE:



Council Districts affected:

ALL

For additional information contact:

Juan Olguin ^{JFO} Phone: (713) 837- 9623
Nikki Cooper Phone: (713) 837- 9889

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

RECOMMENDATION: (Summary)

Approve an ordinance granting a Commercial Solid Waste Operator Franchise

Amount of Funding:
REVENUE

FIN Budget:

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

SPECIFIC EXPLANATION:

It is recommended that City Council approve an ordinance granting a Commercial Solid Waste Operator Franchise to the following solid waste operator pursuant to Article VI, Chapter 39. The proposed Franchisee is:

1. ROBERT E. JENKO, INC. D/B/A RELIABLE PIPE CLEANING

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:

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#

32 25 23

FROM: (Department or other point of origin):

Alfred J. Moran, Director
Administration & Regulatory Affairs

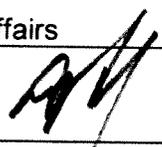
Origination Date

06/15/11

Agenda Date

~~JUL 06 2011~~

DIRECTOR'S SIGNATURE:



Council Districts affected:

ALL

JUL 28 2011
~~JUL 18 2011~~

For additional information contact:

Juan Olguin *JO*
Nikki Cooper

Phone: (713) 837- 9623

Phone: (713) 837- 9889

Date and identification of prior authorizing

Council Action: Ord. # 2002-526 – June 19, 2002;
Ord. # 2002-1166-December 18, 2002.

RECOMMENDATION: (Summary)

Approve an ordinance granting a Commercial Solid Waste Operator Franchise

Amount of Funding:

REVENUE

FIN Budget:

SOURCE OF FUNDING:

General Fund Grant Fund Enterprise Fund Other (Specify)

SPECIFIC EXPLANATION:

It is recommended that City Council approve an ordinance granting a Commercial Solid Waste Operator Franchise to the following solid waste operator pursuant to Article VI, Chapter 39. The proposed Franchisee is:

1. The Dumpster Guys, 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:

34

JUL 20 2011

MOTION NO. 2011 0550

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

Item 28 - Written Motion by Council Member Costello to amend Item 28A below to amend Section 4 of the ordinance to reduce the maximum contract amount from \$20 million to \$13.5 million

Seconded by Council Member Bradford and carried.

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

Council Member Clutterbuck absent due to being ill

Council Member Hoang absent on personal business

PASSED AND ADOPTED this 6th day of July 2011.

Pursuant to Article VI, Section 6 of the City Charter, the effective date of the foregoing motion is July 12, 2011.

City Secretary



CITY OF HOUSTON

Stephen C. Costello

28
JUL 06 2011

Interoffice

Correspondence

To: Mayor Parker
Council Members

From: Stephen C. Costello
Houston City Council Member
At-Large Position 1

SCC

Date: June 29, 2011

Subject: Amendment to Agenda Item #14

I move to amend Section 4 of the ordinance to reduce the maximum contract amount from \$20 million to \$13.5 million.

34A

JUL 20 2011

MOTION NO. 2011 0551

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

Item 28A - Ordinance awarding contract to Sprint Solutions, Inc., for Next Generation Wireless Devices and Services for the Information Technology Department; providing a maximum contract amount - 3 Years with two one-year options \$20,000,000.00 - Central Service Revolving Fund

Seconded by Council Member Johnson and carried.

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

Council Member Clutterbuck absent due to being ill

Council Member Hoang absent on personal business

PASSED AND ADOPTED this 6th day of June 2011.

Pursuant to Article VI, Section 6 of the City Charter, the effective date of the foregoing motion is July 12, 2011.

City Secretary

REQUEST FOR COUNCIL ACTION

RCA# 9105

TO: Mayor via City Secretary

Subject: Approve an Ordinance Awarding a Contract to the Best Respondent for Next Generation Wireless Devices and Services

Category #	Page 1 of 2	Agenda Item
34A	28A	#

FROM (Department or other point of origin):

Gary Morris
Deputy Director
Information Technology

Origination Date

June 24, 2011

Agenda Date

~~JUL 06 2011~~
~~JUN 29 2011~~

DIRECTOR'S SIGNATURE

Council District(s) affected
All

JUL 20 2011

For additional information contact:

Gary Morris Phone: (832) 393-0065
Frank Rodriguez Phone: (832) 393-0205

Date and Identification of prior authorizing Council Action:

RECOMMENDATION: (Summary)

Approve an ordinance awarding a contract to Sprint Solutions, Inc. in an amount not to exceed \$20,000,000.00 for next generation wireless devices and services.

Maximum Contract Amount: \$20,000,000.00

Finance Budget

\$20,000,000.00 - Central Services Revolving Fund (1002)

SPECIFIC EXPLANATION:

The Information Technology Department (ITD) recommends that City Council approve an ordinance awarding a three-year contract, with two one-year options, to Sprint Solutions, Inc., in an amount not to exceed \$20,000,000.00 for next generation wireless devices and services.

In June 2010 the City issued a Request for Proposal (RFP) to solicit responses for next generation wireless devices and services. Four vendors responded to this solicitation: AT&T Mobility, Sprint Solutions, Inc., T-Mobile, and Verizon Communications. An evaluation committee was formed to review responses and was composed of subject matter experts from the Houston Airport System (HAS), Houston Fire Department (HPD), Houston Police Department (HPD), Public Works & Engineering Department (PWE), Health & Human Services Department (HHS) and the Information Technology Department. Upon review of 1) written responses, 2) vendor oral presentations and 3) equipment testing the evaluation committee scored each vendor and Sprint Solutions, Inc. received the highest overall score and AT&T received the second overall score. ITD then entered into Best and Final Negotiations (BAFO) with the top two rated proposers and Sprint Solutions, Inc. provided a very aggressive pricing strategy.

In December 2010 ITD recommended Sprint Solutions, Inc. and the City entered into contract negotiations. Upon contract completion, ITD presented the negotiated contract to the Technology Initiatives and Human Services Committee on May 31, 2011.

The City Attorney was then asked to perform an additional BAFO with the top two rated proposers AT&T Mobility and Sprint Solutions, Inc. On June 21, 2011 both vendors presented their offers in person and further negotiated with the City Attorney. Upon completion of the negotiations, Sprint Solutions, Inc. is the recommended vendor. The additional negotiations with Sprint achieved the following benefits to the City:

- Credit in fiscal year FY12 in the amount of \$1.2 million
- Price reduction of 4G smart phones service by \$5 per unit
- \$30k/month discount in existing PWE Push-to-Talk services upon contract award

REQUIRED AUTHORIZATION

Finance Department:

Other Authorization:

Other Authorization:

Date: 6/24/2011	Subject: Approve an Ordinance Awarding a Contract to the Best Respondent for Next Generation Wireless Devices and Services	Originator's Initials FR	Page 2 of 2
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M/WBE Subcontracting:

This RFP was issued as a goal-oriented contract with an 5% M/WBE participation level. Sprint Solutions, Inc. has designated the below-named company as its certified M/WBE subcontractor.

<u>Subcontractor</u>	<u>Type of Work</u>	<u>Percentage</u>	<u>Amount</u>
Premier Paging, Inc.	Wireless Deployment, Delivery and Training	5%	\$1,000,000.00

The Mayor's Office of Business Opportunity will monitor this contract.

Pay or Play Program:

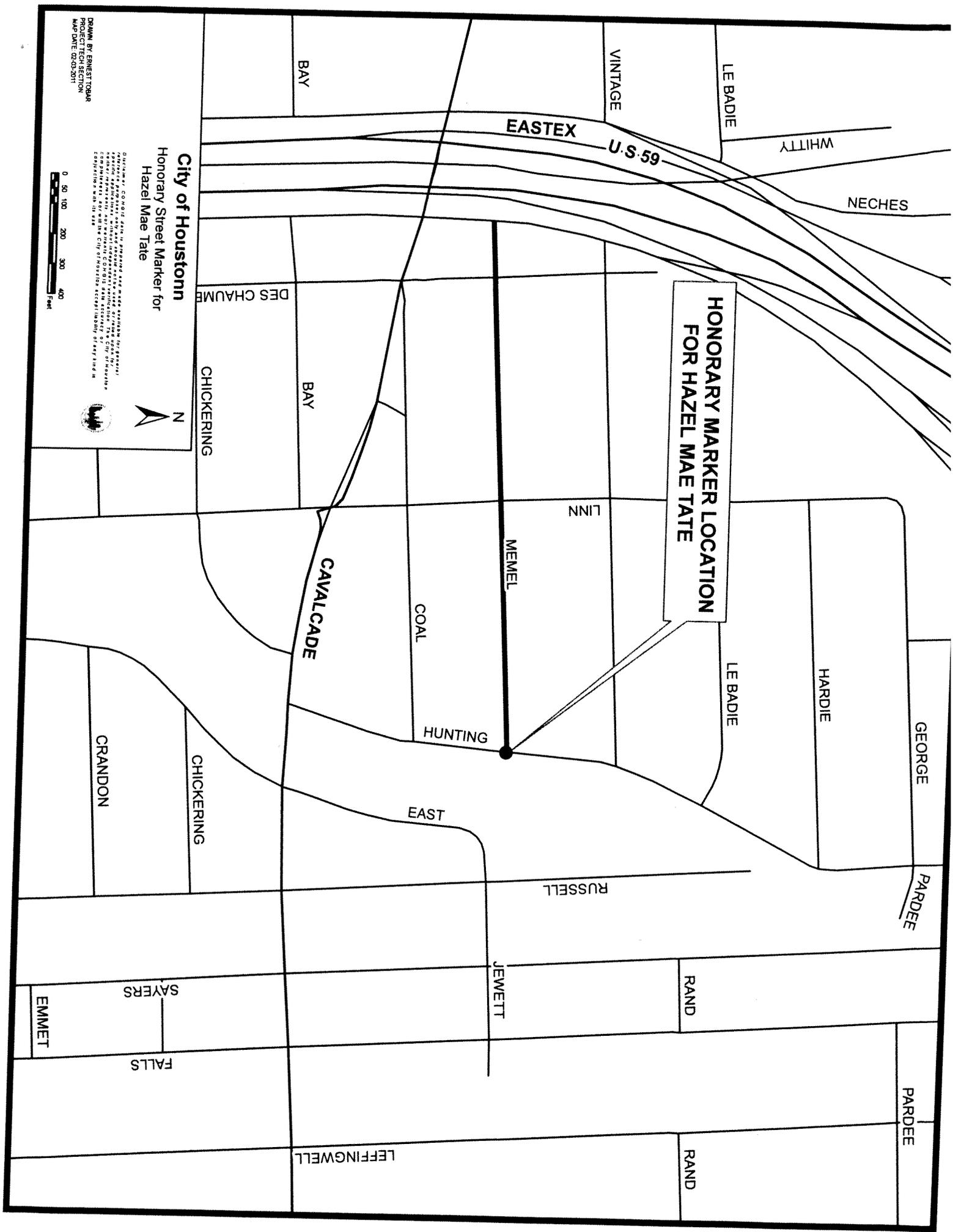
The proposed contract requires compliance with the City's 'Pay or Play' ordinance regarding health benefits for employees of City contractors. In this case, the contractor provides health benefits to eligible employees in compliance with City policy.

Estimated Spending Authority

Department	FY12	Out Years	Total Amount
Information Technology Department	\$3,000,000.00	\$17,000,000.00	\$20,000,000.00

TO: Mayor via City Secretary REQUEST FOR COUNCIL ACTION

SUBJECT: Request the designation of an Honorary Street Marker for Ms. Hazel Mae Tate		Category #	Page 1 of	Agenda Item #57
FROM (Department or other point of origin): Marlene L. Gafrick, Director Planning and Development Department		Origination Date 7/7/11		Agenda Date JUL 20 2011 JUL 19 2011
DIRECTOR'S SIGNATURE: <i>Marlene L. Gafrick</i>		Council District affected: B		
For additional information contact: Jennifer Ostlind Phone: 713-837-7871		Date and identification of prior authorizing Council action:		
RECOMMENDATION: (Summary) Approval of a motion designating an Honorary Street Marker for Ms. Hazel Mae Tate.				
Amount and Source of Funding:			Finance Budget:	
SPECIFIC EXPLANATION: The Planning and Development Department received a request for an Honorary Street Marker honoring Ms. Hazel Mae Tate. The Honorary Street Marker will be located at the intersection of Memel Street and West Hunting Street. (see map). Attached is a summary of Ms. Hazel Mae Tate's contributions to the community. The proposed marker is in compliance with City Council Honorary Marker policy. Attachment: Locater Map Summary of contributions cc: Anna Russell, City Secretary Daniel W. Krueger P.E., Director, Public Works and Engineering Daniel M. Feldman, City Attorney Bill Hlavacek, Public works and Engineering Jarvis Johnson, Council Member, District B				
REQUIRED AUTHORIZATION				
Finance Director:		Other Authorization:		Other Authorization:



**HONORARY MARKER LOCATION
FOR HAZEL MAE TATE**

City of Houston
Honorary Street Marker for
Hazel Mae Tate

DRAWN BY ERNEST TOBAR
DATE 05/11/2011
MAP DATE 05/03/2011

DISCLAIMER: CO NOT BE USED IN PREPARATION OF ANY OTHER MAPS OR MAPS FOR GENERAL PURPOSES. THIS MAP IS PROVIDED AS A SERVICE TO THE CITY OF HOUSTON AND IS NOT A GUARANTEE OF ACCURACY. THE CITY OF HOUSTON IS NOT RESPONSIBLE FOR ANY ERRORS OR OMISSIONS. THE CITY OF HOUSTON IS NOT RESPONSIBLE FOR ANY DAMAGES, INCLUDING CONSEQUENTIAL DAMAGES, ARISING FROM THE USE OF THIS MAP. THE CITY OF HOUSTON IS NOT RESPONSIBLE FOR ANY DAMAGES, INCLUDING CONSEQUENTIAL DAMAGES, ARISING FROM THE USE OF THIS MAP.



Dear Ms Marlene Gafrick,

I would like to request an Honorary Street Marker honoring Hazel Mae Tate. She lived in that community for 50 years. She sheltered the homeless in her two bedroom home located at 3420 Memel, Houston, Texas, 77026. She was always feeding the hungry and never turned anyone away who didn't have somewhere to stay. She even had people living in the attic, which was transformed into a room to provide shelter for those who needed it. Sometimes people were sleeping on mats on the floor in every room. She really cared for the community and was always there to lend a helping hand. She was the mother of the neighborhood, providing guidance for children when they became delinquent.

She passed January 4, 2010. She is greatly missed in the community and I feel she is worthy to be remembered on that street.

I would greatly appreciate if you would take this into consideration.

Thank you!!

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

Subject: Ordinance Relating to Emergency Construction of Bypass Chilled Water Lines at IAH (Project No. 622) (WBS# A-000091-0009-4-01)	Category #	Page 1 of 2	Agenda Item # 36/2
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FROM (Department or other point of origin): Houston Airport System	Origination Date July 7, 2011	Agenda Date JUL 20 2011 JUL 13 2011
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DIRECTOR'S SIGNATURE:  For Mario Diaz	Council District affected: B
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For additional information contact: Lance Lyttle Phone: 281-233-1889 Robert Bielek 281-233-1941	Date and identification of prior authorizing Council action: 07/06/11 (O) 2011-588
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AMOUNT & SOURCE OF FUNDING: EPO No. SPD-SRD-040511.001 \$ 12,068,827.00 CIP No. A-0091.33 HAS Arpt Improvement (8011)	Prior appropriations: 07/06/11.....\$5,000,000.00 HAS Arpt Improvement (8011)
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RECOMMENDATION: (Summary) Ordinance appropriating the sum of \$12,068,827.00 out of the Airports Improvement Fund; increasing the not to exceed spending authority of the manual Emergency Purchase Order No. SPD-SRD-040511.001 (EPO) to Comfort Systems USA, South Central, Inc. for emergency construction of bypass chilled water lines at George Bush Intercontinental Airport/Houston (Project No. 622) issued April 5, 2011 and ratified by City Council July 6, 2011 by Ordinance No. 2011-588 to \$17,068,827.00; approving issuance of a system EPO to replace the manual EPO; authorizing progress payments; and including the addendum containing Terms and Conditions.

PROJECT LOCATION: George Bush Intercontinental Airport/Houston (IAH)

PROJECT SUMMARY: A set of direct buried chilled water lines that deliver cooling water to the terminals at IAH has developed a serious leak. The cooling water is essential to ensure proper HVAC functions, the loss of which would impair operations at all the terminals. The water leak is in the general vicinity of JFK Boulevard and the abutments of one of the taxiway bridges.

On July 6, 2011, Council appropriated \$5,000,000 out of Airports Improvement Fund and ratified the issuance of Emergency Purchase Order (EPO) to Comfort Systems USA, South Central, Inc. for the initial work on the emergency construction of bypass chilled water lines. Under the approved \$5,000,000 manual EPO, Comfort Systems USA, South Central, Inc. has been working with the design team and begun mobilizing their workforce and procuring long-lead materials for construction of a new chilled water supply and return lines. It was noted in the RCA last week when the manual EPO was ratified that HAS is in the process of reviewing the documents for construction of the entire project and anticipated requesting Council approval of final documents and appropriation of additional funds for completion of this project in the upcoming weeks.

The Director of HAS now recommends that City Council enact an Ordinance appropriating the sum of \$12,068,827.00 out of the Airports Improvement Fund; increasing the not to exceed spending authority of the manual Emergency Purchase Order No. SPD-SRD-040511.001 (EPO) to Comfort Systems USA, South Central, Inc. for emergency construction of bypass chilled water lines at George Bush Intercontinental Airport/Houston (Project No. 622) issued April 5, 2011 and ratified by City Council July 6, 2011 by Ordinance No. 2011-588 to \$17,068,827.00; approving issuance of a system EPO to

REQUIRED AUTHORIZATION

Finance Department:	Other Authorization:	Other Authorization:
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Date July 7, 2011	Subject: Ordinance Relating to Emergency Construction of Bypass Chilled Water Lines at IAH (Project No. 622) (WBS# A-000091-0009-4-01)	Originator's Initials WD	Page 2 of 2
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replace the manual EPO; authorizing progress payments; and including and executing the addendum containing Terms and Conditions.

The new chilled water supply and return lines will be installed under emergency conditions from the Central Plant to the above ground connection point near the western side of Terminal C. This project includes the following:

- Install a new set of chilled water lines that would run above ground on approximately the same route that these lines run now (approximately 6,000 ft. of replacement line will be 36" diameter in order to provide future cooling capacity for future terminal development projects). When the new above ground lines are tied into the piping system they will immediately be placed into service via new valves in the system.
- Install screening around the piping in visible areas. The screening used will match that used on the existing pipe runs and used in the garages to provide a consistent appearance.

The construction term for this project is 225 days. Design services were provided by USA Shelco, Inc. (DBE certified firm) under the existing on-call planning contract with CH2M Hill. Burns and McDonnell, a firm specializing in airport utility work, is supplementing HAS staff and providing technical oversight for this project under a Purchase Order in the amount of \$50,000. A separate Council approval of an EPO will be requested to further fund Burns and McDonnell for their services throughout the end of this project.

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

PROJECT COST: The Guaranteed Maximum Price (GMP) for this emergency construction is \$17,068,827.00.

MBE PARTICIPATION: The Minority Business Enterprise participation goal for this project is thirty-three percent (33%) and will be met by the following firms:

Firm s	Type of Work	Amount	%
CBIC Construction & Development	Construction Management	\$4,275,349.00	25 %
TLC Engineering, Inc.	QA/QC, Inspections	\$ 580,000.00	3.4 %
Matt Mechanical, LLC	Mechanical Work	\$ 700,000.00	4.1 %
Silveria Sales	Material Supplier	<u>\$ 950,000.00</u>	<u>5.5 %</u>
		Total	38 %

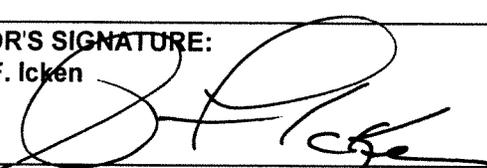
SUBJECT: Lease Agreement between the City of Houston and Summit Seafood Supply, Inc. – William P. Hobby Airport (HOU).		Category #	Page 1 of 2	Agenda Item # 37
FROM (Department or other point of origin): Houston Airport System		Origination Date July 5, 2011	Agenda Date JUL 20 2011 JUL 19 2011	
DIRECTOR'S SIGNATURE: <i>Mark S. ...</i>		Council District affected: I		
For additional information contact: Janet Schafer Phone: 281/233-1796 Roxane Bustos <i>INW</i> Phone: 281/233-1820		Date and identification of prior authorizing Council action:		
AMOUNT & SOURCE OF FUNDING: REVENUE: \$94,260.40 per year (\$7,855.03 monthly)		Prior appropriations: N/A		
RECOMMENDATION: (Summary) Enact an ordinance approving and authorizing the execution of a Lease Agreement between the City of Houston and Summit Seafood Supply, Inc., for premises located at William P. Hobby Airport (HOU).				
SPECIFIC EXPLANATION: Summit Seafood Supply, Inc., ("Lessee") has requested to lease a Hangar and land located at 8251 Travelair Street, William P. Hobby Airport (HOU). The pertinent terms and condition of the Lease Agreement are as follows: 1. Leased Premises: Approximately 24,767 square feet of Hangar (improvement) only. Approximately 52,798 square feet of Aircraft Ramp. Approximately 33,598 square feet of ground under Hanger and improved/unimproved area. Approximately 7,021 square feet for Additional Tract. 2. Term: Effective on countersignature date, the term is for ten (10) years, unless otherwise terminated in accordance with the terms of the Lease Agreement. The Director and Lessee may mutually agree in writing to terminate this Lease Agreement. The Lease Agreement may be terminated by Lessee upon 90 days' written notice to the Director. 3. Options: The Lessee may request an extension of up to three 5-year option periods, subject to Director's approval. 4. Use: Corporate Aviation operation only. Provided, however, if Lessee or its affiliate obtains an FAA Part 135 charter operations certificate, the Director shall not unreasonably withhold his approval to amend the Lease for City Council approval to change the permitted use to				
REQUIRED AUTHORIZATION				
Finance Department:		Other Authorization:		Other Authorization:

Date July 5, 2011	Subject: Lease Agreement between the City of Houston and Summit Seafood Supply, Inc. – William P. Hobby Airport (HOU).	Originator's Initials	Page 2 of 2
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allow Part 135 operations and to require compliance with all other regulations, permits insurance and terms and conditions related to Part 135 operations.

- 5. Rent: Rent will be \$94,260.40 per year (\$7,855.03* monthly), which shall be adjusted at year end to reconcile with the annual rate). When the Additional Tract is added the rent will be \$96,296.49 per year (\$8,024.71 monthly).

Lessee's rent shall increase by 15% each 5th year of Term and option periods (if exercised).
- 6. Performance Security: Lessee will provide a performance bond, an irrevocable letter of credit, or cash deposit in the amount of \$24,074.00.
- 7. Maintenance and Utilities: Lessee shall assume the entire responsibility, cost and expense for all repair and maintenance of the leased premises and shall be responsible for all utilities and fees.
- 8. Improvements: Lessee is obligated to expend a minimum of \$1,500,000 on Improvements to the Leased Premises at least 60 days prior to the expiration of the initial term. The Lessee shall also be required to install a fire suppression system within six months from the date of countersignature. If Lessee's actual expenditures are less than the total required Improvement Expenditure, the difference shall be charged as additional rent.
- 9. Indemnification and Insurance: Lessee shall indemnify and hold the City harmless and shall provide the required insurance in the limits as stated in the Lease Agreement.
- 10. Environmental Matters and Airport Rules: Lessee shall comply with all federal, state and local environmental laws and all airport policies and procedures.
- 11. Other: Lessee agrees to comply with all rules and regulations adopted by the airport and/or TSA and/or the FAA, and to comply with all federal, state and local statutes, ordinances, regulations and policies.

SUBJECT: Ordinance approving and authorizing an agreement for professional protocol services between the City of Houston ("City") and the Greater Houston Convention and Visitors Bureau ("GHCVB").		Category #	Page 1 of 38	Agenda Item #8
FROM (Department or other point of origin): Mayor's Office		Origination Date July 8, 2011	Agenda Date JUL 20 2011 JUL 13 2011	
DIRECTOR'S SIGNATURE: Andrew F. Icken 		Council District affected: All		
For additional information contact: Saba Abashawl 281-233-1829		Date and identification of prior authorizing Council action:		
RECOMMENDATION: (Summary) Approve a one-year contract between the City of Houston and the Greater Houston Convention and Visitors Bureau.				
Amount of Funding: \$420,000.00 General Fund (1000) (total dollar amount to be reimbursed by HOT funds)		Finance Budget:		
SPECIFIC EXPLANATION: <p>GHCVB has provided protocol services to the City for many years through its annual funding agreement with the Convention and Entertainment Facilities Department ("CEFD"). With CEFD's recent transition to Houston First Corporation ("HFC"), the GHCVB funding agreement is also moving to become an HFC contract. Because of the vital role GHCVB's protocol office plays in assisting the City in dealing with foreign consul offices and visiting dignitaries, as well as assisting in the City's ever expanding role in international matters, the City has elected to keep protocol services as a direct contract activity for the City rather than allowing it to move to the HFC contract. Management of the contract will be handled through the City's Chief Development Office, with day to day coordination by the Houston Airport System's External Affairs Office, and direct participation in protocol efforts by members of the Mayor's staff. The City proposes a one-year contract with GHCVB for the primary purpose of providing high quality protocol services, with direct coordination between the City and the GHCVB. The contract is expected to further their mutual efforts to promote and support tourism and the convention and hotel industry in Houston.</p> <p>The amount of the contract is based on past annual budgets and, though the monies are being allocated from the General fund, all dollars will be reimbursed by Hotel Occupancy Taxes.</p> <p>The proposed GHCVB agreement requires compliance with the City's "Pay or Play" ordinance regarding health benefits for employees of City contractors. In this case, the GHCVB provides health benefits to eligible employees in compliance with City policy.</p> <p>The MWBE goal for this contract is 4% of all funds paid to the GHCVB under the agreement.</p> <p>The Mayor's Office recommends City Council approval of a contract with the Greater Houston Convention and Visitors Bureau for FY2012.</p>				
REQUIRED AUTHORIZATION				
Finance Department:	Other Authorization:	Other Authorization:		

26

JUL 13 2011

40

JUL 20 2011

MOTION NO. 2011

MOTION by Council Member Lovell that the recommendation of the Director of the Department of Public Works and Engineering, for approval of the Municipal Drainage Utility System Appeal Process, be adopted, and the adoption of the attached Drainage Utility System Appeal Process is hereby approved by the City Council.

Seconded by Council Member Gonzalez

Council Members Adams and Noriega absent

Council Member Clutterbuck due to being ill

Council Member Hoang absent on personal business

On 07/06/2011 the above motion was tagged by Council Members Sullivan, Jones and Bradford.

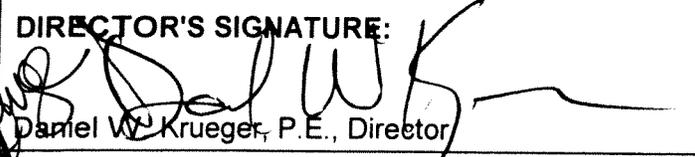
mla

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Approve the Municipal Drainage Utility System Appeal Process following the adoption of Article XIV to Chapter 47 of the Code of Ordinances.	Category #	Page #	Agenda Item #
	40	26	2-1

FROM (Department or other point of origin): Department of Public Works and Engineering	Origination Date:	Agenda Date
	JUL 20 2011	JUL 06 2011

DIRECTOR'S SIGNATURE:  Daniel W. Krueger, P.E., Director	Council District Affected: All JUL 13 2011
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For additional information contact: Susan Bandy 832-395-2500	Date and identification of prior authorizing Council action: Ordinance 2011-254, April 6, 2011
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RECOMMENDATION: (Summary)
Adopt a Motion approving the Municipal Drainage Utility System Appeal Process.

Amount of Funding: Not Applicable	Finance Budget: NA
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Source of Funding: N/A [] General Fund [] Grant Fund [] Other (Specify) [] Enterprise Fund

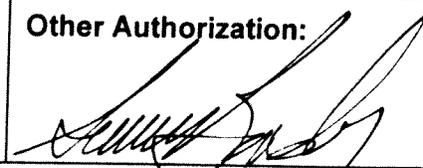
SPECIFIC EXPLANATION:

On November 2, 2010, Houston voters approved Proposition 1, which required an amendment to the City Charter creating the City of Houston Pay-As-You-Go Drainage and Street Fund. In order to implement the Charter Amendment, and pursuant to Subchapter C, Chapter 552 of the Texas Local Government Code, City Council on April 6, 2011 approved Ordinance No. 2011-254, adopting Article XIV to Chapter 47 of the Code of Ordinances which created the Municipal Drainage Utility System (MDUS). The MDUS is dedicated to the maintenance and improvement of the city's drainage infrastructure to meet the City's current and future needs.

Section 47-824 of this Ordinance required the Director of the Department of Public Works & Engineering (PWE) to establish a process for citizens to verify and correct the drainage utility charge as calculated by the City. Further per the Ordinance, citizens who disagree with the results of the City's verification and correction process may request an appeal of the results to a hearing examiner.

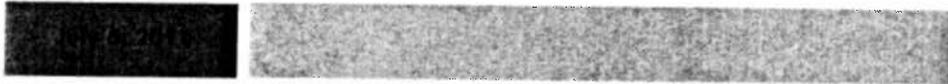
Ordinance 2011-254 requires the Director of PWE to establish an appeal process independent of the operation of the City's drainage system and requires that the appeal process be reviewed and approved by City Council. Therefore, in accordance with Ordinance 2011-254, the Director of PWE recommends that City Council adopt a Motion approving the implementation of the attached MDUS appeal process.

The appeal process was presented at the June 28, 2011 meeting of the Flooding and Drainage Committee. The Committee took no action due to a lack of a quorum.

REQUIRED AUTHORIZATION		CUIC: 20SB36
Other Authorization:	Other Authorization:	Other Authorization: 



MUNICIPAL DRAINAGE UTILITY SYSTEM APPEAL PROCESS



APPEAL PROCESS INITIATION Standard Communications to Citizens

- **Direct written information:**
 - Notification letter of Drainage Utility Charge conveys process for Verification & Correction.
 - A Request for Verification & Correction form has been attached to every Notification Letter.
 - Outcome Notification letter - at conclusion of Verification & Correction process provides written information on Appeal Process.
- **By phone:** 713-371-1111
- **By website:** Related information is posted on the City's website, including the drainage ordinance (www.rebuildhouston.org)

SCHEDULING AN APPEAL

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- Request for and scheduling a date for an appeal can be done:
 - on line (www.rebuildhouston.org)
 - by phone (713-371-1111)
 - in writing
- City mails out or e-mails:
 - Confirmation of hearing's date and time, along with
 - An instruction sheet on hearing proceedings
- Appellant may reschedule:
 - A hearing date up to 3 times, with a 24-hour advance notice, including
 - A hearing date up to 1 time, within a 24-hour advance notice
- No show or late, hearing proceeds.
- Must notify City 5 calendar days prior to hearing if bringing a representative along. If more than one representative will attend, appellant is requested contact City and coordinate for additional space.

HEARING EXAMINERS

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- Designated by the Director, independent of City drainage system [§47-824(e)]
- To be employed through City contracted employee services agencies.
- Responsibility: **"to consider appeals as to whether or not a drainage charge was correctly determined based on the amount of impervious surface on the property"** [§47-824(e)].
- **Key Qualifications:**
 - Ability to interpret ordinance(s), policies, engineering documents, aerial and other maps
 - Oral and written communications
 - Proficiency in mathematical computation
 - Minimum 4 years of related experience
 - Education considered
- Goal is 20% of examiners to be bilingual
- 16 Hours of orientation to be provided (on ordinance, fee determination, policies and hearing procedures) by UCS and other City Staff

HEARING SEQUENCE

Agenda & Timeline

ONE-HOUR SESSION FOR RESIDENTIAL & SMALL COMMERCIAL

15 Min. Hearing Examiner's prep time

Session with the Appellant - **30 Minutes**

3 Min. Hearing Examiner: open meeting
& explain timeline

8 Min. Drainage Utility Rep: City
Presentation

10 Min. Appellant: Presentation

8 Min. Q&A

1 Min. Hearing Examiner: Hearing closing

15 Min. Hearing Examiner's conclusion

TWO-HOUR SESSION FOR LARGE COMMERCIAL (3 ACRES PLUS)

20 Min. Hearing Examiner's prep time

Session with the Appellant - **90 Minutes**

3 Min. Hearing Examiner: open meeting
& explain timeline

20 Min. Drainage Utility Rep: City
Presentation

25 Min. Appellant: Presentation

26 Min. Q&A

1 Min. Hearing Examiner: Hearing closing

25 Min. Hearing Examiner's conclusion

HEARINGS

Other Pertinent information

- Hearing Examiner has discretion to reallocate hearing timeline as needed.
- Copies of additional supporting documents may be presented.
- All hearings to be recorded.
- Examiner to inform appellant that final decision will be provided in writing.
- Hearing examiner's decision to be mailed within 10 days following the hearing date.

PROCESS CONCLUSION

Standard Communication to the Appellant

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- Appellant to be notified of appeal outcome in writing.
- Based on the outcome of the appeal:
 - Appellant's drainage charge will be adjusted (up or down) or remain unchanged
 - Credit or debit to be applied to the User's account, as appropriate.

ADMINISTRATIVE INFORMATION

FOR APPEAL HEARINGS

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Where: Houston Permitting Center, 1002 Washington Ave.,
Houston, TX 77002

When: Monday-Friday, starting at 9:00 AM, last starting at 4:00
PM.

- Appeal hearing to start promptly at the scheduled time.
- Existing documents to be reviewed on monitor; new ones to be scanned and attached to appellant's electronic file.
- A valid photo ID is required to enter the building.
- Hearings may be held at alternate times and locations.