

**AGENDA - COUNCIL MEETING - TUESDAY - AUGUST 7, 2012 - 1:30 P. M.**  
**COUNCIL CHAMBER - SECOND FLOOR - CITY HALL**  
**901 BAGBY - HOUSTON, TEXAS**

**INVOCATION 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

**NOTE: If a translator is required, please advise when reserving time to speak**

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

**RECONVENE**

**WEDNESDAY - AUGUST 8, 2012 - 9:00 A. M.**

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

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

1. **PUBLIC HEARING** for the second amendment to the Project Plan and Reinvestment Zone Financing Plan for **REINVESTMENT ZONE NUMBER TWENTY-ONE (HARDY/NEAR NORTHSIDE ZONE) - DISTRICT H - GONZALEZ**

**REPORT FROM CITY CONTROLLER AND THE CITY ADMINISTRATION REGARDING THE CURRENT FINANCIAL STATUS OF THE CITY** including but not limited to, a revenue, expenditure and encumbrance report for the General Fund, all special revenue funds and all enterprise funds, and a report on the status of bond funds and a Quarterly Investment Report by the City Controller

**MAYOR'S REPORT**

**CONSENT AGENDA NUMBERS 2 through 30**

**AGENDA - AUGUST 8, 2012 - PAGE 2**

**MISCELLANEOUS** - NUMBERS 2 and 3

2. REQUEST from Mayor for confirmation of the appointment of the following individuals to the **LAKE HOUSTON REDEVELOPMENT AUTHORITY, (REINVESTMENT ZONE NUMBER TEN) BOARD OF DIRECTORS** and **REINVESTMENT ZONE NUMBER TEN, CITY OF HOUSTON, TEXAS (LAKE HOUSTON ZONE) BOARD OF DIRECTORS**:
  - Position Two - **MR. JEFFREY NIELSEN**, for a term to expire December 31, 2012
  - Position Six - **MS. DEBORAH A. YOCHAM, (Humble Independent School District Representative)**, for a term to expire December 31, 2013
3. RECOMMENDATION from Director Finance Department for approval of supplemental Budgets submitted by the **HOUSTON ARTS ALLIANCE, MILLER THEATRE ADVISORY BOARD, INC, HOUSTON MUSEUM DISTRICT ASSOCIATION, and THEATER DISTRICT IMPROVEMENT, INC** to promote the Arts

**ACCEPT WORK** - NUMBERS 4 and 5

4. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$479,163.84 and acceptance of work on contract with **ENVIROWASTE SERVICES GROUP, INC** for Sanitary Sewer Cleaning and Television Inspection in Support of Rehabilitation - 0.33% over the original contract amount and under the 5% contingency amount (4277-42)
5. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$234,630.04 and acceptance of work on contract with **T CONSTRUCTION, LLC** for Neighborhood Back Lot Wastewater Substitute Service Program-Eastwood - 1.0% under the original contract amount - **DISTRICT I - RODRIGUEZ**

**PURCHASING AND TABULATION OF BIDS** - NUMBERS 6 through 8

6. **CELLCO PARTNERSHIP d/b/a VERIZON WIRELESS** for Verizon Data (Air Card) Plan through the City's Master Agreement with the Texas Department of Information Resources for Houston Police Department - \$1,367,340.00 - General Fund
7. APPROVE spending authority in an amount not to exceed \$829,230.00 for Chemical, Inorganic Metal Salt Coagulant (Ferric Sulfate) for Department of Public Works & Engineering, on award to **KEMIRA WATER SOLUTIONS, INC**
8. **APPLIED INDUSTRIAL TECHNOLOGIES, INC** for Industrial Maintenance, Repair, and Operating Commodities and related services through the Master Intergovernmental Cooperative Purchasing Agreement with U.S. Commodities for the Department of Public Works & Engineering \$770,000.00 - Enterprise Fund

**RESOLUTIONS AND ORDINANCES** - NUMBERS 9 through 30

9. RESOLUTION designating the **MELDRUM HOUSE located at 2411 Stanmore Drive** within the City of Houston as a historic landmark - **DISTRICT G - PENNINGTON**
10. RESOLUTION supporting and approving the proposed rehabilitation of Willow Green Apartments, a Multi-Family Affordable Housing Development, located at 8301 Willow Place North in the City of Houston, Texas, by Dalcov Willow Green, Ltd. and authorizing the allocation of 2012 Housing Tax Credits to such development by the Texas Department of Housing and Community Affairs **DISTRICT A - BROWN**

**RESOLUTIONS AND ORDINANCES** - continued

11. ORDINANCE ordering an election to be held on November 6, 2012, for the purpose of submitting to the qualified voters of the City of Houston, Texas, certain propositions for the issuance of Public Improvement Bonds for various purposes; designating the location of each polling place and the hours that the polls shall be open
12. ORDINANCE ordering a Special Election to be held on November 6, 2012, for the purpose of submitting to the qualified voters of the City of Houston, Texas, a proposition to update the City Charter by amending Articles I, II, and IX of the Charter to repeal various sections that are obsolete or have been superseded by State and/or Federal Law
13. ORDINANCE ordering a Special Election to be held on November 6, 2012, for the purpose of submitting to the qualified voters of the City of Houston, Texas, a proposition to update the City Charter by amending Articles V, VIIa, and VIIb of the Charter to remove obsolete references to party primaries and partisan elections, to address the impact of current election laws and procedures, and to recognize the existence of council districts in initiative, referendum, and recall processes
14. ORDINANCE approving and authorizing agreement between the City of Houston, Texas, and **THE GREATER HOUSTON CONVENTION AND VISITORS BUREAU** for Professional Protocol Services; providing a maximum contract amount - \$685,000.00 - General Fund
15. ORDINANCE approving and authorizing an Economic Development Agreement between the City of Houston, Texas, and **OMB HOUSTON, LP** for the development, construction and operation of a Mixed-Use Residential, Retail and Commercial Development - **DISTRICT G - PENNINGTON**
16. ORDINANCE approving and authorizing an Economic Development Agreement between the City of Houston, Texas, and **CENTERPOINTE HOTEL PARTNERS, LLC** for the development and operation of a complex of hotels - **DISTRICT I - RODRIGUEZ**
17. ORDINANCE approving and authorizing Houston Downtown Underground Pedestrian Walkways Distributed Antenna System License Agreement between the City of Houston, Texas, **GTE MOBILNET OF SOUTH TEXAS LIMITED PARTNERSHIP d/b/a VERIZON WIRELESS, T-MOBILE WEST CORPORATION, SPRINTCOM, INC** and **NEXTEL OF TEXAS, INC**, and **NEW CINGULAR WIRELESS PCS, LLC**
18. ORDINANCE amending the City of Houston Citizen Participation Plan for the Consolidated Plan authorized pursuant to Ordinance No. 2010-372 passed May 12, 2010, to add information relating to the Economic Development Initiative/Section 108 Program
19. ORDINANCE authorizing the City of Houston to submit a request to the **UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT** to amend the City's Economic Development Initiative (EDI) Grant Agreement and its Section 108 Program to add certain program activities and permitted uses of funds, and to extend, through August 31, 2015, the deadline to disburse the balance of EDI Grant Funds and Section 108 Guaranteed Loan Funds
20. ORDINANCE approving and authorizing agreement between the City of Houston and **THE ARCHDIOCESE OF GALVESTON-HOUSTON** to provide a grant of \$675,000.00 in Community Development Block Grant Funds for construction of the St. Monica Food Pantry located at 8421 W. Montgomery Road, Houston, Texas - **DISTRICT B - DAVIS**
21. ORDINANCE approving and authorizing Compromise and Settlement Agreement between the City and **CARRIER CORPORATION**, to settle a lawsuit - \$130,966.43 - General and Enterprise Funds

**RESOLUTIONS AND ORDINANCES** - continued

22. ORDINANCE awarding contract to **SECLICKFIX, INC** for Design, Development, and Maintenance of Smartphone Applications for the Administration & Regulatory Affairs Department's 311 Help & Information Center (Approved by Ordinance No. 2010-1007); providing a maximum contract amount - 3 Years with 2 one-year options
23. ORDINANCE awarding contract to **HALL-MARK FIRE APPARATUS TEXAS, LLC** for E-One Fire Trucks Repair Services for the Fleet Management Department; providing a maximum contract amount - 3 Years with two one-year options - \$999,000.00 - Fleet Management Fund
24. ORDINANCE amending Ordinance No. 2011-185 to increase the maximum contract amount; approving and authorizing first amendment to contract between the City and **PHONOSCOPE, INC** (Contract No. 4600010423) for High-Capacity, Fiber Circuit Services for the Information Technology Department - \$615,933.08 - Central Service Revolving Fund
25. ORDINANCE approving and authorizing Sole Source Contract between the City and **APPLIED BIOSYSTEMS, LLC** for Repair and Preventive Maintenance of the Crime Lab Analytical Instruments for the Houston Police Department; providing a maximum contract amount - 5 Years \$175,000.00 - General Fund
26. ORDINANCE awarding contract to **INFOSOL, INC** for Enterprise Environmental Operations Support System Software Maintenance for the Public Works and Engineering Department; providing a maximum contract amount - 3 Years with two one-year options - \$243,075.00 Enterprise Fund
27. ORDINANCE approving and authorizing first amendment to an agreement between the City of Houston and **PRECISION PNEUMATIC, INC** for Maintenance and Repair of Air Compressors for the Various Departments (Ordinance 2007-962)
28. ORDINANCE awarding contract to **KOETTER FIRE PROTECTION OF HOUSTON, LLC** for Fire and Security Alarm System Maintenance, Inspections, Testing and Monitoring Services for Various Departments; providing a maximum contract amount - 3 Years with two one-year options \$6,175,400.00 - General and Enterprise Funds
29. ORDINANCE consenting to the addition of 74.1056 acres of land to **NORTHAMPTON MUNICIPAL UTILITY DISTRICT**, for inclusion in its district
30. ORDINANCE approving and authorizing first amendment to agreement for Professional Engineering Services Contract between the City of Houston and **BROWN & GAY ENGINEERS, INC** for Pre-Engineering of Storm Water Drainage Improvements (Approved by Ordinance 2011-0505)

**END OF CONSENT AGENDA**

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

**NON CONSENT AGENDA** - NUMBERS 31 and 32

**MISCELLANEOUS**

31. RECEIVE nominations for appointments from each Council Member for the **PUBLIC SAFETY ADVISORY COMMITTEE BOARD OF DIRECTORS**, for staggered terms from the date of appointment
32. **SET A PUBLIC HEARING DATE** on the re-adoption with changes of Article XII Chapter 32, Code of Ordinances, City of Houston, regarding Standards of Care for the Houston Parks and Recreation Department Youth Recreation Programs  
**SUGGESTED HEARING DATE - WEDNESDAY - AUGUST 15, 2012 - 9:00 A.M.**

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

**COUNCIL CHAMBER - CITY HALL 2<sup>nd</sup> FLOOR - TUESDAY  
AUGUST 7, 2012 - 2:00PM**

**NON-AGENDA**

---

1MIN 1MIN 1MIN

---

2MIN 2MIN 2MIN

---

3MIN 3MIN 3MIN

---

MS. YOLANDA BROUSSARD – 11835 Murrway – 77048 – 713-731-9188 – Judge Hilary Green violating Constitutional Rights – Exercising discrimination by Association

MR. WILLIAM BEAL - 4718 Boicewood – 77016 – no phone – Superman Returns

MS. TASLEEM SIDDIQI – 8900 Bissonnet – 77081 – 281-236-7597 – Mayor Iftar dinner with the Muslim Community

MR. JOSEPH MOSES – 18310 Blackberry Ln. – Conroe – TX – 77306 – 936-521-9610 – Mayor Election November 2013

**PREVIOUS**

---

1MIN 1MIN 1MIN

---

MS. ANNA ASHMORE – 7815 Windswept Ln. – 77063 – 713-953-9955 – Outrageous water bill

1  
AUG 0 8 2012

MOTION NO. 2012 0603

MOTION by Council Member Hoang that the recommendation of the Chief Development Officer, to set a hearing date to consider the second amendment to the Project Plan and Reinvestment Zone Financing Plan for Reinvestment Zone Number Twenty-One (Hardy/Near Northside Zone), be adopted, and a Public Hearing be set for 9:00 a.m., Wednesday, August 8, 2012, in the City Council Chamber, Second Floor, City Hall.

Seconded by Council Member Bradford and carried.

Mayor Pro Tem Gonzalez, Council Members Brown, Davis, Cohen, Adams, Sullivan, Hoang, Pennington, Rodriguez, Green, Costello, Noriega and Bradford  
voting aye  
Nays none

Mayor Parker out of the City on City business

Council Members Laster and Burks absent on personal business

Council Member Christie absent on City business

Mayor Pro Tem Gonzalez presiding

PASSED AND ADOPTED this 25th day of July 2012.

Pursuant to Article VI, Section 6 of the City Charter, the effective date of the foregoing motion is July 31, 2012.

  
City Secretary

**Second Amended Project Plan and Reinvestment Zone Financing Plan  
Reinvestment Zone Number Twenty-One (Hardy/Near Northside Zone)**

**Public Hearing, August 8, 2012**

**City Statement**

On July 9, 2012, the Board of Directors of Reinvestment Zone Number Twenty-One ("Zone") and the Hardy/Near Northside Redevelopment Authority approved a proposed second amendment to the Zone's Project Plan and Reinvestment Zone Financing Plan ("Amended Plan") and forwarded the Amended Plan to the City of Houston ("City") for City Council's consideration. A public hearing on the Amended Plan was held as required by Section 311.011(e) of the Texas Tax Code. Notice of this public hearing was published in the *Houston Chronicle* on Monday, July 30, 2012, and a copy of the Amended Plan was forwarded to Harris County for review.

The Amended Plan restates and redefines the original goals and objectives in the original plan and subsequent amendments including provisions for the design and construction of public infrastructure improvements such as public transit, pedestrian and mobility improvements, public utility system improvement projects, parks and affordable housing.

When created by City Council on December 17, 2003, the duration of the Zone was 30 years, terminating on December 31, 2033. Due to the magnitude of development within and adjacent to the Zone, a greater demand continues to be placed on already distressed infrastructure than was originally projected. This condition requires extending the duration of the Zone seven more years. As part of the Amended Plan, it is recommended that the duration of the Zone be extended to December 31, 2040.

In total, project costs in the Zone will increase in the Amended Plan by \$36 million dollars (see Exhibit 1). Projected Zone revenues are sufficient to support the projects in the Amended Plan (see Exhibits 2, 3, and 9 (as amended)).

In summary, the City has determined the benefits of the Amended Plan and of utilizing tax increment financing as follows:

**BENEFITS OF THE AMENDED PLAN**

- The Zone will provide the financing and management tools to remedy recent and historic negative trends within the Hardy/Near Northside area, which is currently characterized by deteriorating site improvements, conditions that are unsafe, and conditions that endanger life or property.

## **BENEFITS TO THE ZONE AND TO THE CITY**

- The Amended Plan will address poor mobility issues and improve vehicular and pedestrian safety by providing for a grade separated roadway over active rail lines currently impacting connectivity between Downtown and the Hardy/Near Northside area.
- The public improvement projects defined in the Amended Plan will encourage sound growth of residential, commercial, and complementary retail development in and around the Zone.
- The goals stated in the Amended Plan will facilitate the rehabilitation of conditions in the Zone that substantially impair and arrest sound growth of the City and Harris County.

## **BENEFITS OF TAX INCREMENT FINANCING**

- The use of tax increment financing to finance the proposed improvements in the Amended Plan allows for a dedicated source of revenue and an efficient means of raising capital to fund the improvements.
- Section 311.005(1) of the Texas Tax Code requires that certain criteria be met by an area to qualify as a reinvestment zone. The Zone meets the following criteria:
  - Section 311.005(1)(A): a substantial number of substandard, slum, deteriorated, or deteriorating structures;
  - Section 311.005(1)(B): the predominance of defective or inadequate sidewalk or street layout;
  - Section 311.005(1)(C): faulty lot layout in relation to size, adequacy, accessibility, or usefulness;
  - Section 311.005(1)(D): unsanitary or unsafe conditions;
  - Section 311.005(1)(E): the deterioration of site or other improvements;
  - Section 311.005(1)(H): conditions that endanger life or property by fire or other cause; and;
  - Section 311.005(2): be predominately open or undeveloped and, because of obsolete platting, deterioration of structures or site improvements, or other factors, substantially impair or arrest the sound growth of the municipality or county.

**Exhibit 1 – Parts A, B, C Plan Project Costs**

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

	Estimated Costs 2008 Plan	Estimated Costs 2009 Plan	Estimated Costs 2012 Plan	Total Costs	Cost Through 06/30/2011	Remaining Costs
<b>Infrastructure Improvements:</b>						
<b>Roadway and Sidewalk Improvements - Parts A &amp; B</b>						
Roadway, Sidewalk and Landscape Improvements	\$ 16,000,000	\$ 21,692,000	\$ -	\$ 37,692,000	\$ -	\$ 37,692,000
Roadway and Sidewalk - Part C	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Roadway, Sidewalk and Bridge Improvements	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
<b>Total Roadway, Sidewalks and Bridges - Parts A, B &amp; C</b>	<b>\$ 16,000,000</b>	<b>\$ 21,692,000</b>	<b>\$ -</b>	<b>\$ 37,692,000</b>	<b>\$ -</b>	<b>\$ 37,692,000</b>
<b>Public Utility Improvements - Parts A &amp; B</b>						
Public Utility Improvements	\$ -	\$ 1,929,000	\$ -	\$ 1,929,000	\$ -	\$ 1,929,000
Public Utility Improvements - Part C	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Public Utility Improvements	\$ -	\$ -	\$ 5,955,000	\$ 5,955,000	\$ -	\$ 5,955,000
<b>Total Public Utility Improvements - Parts A, B &amp; C</b>	<b>\$ -</b>	<b>\$ 1,929,000</b>	<b>\$ 5,955,000</b>	<b>\$ 7,884,000</b>	<b>\$ -</b>	<b>\$ 7,884,000</b>
<b>Total Infrastructure Improvements - Parts A, B &amp; C</b>	<b>\$ 16,000,000</b>	<b>\$ 23,621,000</b>	<b>\$ 5,955,000</b>	<b>\$ 45,576,000</b>	<b>\$ -</b>	<b>\$ 45,576,000</b>
<b>Other Project Costs:</b>						
<b>Parks and Recreational Facilities Improvements - Parts A &amp; B</b>						
Parks, Plazas and Public Space Improvements	\$ -	\$ 1,440,000	\$ -	\$ 1,440,000	\$ -	\$ 1,440,000
<b>Park and Recreational Facilities Improvements - Part C</b>						
Parks, Plazas and Public Space Improvements	\$ -	\$ -	\$ 2,888,000	\$ 2,888,000	\$ -	\$ 2,888,000
<b>Total Parks and Recreational Facilities Improvements - Parts A, B &amp; C</b>	<b>\$ -</b>	<b>\$ 1,440,000</b>	<b>\$ 2,888,000</b>	<b>\$ 4,328,000</b>	<b>\$ -</b>	<b>\$ 4,328,000</b>
<b>Land Acquisition - Parts A &amp; B</b>						
Land Acquisition, Site Preparation, Environmental Remediation	\$ -	\$ 4,820,000	\$ -	\$ -	\$ -	\$ -
<b>Land Acquisition - Part C</b>						
Land Assembly, Site Preparation, Environmental Remediation	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
<b>Total Land Acquisition - Parts A, B &amp; C</b>	<b>\$ -</b>	<b>\$ 4,820,000</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>
<b>Project Financing Costs - Part A</b>						
Financing Cost	\$ 1,700,000	\$ -	\$ -	\$ 1,700,000	\$ -	\$ 1,700,000
<b>Total Project Financing Costs - Parts A, B &amp; C</b>	<b>\$ 1,700,000</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 1,700,000</b>	<b>\$ -</b>	<b>\$ 1,700,000</b>
<b>Zone Creation and Operations - Part A</b>						
Zone Creation and Administration	\$ 2,200,000	\$ -	\$ -	\$ 2,200,000	\$ 116,523	\$ 2,083,477
<b>Total Creation and Operations Costs - Parts A, B &amp; C</b>	<b>\$ 2,200,000</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 2,200,000</b>	<b>\$ 116,523</b>	<b>\$ 2,083,477</b>
<b>Affordable Housing</b>						
Affordable Housing	\$ 5,000,000	\$ 12,500,000	\$ -	\$ 17,500,000	\$ 414,426	\$ 17,085,574
<b>Affordable Housing Costs - Part C</b>						
Affordable Housing	\$ -	\$ -	\$ 7,420,874	\$ 7,420,874	\$ -	\$ 7,420,874
<b>Total Affordable Housing Costs - Parts A, B &amp; C</b>	<b>\$ 5,000,000</b>	<b>\$ 12,500,000</b>	<b>\$ 7,420,874</b>	<b>\$ 24,920,874</b>	<b>\$ 414,426</b>	<b>\$ 24,506,448</b>
<b>Total Other Project Costs - Parts A, B &amp; C</b>	<b>\$ 8,900,000</b>	<b>\$ 18,760,000</b>	<b>\$ 10,308,874</b>	<b>\$ 33,148,874</b>	<b>\$ 530,949</b>	<b>\$ 32,617,925</b>
<b>PROJECT PLAN TOTAL</b>	<b>\$ 24,900,000</b>	<b>\$ 42,381,000</b>	<b>\$ 16,263,874</b>	<b>\$ 78,724,874</b>	<b>\$ 530,949</b>	<b>\$ 78,193,925</b>

Exhibit 2 – Part C Plan Revenue Schedule - Net Revenue

TY	Non-Cypress Revenue	Cypress Revenue	Total Revenue	Net Revenue (Less Transfers and Affordable Housing)
2012	\$ 255,707	\$ 63,262	\$ 318,970	\$ 146,698
2013	\$ 277,574	\$ 213,251	\$ 490,825	\$ 252,675
2014	\$ 300,424	\$ 414,135	\$ 714,559	\$ 390,645
2015	\$ 324,302	\$ 1,028,585	\$ 1,352,887	\$ 784,280
2016	\$ 349,255	\$ 1,360,105	\$ 1,709,360	\$ 1,004,105
2017	\$ 375,331	\$ 1,638,120	\$ 2,013,451	\$ 1,191,628
2018	\$ 402,580	\$ 1,811,880	\$ 2,214,460	\$ 1,315,584
2019	\$ 431,056	\$ 1,881,226	\$ 2,312,281	\$ 1,375,907
2020	\$ 460,813	\$ 1,904,921	\$ 2,365,734	\$ 1,408,869
2021	\$ 491,908	\$ 1,904,921	\$ 2,396,830	\$ 1,428,045
2022	\$ 524,404	\$ 1,953,205	\$ 2,477,608	\$ 1,477,858
2023	\$ 558,361	\$ 1,953,205	\$ 2,511,566	\$ 1,498,799
2024	\$ 593,847	\$ 1,953,205	\$ 2,547,051	\$ 1,520,682
2025	\$ 630,929	\$ 2,027,917	\$ 2,658,846	\$ 1,589,622
2026	\$ 669,680	\$ 2,027,917	\$ 2,697,597	\$ 1,613,518
2027	\$ 710,175	\$ 2,027,917	\$ 2,738,092	\$ 1,638,490
2028	\$ 752,493	\$ 2,105,465	\$ 2,857,958	\$ 1,712,407
2029	\$ 796,714	\$ 2,105,465	\$ 2,902,179	\$ 1,739,677
2030	\$ 842,925	\$ 2,158,794	\$ 3,001,719	\$ 1,801,060
2031	\$ 891,216	\$ 2,185,959	\$ 3,077,175	\$ 1,847,591
2032	\$ 941,681	\$ 2,185,959	\$ 3,127,639	\$ 1,878,711
2033	\$ 994,416	\$ 2,185,959	\$ 3,180,374	\$ 1,911,231
2034	\$ 1,049,524	\$ 2,185,959	\$ 3,235,482	\$ 1,945,214
2035	\$ 1,107,111	\$ 2,185,959	\$ 3,293,070	\$ 1,980,727
2036	\$ 1,167,291	\$ 2,185,959	\$ 3,353,250	\$ 2,017,837
2037	\$ 1,230,178	\$ 2,185,959	\$ 3,416,137	\$ 2,056,618
2038	\$ 1,295,896	\$ 2,185,959	\$ 3,481,855	\$ 2,097,144
2039	\$ 1,364,570	\$ 2,185,959	\$ 3,550,529	\$ 2,139,493
2040	\$ 1,436,335	\$ 2,185,959	\$ 3,622,294	\$ 2,183,748
	<b>\$ 21,226,696</b>	<b>\$ 52,393,085</b>	<b>\$ 73,619,781</b>	<b>\$ 43,948,865</b>

Exhibit 3A – Part C Plan Revenue Schedule – Less Cypress Development Parcels

Tax Year	Fiscal Year	Base Value (1)	Projected Value (2)	Captured Appraised Value	Collection Rate (3)	Tax Rate	Increment Revenue
2009	2010	\$ 37,937,190	\$ 70,170,888	\$ 32,233,698	92.25%	0.63875	\$ 189,936
2010	2011	\$ 37,937,190	\$ 73,328,578	\$ 35,391,388	95.00%	0.63875	\$ 214,759
2011	2012	\$ 37,937,190	\$ 76,628,364	\$ 38,691,174	95.00%	0.63875	\$ 234,783
2012	2013	\$ 37,937,190	\$ 80,076,641	\$ 42,139,451	95.00%	0.63875	\$ 255,707
2013	2014	\$ 37,937,190	\$ 83,680,090	\$ 45,742,900	95.00%	0.63875	\$ 277,574
2014	2015	\$ 37,937,190	\$ 87,445,694	\$ 49,508,504	95.00%	0.63875	\$ 300,424
2015	2016	\$ 37,937,190	\$ 91,380,750	\$ 53,443,560	95.00%	0.63875	\$ 324,302
2016	2017	\$ 37,937,190	\$ 95,492,884	\$ 57,555,694	95.00%	0.63875	\$ 349,255
2017	2018	\$ 37,937,190	\$ 99,790,063	\$ 61,852,873	95.00%	0.63875	\$ 375,331
2018	2019	\$ 37,937,190	\$ 104,280,616	\$ 66,343,426	95.00%	0.63875	\$ 402,580
2019	2020	\$ 37,937,190	\$ 108,973,244	\$ 71,036,054	95.00%	0.63875	\$ 431,056
2020	2021	\$ 37,937,190	\$ 113,877,040	\$ 75,939,850	95.00%	0.63875	\$ 460,813
2021	2022	\$ 37,937,190	\$ 119,001,507	\$ 81,064,317	95.00%	0.63875	\$ 491,908
2022	2023	\$ 37,937,190	\$ 124,356,574	\$ 86,419,384	95.00%	0.63875	\$ 524,404
2023	2024	\$ 37,937,190	\$ 129,952,620	\$ 92,015,430	95.00%	0.63875	\$ 558,361
2024	2025	\$ 37,937,190	\$ 135,800,488	\$ 97,863,298	95.00%	0.63875	\$ 593,847
2025	2026	\$ 37,937,190	\$ 141,911,510	\$ 103,974,320	95.00%	0.63875	\$ 630,929
2026	2027	\$ 37,937,190	\$ 148,297,528	\$ 110,360,338	95.00%	0.63875	\$ 669,680
2027	2028	\$ 37,937,190	\$ 154,970,917	\$ 117,033,727	95.00%	0.63875	\$ 710,175
2028	2029	\$ 37,937,190	\$ 161,944,608	\$ 124,007,418	95.00%	0.63875	\$ 752,493
2029	2030	\$ 37,937,190	\$ 169,232,116	\$ 131,294,926	95.00%	0.63875	\$ 796,714
2030	2031	\$ 37,937,190	\$ 176,847,561	\$ 138,910,371	95.00%	0.63875	\$ 842,925
2031	2032	\$ 37,937,190	\$ 184,805,701	\$ 146,868,511	95.00%	0.63875	\$ 891,216
2032	2033	\$ 37,937,190	\$ 193,121,958	\$ 155,184,768	95.00%	0.63875	\$ 941,681
2033	2034	\$ 37,937,190	\$ 201,812,446	\$ 163,875,256	95.00%	0.63875	\$ 994,416
2034	2035	\$ 37,937,190	\$ 210,894,006	\$ 172,956,816	95.00%	0.63875	\$ 1,049,524
2035	2036	\$ 37,937,190	\$ 220,384,236	\$ 182,447,046	95.00%	0.63875	\$ 1,107,111
2036	2037	\$ 37,937,190	\$ 230,301,527	\$ 192,364,337	95.00%	0.63875	\$ 1,167,291
2037	2038	\$ 37,937,190	\$ 240,665,095	\$ 202,727,905	95.00%	0.63875	\$ 1,230,178
2038	2039	\$ 37,937,190	\$ 251,495,025	\$ 213,557,835	95.00%	0.63875	\$ 1,295,896
2039	2040	\$ 37,937,190	\$ 262,812,301	\$ 224,875,111	95.00%	0.63875	\$ 1,364,570
2040	2041	\$ 37,937,190	\$ 274,638,854	\$ 236,701,664	95.00%	0.63875	\$ 1,436,335
<b>Total</b>							<b>\$ 21,226,696</b>

Exhibit 3B – Part C Plan Revenue Schedule – Cypress Development Parcels Only

Tax Year	Fiscal Year	Base Value (1)	Projected Value (2)	Captured Appraised Value	Collection Rate (3)	Tax Rate	Increment Revenue
2012	2013	\$ 2,375,890	\$ 12,801,264	\$ 10,425,374	95.00%	0.63875	\$ 63,262
2013	2014	\$ 2,375,890	\$ 37,518,749	\$ 35,142,859	95.00%	0.63875	\$ 213,251
2014	2015	\$ 2,375,890	\$ 70,623,527	\$ 68,247,637	95.00%	0.63875	\$ 414,135
2015	2016	\$ 2,375,890	\$ 171,882,110	\$ 169,506,220	95.00%	0.63875	\$ 1,028,585
2016	2017	\$ 2,375,890	\$ 226,515,100	\$ 224,139,210	95.00%	0.63875	\$ 1,360,105
2017	2018	\$ 2,375,890	\$ 272,330,820	\$ 269,954,930	95.00%	0.63875	\$ 1,638,120
2018	2019	\$ 2,375,890	\$ 300,965,645	\$ 298,589,755	95.00%	0.63875	\$ 1,811,880
2019	2020	\$ 2,375,890	\$ 312,393,522	\$ 310,017,632	95.00%	0.63875	\$ 1,881,226
2020	2021	\$ 2,375,890	\$ 316,298,441	\$ 313,922,551	95.00%	0.63875	\$ 1,904,921
2021	2022	\$ 2,375,890	\$ 316,298,441	\$ 313,922,551	95.00%	0.63875	\$ 1,904,921
2022	2023	\$ 2,375,890	\$ 324,255,324	\$ 321,879,434	95.00%	0.63875	\$ 1,953,205
2023	2024	\$ 2,375,890	\$ 324,255,324	\$ 321,879,434	95.00%	0.63875	\$ 1,953,205
2024	2025	\$ 2,375,890	\$ 324,255,324	\$ 321,879,434	95.00%	0.63875	\$ 1,953,205
2025	2026	\$ 2,375,890	\$ 336,567,526	\$ 334,191,636	95.00%	0.63875	\$ 2,027,917
2026	2027	\$ 2,375,890	\$ 336,567,526	\$ 334,191,636	95.00%	0.63875	\$ 2,027,917
2027	2028	\$ 2,375,890	\$ 336,567,526	\$ 334,191,636	95.00%	0.63875	\$ 2,027,917
2028	2029	\$ 2,375,890	\$ 349,347,232	\$ 346,971,342	95.00%	0.63875	\$ 2,105,465
2029	2030	\$ 2,375,890	\$ 349,347,232	\$ 346,971,342	95.00%	0.63875	\$ 2,105,465
2030	2031	\$ 2,375,890	\$ 358,135,498	\$ 355,759,608	95.00%	0.63875	\$ 2,158,794
2031	2032	\$ 2,375,890	\$ 362,612,192	\$ 360,236,302	95.00%	0.63875	\$ 2,185,959
2032	2033	\$ 2,375,890	\$ 362,612,192	\$ 360,236,302	95.00%	0.63875	\$ 2,185,959
2033	2034	\$ 2,375,890	\$ 362,612,192	\$ 360,236,302	95.00%	0.63875	\$ 2,185,959
2034	2035	\$ 2,375,890	\$ 362,612,192	\$ 360,236,302	95.00%	0.63875	\$ 2,185,959
2035	2036	\$ 2,375,890	\$ 362,612,192	\$ 360,236,302	95.00%	0.63875	\$ 2,185,959
2036	2037	\$ 2,375,890	\$ 362,612,192	\$ 360,236,302	95.00%	0.63875	\$ 2,185,959
2037	2038	\$ 2,375,890	\$ 362,612,192	\$ 360,236,302	95.00%	0.63875	\$ 2,185,959
2038	2039	\$ 2,375,890	\$ 362,612,192	\$ 360,236,302	95.00%	0.63875	\$ 2,185,959
2039	2040	\$ 2,375,890	\$ 362,612,192	\$ 360,236,302	95.00%	0.63875	\$ 2,185,959
2040	2041	\$ 2,375,890	\$ 362,612,192	\$ 360,236,302	95.00%	0.63875	\$ 2,185,959
<b>Total</b>							<b>\$ 52,393,085</b>

**Exhibit 9 – (Amended) Part C Plan Revenue Schedule – Gross Revenue with Transfers**

Tax Year	Base Values (1)		Projected Value		Captured Appraised Value		Collection Rate (2)	Tax Rate	Increment Revenue		Affordable Housing (3)	City Admin (5%)	Zone Administration	Net Revenue/Less Transfers and AH)	
	Non-Cypress	Cypress	Non-Cypress	Cypress	Non-Cypress	Cypress			Non-Cypress	Cypress					Total
2012	\$ 37,937,190	\$ 2,375,890	\$ 80,076,641	\$ 12,801,264	\$ 42,139,451	\$ 10,425,374	95.00%	0.63875	\$ 255,707	\$ 63,262	\$ 318,970	\$ 106,323	\$ 15,948	\$ 50,000	\$ 146,698
2013	\$ 37,937,190	\$ 2,375,890	\$ 83,680,090	\$ 37,518,749	\$ 45,742,900	\$ 35,142,859	95.00%	0.63875	\$ 277,574	\$ 213,251	\$ 490,825	\$ 163,608	\$ 24,541	\$ 50,000	\$ 252,675
2014	\$ 37,937,190	\$ 2,375,890	\$ 87,445,694	\$ 70,623,527	\$ 49,508,504	\$ 68,247,637	95.00%	0.63875	\$ 300,424	\$ 414,135	\$ 714,559	\$ 238,186	\$ 35,728	\$ 50,000	\$ 390,645
2015	\$ 37,937,190	\$ 2,375,890	\$ 91,380,750	\$ 171,882,110	\$ 57,443,560	\$ 169,506,220	95.00%	0.63875	\$ 324,302	\$ 1,028,585	\$ 1,352,887	\$ 450,952	\$ 67,644	\$ 50,000	\$ 784,280
2016	\$ 37,937,190	\$ 2,375,890	\$ 95,492,884	\$ 226,515,100	\$ 57,555,694	\$ 224,139,210	95.00%	0.63875	\$ 349,255	\$ 1,360,105	\$ 1,709,360	\$ 569,787	\$ 85,468	\$ 50,000	\$ 1,004,105
2017	\$ 37,937,190	\$ 2,375,890	\$ 99,790,063	\$ 272,330,820	\$ 61,852,873	\$ 269,954,930	95.00%	0.63875	\$ 375,331	\$ 1,638,120	\$ 2,013,451	\$ 671,150	\$ 100,673	\$ 50,000	\$ 1,191,628
2018	\$ 37,937,190	\$ 2,375,890	\$ 104,280,616	\$ 300,965,645	\$ 66,343,426	\$ 298,589,755	95.00%	0.63875	\$ 402,580	\$ 1,811,880	\$ 2,214,460	\$ 738,153	\$ 110,723	\$ 50,000	\$ 1,315,584
2019	\$ 37,937,190	\$ 2,375,890	\$ 108,973,244	\$ 312,393,522	\$ 71,036,054	\$ 310,017,632	95.00%	0.63875	\$ 431,056	\$ 1,881,226	\$ 2,312,281	\$ 770,760	\$ 115,614	\$ 50,000	\$ 1,375,907
2020	\$ 37,937,190	\$ 2,375,890	\$ 113,877,040	\$ 316,298,441	\$ 75,939,850	\$ 313,922,551	95.00%	0.63875	\$ 460,813	\$ 1,904,921	\$ 2,365,734	\$ 788,578	\$ 118,287	\$ 50,000	\$ 1,408,869
2021	\$ 37,937,190	\$ 2,375,890	\$ 119,001,507	\$ 316,298,441	\$ 81,064,317	\$ 313,922,551	95.00%	0.63875	\$ 491,908	\$ 1,904,921	\$ 2,365,734	\$ 788,578	\$ 118,287	\$ 50,000	\$ 1,428,045
2022	\$ 37,937,190	\$ 2,375,890	\$ 124,356,574	\$ 324,255,324	\$ 86,419,384	\$ 321,879,434	95.00%	0.63875	\$ 524,404	\$ 1,953,205	\$ 2,477,609	\$ 825,869	\$ 123,880	\$ 50,000	\$ 1,477,858
2023	\$ 37,937,190	\$ 2,375,890	\$ 129,952,620	\$ 324,255,324	\$ 92,015,430	\$ 321,879,434	95.00%	0.63875	\$ 558,361	\$ 1,953,205	\$ 2,511,566	\$ 837,189	\$ 125,578	\$ 50,000	\$ 1,498,799
2024	\$ 37,937,190	\$ 2,375,890	\$ 135,800,488	\$ 324,255,324	\$ 97,863,298	\$ 321,879,434	95.00%	0.63875	\$ 593,847	\$ 1,953,205	\$ 2,547,051	\$ 849,017	\$ 127,353	\$ 50,000	\$ 1,520,682
2025	\$ 37,937,190	\$ 2,375,890	\$ 141,911,510	\$ 336,567,526	\$ 103,974,320	\$ 334,191,636	95.00%	0.63875	\$ 630,929	\$ 2,027,917	\$ 2,658,846	\$ 886,282	\$ 132,942	\$ 50,000	\$ 1,589,622
2026	\$ 37,937,190	\$ 2,375,890	\$ 148,297,528	\$ 336,567,526	\$ 110,360,338	\$ 334,191,636	95.00%	0.63875	\$ 669,680	\$ 2,027,917	\$ 2,697,597	\$ 899,199	\$ 134,880	\$ 50,000	\$ 1,613,518
2027	\$ 37,937,190	\$ 2,375,890	\$ 154,970,917	\$ 349,347,232	\$ 117,033,727	\$ 334,191,636	95.00%	0.63875	\$ 710,175	\$ 2,027,917	\$ 2,738,092	\$ 912,697	\$ 136,905	\$ 50,000	\$ 1,638,490
2028	\$ 37,937,190	\$ 2,375,890	\$ 161,944,608	\$ 349,347,232	\$ 124,007,418	\$ 346,971,342	95.00%	0.63875	\$ 752,493	\$ 2,105,465	\$ 2,857,958	\$ 952,653	\$ 142,898	\$ 50,000	\$ 1,712,407
2029	\$ 37,937,190	\$ 2,375,890	\$ 169,232,116	\$ 349,347,232	\$ 131,294,926	\$ 346,971,342	95.00%	0.63875	\$ 796,714	\$ 2,105,465	\$ 2,902,179	\$ 967,393	\$ 145,109	\$ 50,000	\$ 1,801,060
2030	\$ 37,937,190	\$ 2,375,890	\$ 176,847,561	\$ 358,135,488	\$ 138,910,371	\$ 355,759,608	95.00%	0.63875	\$ 842,925	\$ 2,158,794	\$ 3,001,719	\$ 1,000,573	\$ 150,086	\$ 50,000	\$ 1,847,591
2031	\$ 37,937,190	\$ 2,375,890	\$ 184,805,701	\$ 362,612,192	\$ 146,868,511	\$ 360,236,302	95.00%	0.63875	\$ 891,216	\$ 2,185,959	\$ 3,077,175	\$ 1,025,725	\$ 153,869	\$ 50,000	\$ 1,878,711
2032	\$ 37,937,190	\$ 2,375,890	\$ 193,121,958	\$ 362,612,192	\$ 155,184,768	\$ 360,236,302	95.00%	0.63875	\$ 941,681	\$ 2,185,959	\$ 3,127,639	\$ 1,042,546	\$ 156,382	\$ 50,000	\$ 1,911,231
2033	\$ 37,937,190	\$ 2,375,890	\$ 201,812,446	\$ 362,612,192	\$ 163,875,256	\$ 360,236,302	95.00%	0.63875	\$ 994,416	\$ 2,185,959	\$ 3,180,374	\$ 1,060,125	\$ 159,019	\$ 50,000	\$ 1,945,214
2034	\$ 37,937,190	\$ 2,375,890	\$ 210,894,006	\$ 362,612,192	\$ 172,956,816	\$ 360,236,302	95.00%	0.63875	\$ 1,049,524	\$ 2,185,959	\$ 3,235,482	\$ 1,078,494	\$ 161,774	\$ 50,000	\$ 1,980,727
2035	\$ 37,937,190	\$ 2,375,890	\$ 220,384,236	\$ 362,612,192	\$ 182,447,046	\$ 360,236,302	95.00%	0.63875	\$ 1,107,111	\$ 2,185,959	\$ 3,293,070	\$ 1,097,890	\$ 164,654	\$ 50,000	\$ 2,017,837
2036	\$ 37,937,190	\$ 2,375,890	\$ 230,301,527	\$ 362,612,192	\$ 192,364,337	\$ 360,236,302	95.00%	0.63875	\$ 1,167,291	\$ 2,185,959	\$ 3,353,250	\$ 1,117,750	\$ 167,662	\$ 50,000	\$ 2,056,618
2037	\$ 37,937,190	\$ 2,375,890	\$ 240,685,095	\$ 362,612,192	\$ 202,727,905	\$ 360,236,302	95.00%	0.63875	\$ 1,230,178	\$ 2,185,959	\$ 3,416,137	\$ 1,138,712	\$ 170,807	\$ 50,000	\$ 2,097,144
2038	\$ 37,937,190	\$ 2,375,890	\$ 251,495,025	\$ 362,612,192	\$ 213,557,835	\$ 360,236,302	95.00%	0.63875	\$ 1,295,896	\$ 2,185,959	\$ 3,481,855	\$ 1,160,618	\$ 174,093	\$ 50,000	\$ 2,139,493
2039	\$ 37,937,190	\$ 2,375,890	\$ 262,812,301	\$ 362,612,192	\$ 224,875,111	\$ 360,236,302	95.00%	0.63875	\$ 1,364,570	\$ 2,185,959	\$ 3,550,529	\$ 1,183,510	\$ 177,526	\$ 50,000	\$ 2,183,748
2040	\$ 37,937,190	\$ 2,375,890	\$ 274,638,854	\$ 362,612,192	\$ 236,701,964	\$ 360,236,302	95.00%	0.63875	\$ 1,436,335	\$ 2,185,959	\$ 3,622,294	\$ 1,207,431	\$ 181,115	\$ 50,000	\$ 2,239,493
<b>Total</b>									\$ 21,226,696	\$ 52,393,085	\$ 73,619,781	\$ 24,539,927	\$ 3,680,989	\$ 1,450,000	\$ 43,948,865

Notes:  
(1) Base Year is Tax Year 2003  
(2) Collection Rate for T12 to T140 uses 95%  
(3) The annual affordable housing set-aside will be the greater of one-third of the actual revenues or the amount reflected in Exhibit 9 of the Part C Plan.

**TAX INCREMENT REINVESTMENT ZONE NUMBER TWENTY-ONE  
CITY OF HOUSTON**

**HARDY/NEAR NORTHSIDE ZONE**

**Second Amendment  
Project Plan and Reinvestment Zone Financing Plan**

**Amended July 9, 2012**

REINVESTMENT ZONE NUMBER TWENTY-ONE, CITY OF HOUSTON, TEXAS  
HARDY/NEAR NORTHSIDE ZONE  
Second Amended Project Plan and Reinvestment Zone Financing Plan

Table of Contents

**Introduction**..... 1

**Section One** ..... 1

**The Part A Plan**..... 1

**The Part B Plan**..... 1

**Section Two** ..... 1

**The Part C Plan**..... 1

**Proposed Goals for Improvements in the Zone:** ..... 2

Goal 1: ..... 2

Goal 2: ..... 2

Goal 3: ..... 2

Goal 4: ..... 2

Goal 5: ..... 2

Goal 6: ..... 3

**A. PROJECT PLAN**..... 3

Existing & Proposed Uses of Land ..... 3

Proposed Changes of Zoning Ordinances, Municipality Master Plan, Building Codes, and  
Other Municipal Ordinances ..... 3

Estimated Non-Project Cost Items ..... 3

Statement of Method of Relocating Persons Displaced as Result of Implementing Plan ..... 3

**B. FINANCING PLAN**..... 3

Estimated Project Costs..... 3

Statement Listing Kind, Number, & Location of Proposed Public Works or  
Improvements in Zone ..... 3

Economic Feasibility..... 3

Estimated Amount of Bond Indebtedness; Time When Related Costs or Monetary  
Obligations Incurred..... 4

Description of Methods & Sources of Financing Project Costs & Percentage of Increment  
From Taxing Units..... 4

Current Total Appraised Value of Taxable Real Property..... 4

Estimated Captured Appraised Value of Zone During Each Year of Existence ..... 4

Zone Duration ..... 4

**Maps and Exhibits:**

Map 1 – Map of Proposed and Existing Land Uses in Zone

Exhibit 1 Parts A, B and C Plan Project Costs

Exhibit 2 Part C Plan Revenue Schedule – Net Revenue

Exhibit 3-A Part C Plan Revenue Schedule – Less Cypress Development Parcels

Exhibit 3-B Part C Revenue Schedule – Cypress Development Parcels Only

Exhibit 9 (Amended) Part C Plan Revenue Schedule – Gross Revenue with Transfers

TAX INCREMENT REINVESTMENT ZONE NUMBER TWENTY-ONE  
HARDY/NEAR NORTHSIDE ZONE  
PART C – SECOND AMENDED PROJECT PLAN  
AND REINVESTMENT ZONE FINANCING PLAN

Amended July 9, 2012

Introduction:

Reinvestment Zone Number Twenty-One, City of Houston, Texas, also known as the Hardy/Near Northside Zone (“TIRZ”) was created by Ordinance No. 2003-1258 on December 17, 2003 for the purposes of development and redevelopment in an area covering approximately 326.1 acres and generally bounded by Quitman Street on the North, U.S. Highway 59 on the East, Interstate 10 on the South, and Interstate Highway 45 on the West. The primary focus of the TIRZ was to address blighted conditions and provide programs to facilitate the development of affordable housing and mobility improvements.

**Section One:**

The Part A Plan:

A Project Plan and Reinvestment Zone Financing Plan (Part A Plan) was adopted by the City on December 30, 2008 by Ordinance No. 2008-1212. The Part A Plan called for the redevelopment of a former 43-acre Union Pacific rail yard site and the North Main Street area in general. The Part A Plan also included provisions for the development of affordable housing and transit-oriented mixed-use development. In addition, on May 27, 2009, by Ordinance No. 2009-432, the City and the TIRZ approved an Affordable Housing Agreement which provided that one-third of the City’s tax increment revenue be returned to the City to use for affordable housing.

The Part B Plan:

On November 10, 2009, by Resolution No. 2009-0032, the City approved the creation of the Hardy/Near Northside Redevelopment Authority (“Authority”). The Authority was established to assist the City and the TIRZ Board of Directors in implementing the Part A Plan. On December 9, 2009, by Ordinance No. 2009-1272, the City adopted the First Amended Project Plan and Reinvestment Zone Financing Plan (Part B Plan). The Part B Plan restated the goals and objectives included in the Part A Plan and added several new project costs, including provisions for upgrades and improvements to public utility systems, public roadways and thoroughfares, transit facilities, trail systems, parks, provisions for public art, lighting, landscaping, environmental remediation and for the design and construction of a potential grade separated extension of San Jacinto Street north to the southern terminus of Fulton Street.

**Section Two:**

The Part C Plan:

The TIRZ and the City now proposed a second amendment to the TIRZ Project Plan and Reinvestment Zone Financing Plan (Part C Plan). The Part C Plan provides for enhancements and improvements to the 326.1 acres of the TIRZ covered by the Part A and Part B Plans.

Proposed Goals for the Improvements in the Zone:

Proposed and restated Goals for Improvements included in the Part C Plan relate to the original goals of the TIRZ and are as follows:

Goal 1: *Create pedestrian-friendly, safe environments through the reconstruction of streets and sidewalks, with ample lighting and streetscape amenities.*

Streetscape enhancements are required to create an environment to stimulate investment in retail, residential, and commercial developments. Enhanced streetscape components include sidewalks, lighting, signage, street trees, landscaping, benches, and other pedestrian amenities. The construction of sidewalk systems, including ADA-compliant ramps, will improve pedestrian safety, enhance the visual environment, and provide connectivity both within the community and to adjacent districts.

Goal 2: *Redevelopment and upgrades to public green space, parks, and other appropriate recreational facilities.*

Public infrastructure, regional trail systems and other enhancements to area parks and other public open green space will attract and support redevelopment and improve the quality of life of area neighborhoods and visitors.

Goal 3: *Expand pedestrian-attractive retail developments.*

Providing base-level retail functionality is essential to the continued expansion of residential projects in the area through the implementation of enhanced pedestrian amenities with an emphasis on parking, lighting, street trees, landscaping, wide sidewalks, and public art.

Goal 4: *Metropolitan Transit Authority (METRO) Initiatives and complementing the revitalization activities proposed to occur along the METRO North Corridor Alignment.*

METRO funding of public transit systems can be complemented by TIRZ activities including the funding of streetscape upgrades, right-of-way acquisition, and provisions for parking to serve retail needs. The METRO Solutions North Corridor alignment located within the TIRZ includes a proposed Burnett Plaza Intermodal Terminal. The planned facility would provide for light rail, bus services, car pool, and bicycle and pedestrian modes of transportation. This METRO program, when executed, will significantly impact economic development within the TIRZ and facilitate the construction of transit-oriented development. A primary goal of the Part C Plan is to maximize the positive economic impacts of the METRO initiatives.

Goal 5: *Cultural and Public Facilities; Affordable Housing.*

Increasing public and cultural facilities and affordable housing for current residents as well as for the Downtown workforce is an important public policy goal of the Part C Plan. TIRZ funds will be leveraged with private, public, and non-profit developers to integrate affordable housing into proposed redevelopment projects within the City. These projects, along with improved infrastructure, additional fire, police, library, and public health facilities, and cultural and community centers, will improve security and enhance the quality of life for existing and new residents and businesses in the TIRZ.

Goal 6: Infrastructure Improvements.

Public streets and public utility systems are needed to create an environment that will stimulate private investment in retail, residential, multi-family, and commercial developments. Construction of key streets and utility systems will enhance the level of service in the area, improve functionality, replace aged facilities, and improve aesthetics. All roadway improvements will be integrated with the street reconstruction programs of the City of Houston, TXDOT, METRO, and others as needed, and where possible will include elements not included by those programs. Attention will be focused on leveraging TIRZ funds through the funding of elements not addressed by the capital improvement programs of sister agencies.

**A. PROJECT PLAN**

Existing Uses of Land (Texas Tax Code §311.011(b)(1)): Map 1 attached hereto depicts the existing land and proposed uses in the TIRZ. The existing and proposed land uses include multi-family residential, commercial, office, public and institutional, transportation and utility, park and open spaces, and undeveloped land uses.

Proposed Changes of Zoning Ordinances, Master Plan of Municipality, Building Codes, and Other Municipal Ordinances (Texas Tax Code §311.011(b)(2)): All construction will be performed in conformance with the City's existing rules and regulations. There are no proposed changes to any City ordinance, master plan, or building code.

Estimated Non-Project Costs (Texas Tax Code §311.011(b)(3)): The non-project costs reflect, in part, costs of the Greater Near Northside Management District, and the portion of their annual assessment revenues that will be spent within the TIRZ to fund public safety, cleaning and trash removal, landscape maintenance, pedestrian lighting, streetscape amenities, wayfinding, planning and capital project development, retail and business development programs, and marketing and communications. In addition, the estimated cost for the METRO North Light Rail Line is \$677,000,000.

Method of Relocating Persons to be Displaced, if any, as a Result of Implementing the Plan (Texas Tax Code §311.011(b)(4)): It is not anticipated that any residents will be displaced by any of the projects to be undertaken in the TIRZ.

**B. REINVESTMENT ZONE FINANCING PLAN**

Estimated Project Costs (Texas Tax Code §311.011(c)(1)): Exhibit 1 (attached) details the proposed public improvement and administrative project costs. The dollar amounts are approximate and may be amended from time to time by City Council. The financing costs are a function of project financing needs and will vary with market conditions from the estimates shown on Exhibit 1.

Kind, Number, and Location of all Proposed Public Works or Public Improvements to be Financed in the TIRZ (Texas Tax Code §311.011(c)(2)): These details are described throughout the Plan.

Economic Feasibility Study and Finding of Feasibility (Texas Tax Code §311.011(c)(3)): Economic feasibility studies have been completed that demonstrate the economic potential of the

TIRZ including a Survey of Housing Demand conducted by CDS Market Research in 1999, the Northside Village Economic Redevelopment Plan conducted by the City of Houston Planning Department in 2001, and the Planned Development Relative to Total Market Demand Study conducted by CDS Market Research in 2003. Exhibits 2 through 3 constitute incremental revenue estimates for the TIRZ. The incremental revenue estimates are projected to be sufficient to cover the costs of the proposed redevelopment and infrastructure improvements in the TIRZ. The Plan estimates total project costs of \$78,724,874. The TIRZ and the City find and determine that the Part A Plan, Part B Plan and Part C Plan are economically feasible.

Estimated Amount of Bond Indebtedness; Estimated Time When Related Costs or Monetary Obligations Incurred (Texas Tax Code §311.011(c)(4), §311.011(c)(5)): Issuance of notes and bonds by the TIRZ will occur as tax increment revenues allow. The value and timing of the issuance of notes or bonds will correlate to debt capacity as derived from the attached revenue and project schedules, as well as actual market conditions for the issue and sale of such notes and bonds.

Methods and Sources of Financing Project Costs and Percentage of Increment from Taxing Units Anticipated to Contribute Tax Increment to the Zone (Texas Tax Code §311.011(c)(6)): Methods and sources of financing include the issuance of notes and bonds, as well as collaboration with developers and other entities for grant funding and partnerships. Tax Year 2003 was the base year for the TIRZ. As outlined in Exhibits 2 through 3, at least \$73.6 million of increment is estimated to be generated over the remaining life of the TIRZ, and available for use in funding project costs. This figure is calculated using an estimated collection rate of 95% and a City contribution of \$0.63875/\$100 of assessed valuation.

Current Total Appraised Value of Taxable Real Property (Texas Tax Code §311.011(c)(7)): The current projected appraised value of taxable real property in the TIRZ, as of April 9, 2012, is \$80,184,330.00.

Estimated Captured Appraised Value of Zone During Each Year of Existence (Texas Tax Code §311.011(c)(8)): The estimated captured appraised value for the remaining duration of the TIRZ is set forth in Exhibit 2.

Zone Duration (Texas Tax Code §311.011(c)(9)): When the TIRZ was initially created by City Council on December 17, 2003, its duration was established at 30 years. Due to the magnitude of development within and adjacent to the TIRZ, an increased demand continues to be placed on the already-distressed infrastructure. The proposed improvements extending beyond 2033 are included in the Part A, Part B and Part C Plan, as well as those needed to adequately address future infrastructure and quality of life issues resulting from current and projected densities. It is recommended that the duration of the TIRZ be extended to December 31, 2040 as part of the Part C Plan.

## Exhibits



**Exhibit I – Parts A, B, C Plan Project Costs**

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

	Estimated Costs 2008 Plan	Estimated Costs 2009 Plan	Estimated Costs 2012 Plan	Total Costs	Cost Through 06/30/2011	Remaining Costs
<b>Infrastructure Improvements:</b>						
<b>Roadway and Sidewalk Improvements - Parts A &amp; B</b>						
Roadway, Sidewalk and Landscape Improvements	\$ 16,000,000	\$ 21,692,000	\$ -	\$ 37,692,000	\$ -	\$ 37,692,000
Roadway and Sidewalk - Part C	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Roadway, Sidewalk and Bridge Improvements	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
<b>Total Roadway, Sidewalks and Bridges - Parts A, B &amp; C</b>	<b>\$ 16,000,000</b>	<b>\$ 21,692,000</b>	<b>\$ -</b>	<b>\$ 37,692,000</b>	<b>\$ -</b>	<b>\$ 37,692,000</b>
<b>Public Utility Improvements - Parts A &amp; B</b>						
Public Utility Improvements	\$ -	\$ 1,929,000	\$ -	\$ 1,929,000	\$ -	\$ 1,929,000
<b>Public Utility Improvements - Part C</b>						
Public Utility Improvements	\$ -	\$ -	\$ 5,955,000	\$ 5,955,000	\$ -	\$ 5,955,000
<b>Total Public Utility Improvements - Parts A, B &amp; C</b>	<b>\$ -</b>	<b>\$ 1,929,000</b>	<b>\$ 5,955,000</b>	<b>\$ 7,884,000</b>	<b>\$ -</b>	<b>\$ 7,884,000</b>
<b>Total Infrastructure Improvements - Parts A, B &amp; C</b>	<b>\$ 16,000,000</b>	<b>\$ 23,621,000</b>	<b>\$ 5,955,000</b>	<b>\$ 45,576,000</b>	<b>\$ -</b>	<b>\$ 45,576,000</b>
<b>Other Project Costs:</b>						
<b>Parks and Recreational Facilities Improvements - Parts A &amp; B</b>						
Parks, Plazas and Public Space Improvements	\$ -	\$ 1,440,000	\$ -	\$ 1,440,000	\$ -	\$ 1,440,000
<b>Park and Recreational Facilities Improvements - Part C</b>						
Parks, Plazas and Public Space Improvements	\$ -	\$ -	\$ 2,888,000	\$ 2,888,000	\$ -	\$ 2,888,000
<b>Total Parks and Recreational Facilities Improvements - Parts A, B &amp; C</b>	<b>\$ -</b>	<b>\$ 1,440,000</b>	<b>\$ 2,888,000</b>	<b>\$ 4,328,000</b>	<b>\$ -</b>	<b>\$ 4,328,000</b>
<b>Land Acquisition - Parts A &amp; B</b>						
Land Assembly, Site Preparation, Environmental Remediation	\$ -	\$ 4,820,000	\$ -	\$ -	\$ -	\$ -
<b>Land Acquisition - Part C</b>						
Land Assembly, Site Preparation, Environmental Remediation	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
<b>Total Land Acquisition - Parts A, B &amp; C</b>	<b>\$ -</b>	<b>\$ 4,820,000</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>
<b>Project Financing Costs - Part A</b>						
Financing Cost	\$ 1,700,000	\$ -	\$ -	\$ 1,700,000	\$ -	\$ 1,700,000
<b>Total Project Financing Costs - Parts A, B &amp; C</b>	<b>\$ 1,700,000</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 1,700,000</b>	<b>\$ -</b>	<b>\$ 1,700,000</b>
<b>Zone Creation and Operations - Part A</b>						
Zone Creation and Administration	\$ 2,200,000	\$ -	\$ -	\$ 2,200,000	\$ 116,523	\$ 2,083,477
<b>Total Creation and Operations Costs - Parts A, B &amp; C</b>	<b>\$ 2,200,000</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 2,200,000</b>	<b>\$ 116,523</b>	<b>\$ 2,083,477</b>
<b>Affordable Housing Costs - Parts A &amp; B</b>						
Affordable Housing	\$ 5,000,000	\$ 12,500,000	\$ -	\$ 17,500,000	\$ 414,426	\$ 17,085,574
<b>Affordable Housing Costs - Part C</b>						
Affordable Housing	\$ -	\$ -	\$ 7,420,874	\$ 7,420,874	\$ -	\$ 7,420,874
<b>Total Affordable Housing Costs - Parts A, B &amp; C</b>	<b>\$ 5,000,000</b>	<b>\$ 12,500,000</b>	<b>\$ 7,420,874</b>	<b>\$ 24,920,874</b>	<b>\$ 414,426</b>	<b>\$ 24,506,448</b>
<b>Total Other Project Costs - Parts A, B &amp; C</b>	<b>\$ 8,900,000</b>	<b>\$ 18,760,000</b>	<b>\$ 10,308,874</b>	<b>\$ 33,148,874</b>	<b>\$ 530,949</b>	<b>\$ 32,617,925</b>
<b>PROJECT PLAN TOTAL</b>	<b>\$ 24,900,000</b>	<b>\$ 42,381,000</b>	<b>\$ 16,263,874</b>	<b>\$ 78,724,874</b>	<b>\$ 530,949</b>	<b>\$ 78,193,925</b>

Exhibit 2 – Part C Plan Revenue Schedule - Net Revenue

TY	Non-Cypress Revenue	Cypress Revenue	Total Revenue	Net Revenue (Less Transfers and Affordable Housing)
2012	\$ 255,707	\$ 63,262	\$ 318,970	\$ 146,698
2013	\$ 277,574	\$ 213,251	\$ 490,825	\$ 252,675
2014	\$ 300,424	\$ 414,135	\$ 714,559	\$ 390,645
2015	\$ 324,302	\$ 1,028,585	\$ 1,352,887	\$ 784,280
2016	\$ 349,255	\$ 1,360,105	\$ 1,709,360	\$ 1,004,105
2017	\$ 375,331	\$ 1,638,120	\$ 2,013,451	\$ 1,191,628
2018	\$ 402,580	\$ 1,811,880	\$ 2,214,460	\$ 1,315,584
2019	\$ 431,056	\$ 1,881,226	\$ 2,312,281	\$ 1,375,907
2020	\$ 460,813	\$ 1,904,921	\$ 2,365,734	\$ 1,408,869
2021	\$ 491,908	\$ 1,904,921	\$ 2,396,830	\$ 1,428,045
2022	\$ 524,404	\$ 1,953,205	\$ 2,477,608	\$ 1,477,858
2023	\$ 558,361	\$ 1,953,205	\$ 2,511,566	\$ 1,498,799
2024	\$ 593,847	\$ 1,953,205	\$ 2,547,051	\$ 1,520,682
2025	\$ 630,929	\$ 2,027,917	\$ 2,658,846	\$ 1,589,622
2026	\$ 669,680	\$ 2,027,917	\$ 2,697,597	\$ 1,613,518
2027	\$ 710,175	\$ 2,027,917	\$ 2,738,092	\$ 1,638,490
2028	\$ 752,493	\$ 2,105,465	\$ 2,857,958	\$ 1,712,407
2029	\$ 796,714	\$ 2,105,465	\$ 2,902,179	\$ 1,739,677
2030	\$ 842,925	\$ 2,158,794	\$ 3,001,719	\$ 1,801,060
2031	\$ 891,216	\$ 2,185,959	\$ 3,077,175	\$ 1,847,591
2032	\$ 941,681	\$ 2,185,959	\$ 3,127,639	\$ 1,878,711
2033	\$ 994,416	\$ 2,185,959	\$ 3,180,374	\$ 1,911,231
2034	\$ 1,049,524	\$ 2,185,959	\$ 3,235,482	\$ 1,945,214
2035	\$ 1,107,111	\$ 2,185,959	\$ 3,293,070	\$ 1,980,727
2036	\$ 1,167,291	\$ 2,185,959	\$ 3,353,250	\$ 2,017,837
2037	\$ 1,230,178	\$ 2,185,959	\$ 3,416,137	\$ 2,056,618
2038	\$ 1,295,896	\$ 2,185,959	\$ 3,481,855	\$ 2,097,144
2039	\$ 1,364,570	\$ 2,185,959	\$ 3,550,529	\$ 2,139,493
2040	\$ 1,436,335	\$ 2,185,959	\$ 3,622,294	\$ 2,183,748
<b>\$</b>	<b>21,226,696</b>	<b>\$ 52,393,085</b>	<b>\$ 73,619,781</b>	<b>\$ 43,948,865</b>

Exhibit 3A – Part C Plan Revenue Schedule – Less Cypress Development Parcels

Tax Year	Fiscal Year	Base Value (1)	Projected Value (2)	Captured Appraised Value	Collection Rate (3)	Tax Rate	Increment Revenue
2009	2010	\$ 37,937,190	\$ 70,170,888	\$ 32,233,698	92.25%	0.63875	\$ 189,936
2010	2011	\$ 37,937,190	\$ 73,328,578	\$ 35,391,388	95.00%	0.63875	\$ 214,759
2011	2012	\$ 37,937,190	\$ 76,628,364	\$ 38,691,174	95.00%	0.63875	\$ 234,783
2012	2013	\$ 37,937,190	\$ 80,076,641	\$ 42,139,451	95.00%	0.63875	\$ 255,707
2013	2014	\$ 37,937,190	\$ 83,680,090	\$ 45,742,900	95.00%	0.63875	\$ 277,574
2014	2015	\$ 37,937,190	\$ 87,445,694	\$ 49,508,504	95.00%	0.63875	\$ 300,424
2015	2016	\$ 37,937,190	\$ 91,380,750	\$ 53,443,560	95.00%	0.63875	\$ 324,302
2016	2017	\$ 37,937,190	\$ 95,492,884	\$ 57,555,694	95.00%	0.63875	\$ 349,255
2017	2018	\$ 37,937,190	\$ 99,790,063	\$ 61,852,873	95.00%	0.63875	\$ 375,331
2018	2019	\$ 37,937,190	\$ 104,280,616	\$ 66,343,426	95.00%	0.63875	\$ 402,580
2019	2020	\$ 37,937,190	\$ 108,973,244	\$ 71,036,054	95.00%	0.63875	\$ 431,056
2020	2021	\$ 37,937,190	\$ 113,877,040	\$ 75,939,850	95.00%	0.63875	\$ 460,813
2021	2022	\$ 37,937,190	\$ 119,001,507	\$ 81,064,317	95.00%	0.63875	\$ 491,908
2022	2023	\$ 37,937,190	\$ 124,356,574	\$ 86,419,384	95.00%	0.63875	\$ 524,404
2023	2024	\$ 37,937,190	\$ 129,952,620	\$ 92,015,430	95.00%	0.63875	\$ 558,361
2024	2025	\$ 37,937,190	\$ 135,800,488	\$ 97,863,298	95.00%	0.63875	\$ 593,847
2025	2026	\$ 37,937,190	\$ 141,911,510	\$ 103,974,320	95.00%	0.63875	\$ 630,929
2026	2027	\$ 37,937,190	\$ 148,297,528	\$ 110,360,338	95.00%	0.63875	\$ 669,680
2027	2028	\$ 37,937,190	\$ 154,970,917	\$ 117,033,727	95.00%	0.63875	\$ 710,175
2028	2029	\$ 37,937,190	\$ 161,944,608	\$ 124,007,418	95.00%	0.63875	\$ 752,493
2029	2030	\$ 37,937,190	\$ 169,232,116	\$ 131,294,926	95.00%	0.63875	\$ 796,714
2030	2031	\$ 37,937,190	\$ 176,847,561	\$ 138,910,371	95.00%	0.63875	\$ 842,925
2031	2032	\$ 37,937,190	\$ 184,805,701	\$ 146,868,511	95.00%	0.63875	\$ 891,216
2032	2033	\$ 37,937,190	\$ 193,121,958	\$ 155,184,768	95.00%	0.63875	\$ 941,681
2033	2034	\$ 37,937,190	\$ 201,812,446	\$ 163,875,256	95.00%	0.63875	\$ 994,416
2034	2035	\$ 37,937,190	\$ 210,894,006	\$ 172,956,816	95.00%	0.63875	\$ 1,049,524
2035	2036	\$ 37,937,190	\$ 220,384,236	\$ 182,447,046	95.00%	0.63875	\$ 1,107,111
2036	2037	\$ 37,937,190	\$ 230,301,527	\$ 192,364,337	95.00%	0.63875	\$ 1,167,291
2037	2038	\$ 37,937,190	\$ 240,665,095	\$ 202,727,905	95.00%	0.63875	\$ 1,230,178
2038	2039	\$ 37,937,190	\$ 251,495,025	\$ 213,557,835	95.00%	0.63875	\$ 1,295,896
2039	2040	\$ 37,937,190	\$ 262,812,301	\$ 224,875,111	95.00%	0.63875	\$ 1,364,570
2040	2041	\$ 37,937,190	\$ 274,638,854	\$ 236,701,664	95.00%	0.63875	\$ 1,436,335
<b>Total</b>							<b>\$ 21,226,696</b>

Exhibit 3B – Part C Plan Revenue Schedule – Cypress Development Parcels Only

Tax Year	Fiscal Year	Base Value (1)	Projected Value (2)	Captured Appraised Value	Collection Rate (3)	Tax Rate	Increment Revenue
2012	2013	\$ 2,375,890	\$ 12,801,264	\$ 10,425,374	95.00%	0.63875	\$ 63,262
2013	2014	\$ 2,375,890	\$ 37,518,749	\$ 35,142,859	95.00%	0.63875	\$ 213,251
2014	2015	\$ 2,375,890	\$ 70,623,527	\$ 68,247,637	95.00%	0.63875	\$ 414,135
2015	2016	\$ 2,375,890	\$ 171,882,110	\$ 169,506,220	95.00%	0.63875	\$ 1,028,585
2016	2017	\$ 2,375,890	\$ 226,515,100	\$ 224,139,210	95.00%	0.63875	\$ 1,360,105
2017	2018	\$ 2,375,890	\$ 272,330,820	\$ 269,954,930	95.00%	0.63875	\$ 1,638,120
2018	2019	\$ 2,375,890	\$ 300,965,645	\$ 298,589,755	95.00%	0.63875	\$ 1,811,880
2019	2020	\$ 2,375,890	\$ 312,393,522	\$ 310,017,632	95.00%	0.63875	\$ 1,881,226
2020	2021	\$ 2,375,890	\$ 316,298,441	\$ 313,922,551	95.00%	0.63875	\$ 1,904,921
2021	2022	\$ 2,375,890	\$ 316,298,441	\$ 313,922,551	95.00%	0.63875	\$ 1,904,921
2022	2023	\$ 2,375,890	\$ 324,255,324	\$ 321,879,434	95.00%	0.63875	\$ 1,953,205
2023	2024	\$ 2,375,890	\$ 324,255,324	\$ 321,879,434	95.00%	0.63875	\$ 1,953,205
2024	2025	\$ 2,375,890	\$ 324,255,324	\$ 321,879,434	95.00%	0.63875	\$ 1,953,205
2025	2026	\$ 2,375,890	\$ 336,567,526	\$ 334,191,636	95.00%	0.63875	\$ 2,027,917
2026	2027	\$ 2,375,890	\$ 336,567,526	\$ 334,191,636	95.00%	0.63875	\$ 2,027,917
2027	2028	\$ 2,375,890	\$ 336,567,526	\$ 334,191,636	95.00%	0.63875	\$ 2,027,917
2028	2029	\$ 2,375,890	\$ 349,347,232	\$ 346,971,342	95.00%	0.63875	\$ 2,105,465
2029	2030	\$ 2,375,890	\$ 349,347,232	\$ 346,971,342	95.00%	0.63875	\$ 2,105,465
2030	2031	\$ 2,375,890	\$ 358,135,498	\$ 355,759,608	95.00%	0.63875	\$ 2,158,794
2031	2032	\$ 2,375,890	\$ 362,612,192	\$ 360,236,302	95.00%	0.63875	\$ 2,185,959
2032	2033	\$ 2,375,890	\$ 362,612,192	\$ 360,236,302	95.00%	0.63875	\$ 2,185,959
2033	2034	\$ 2,375,890	\$ 362,612,192	\$ 360,236,302	95.00%	0.63875	\$ 2,185,959
2034	2035	\$ 2,375,890	\$ 362,612,192	\$ 360,236,302	95.00%	0.63875	\$ 2,185,959
2035	2036	\$ 2,375,890	\$ 362,612,192	\$ 360,236,302	95.00%	0.63875	\$ 2,185,959
2036	2037	\$ 2,375,890	\$ 362,612,192	\$ 360,236,302	95.00%	0.63875	\$ 2,185,959
2037	2038	\$ 2,375,890	\$ 362,612,192	\$ 360,236,302	95.00%	0.63875	\$ 2,185,959
2038	2039	\$ 2,375,890	\$ 362,612,192	\$ 360,236,302	95.00%	0.63875	\$ 2,185,959
2039	2040	\$ 2,375,890	\$ 362,612,192	\$ 360,236,302	95.00%	0.63875	\$ 2,185,959
2040	2041	\$ 2,375,890	\$ 362,612,192	\$ 360,236,302	95.00%	0.63875	\$ 2,185,959
<b>Total</b>							<b>\$ 52,393,085</b>

### Exhibit 9 – (Amended) Part C Plan Revenue Schedule – Gross Revenue with Transfers

Tax Year	Base Values (1)		Projected Value		Collection Rate (2)	Tax Rate	Increment Revenue		Affordable Housing (3)	City Admin (5%)	Zone Administration	Net Revenue/Lease Transfers and AH)	
	Non-Cypress	Cypress	Non-Cypress	Cypress			Non-Cypress	Cypress					Total
2012	\$ 37,937,190	\$ 2,375,890	\$ 80,076,641	\$ 12,801,264	95.00%	0.63875	\$ 255,707	\$ 63,262	\$ 106,323	\$ 15,948	\$ 50,000	\$ 146,698	
2013	\$ 37,937,190	\$ 2,375,890	\$ 83,690,090	\$ 37,518,749	95.00%	0.63875	\$ 277,974	\$ 213,251	\$ 163,608	\$ 24,541	\$ 50,000	\$ 252,675	
2014	\$ 37,937,190	\$ 2,375,890	\$ 87,445,694	\$ 70,623,527	95.00%	0.63875	\$ 300,424	\$ 414,135	\$ 238,186	\$ 35,728	\$ 50,000	\$ 390,645	
2015	\$ 37,937,190	\$ 2,375,890	\$ 91,380,750	\$ 171,882,110	95.00%	0.63875	\$ 324,302	\$ 1,028,585	\$ 450,962	\$ 67,644	\$ 50,000	\$ 784,280	
2016	\$ 37,937,190	\$ 2,375,890	\$ 95,482,884	\$ 226,515,100	95.00%	0.63875	\$ 349,255	\$ 1,360,105	\$ 569,787	\$ 85,468	\$ 50,000	\$ 1,004,105	
2017	\$ 37,937,190	\$ 2,375,890	\$ 99,790,063	\$ 272,330,820	95.00%	0.63875	\$ 375,331	\$ 1,638,120	\$ 671,150	\$ 100,673	\$ 50,000	\$ 1,315,584	
2018	\$ 37,937,190	\$ 2,375,890	\$ 104,280,616	\$ 300,965,645	95.00%	0.63875	\$ 402,580	\$ 1,811,880	\$ 738,153	\$ 110,723	\$ 50,000	\$ 1,428,045	
2019	\$ 37,937,190	\$ 2,375,890	\$ 108,973,244	\$ 312,393,522	95.00%	0.63875	\$ 431,056	\$ 1,881,226	\$ 770,760	\$ 115,614	\$ 50,000	\$ 1,477,659	
2020	\$ 37,937,190	\$ 2,375,890	\$ 113,877,040	\$ 316,298,441	95.00%	0.63875	\$ 460,813	\$ 1,904,921	\$ 825,869	\$ 123,880	\$ 50,000	\$ 1,520,682	
2021	\$ 37,937,190	\$ 2,375,890	\$ 119,001,507	\$ 316,298,441	95.00%	0.63875	\$ 491,908	\$ 1,904,921	\$ 849,017	\$ 127,353	\$ 50,000	\$ 1,569,622	
2022	\$ 37,937,190	\$ 2,375,890	\$ 124,356,574	\$ 324,255,324	95.00%	0.63875	\$ 524,404	\$ 1,953,205	\$ 886,282	\$ 134,880	\$ 50,000	\$ 1,613,518	
2023	\$ 37,937,190	\$ 2,375,890	\$ 129,952,620	\$ 324,255,324	95.00%	0.63875	\$ 558,361	\$ 1,953,205	\$ 912,697	\$ 136,905	\$ 50,000	\$ 1,638,490	
2024	\$ 37,937,190	\$ 2,375,890	\$ 135,800,488	\$ 324,255,324	95.00%	0.63875	\$ 593,847	\$ 1,953,205	\$ 952,653	\$ 142,868	\$ 50,000	\$ 1,712,407	
2025	\$ 37,937,190	\$ 2,375,890	\$ 141,911,510	\$ 336,567,526	95.00%	0.63875	\$ 630,929	\$ 2,027,917	\$ 987,393	\$ 145,109	\$ 50,000	\$ 1,738,677	
2026	\$ 37,937,190	\$ 2,375,890	\$ 148,297,528	\$ 336,567,526	95.00%	0.63875	\$ 669,680	\$ 2,027,917	\$ 1,000,573	\$ 150,086	\$ 50,000	\$ 1,801,060	
2027	\$ 37,937,190	\$ 2,375,890	\$ 154,970,917	\$ 336,567,526	95.00%	0.63875	\$ 710,175	\$ 2,027,917	\$ 1,025,725	\$ 153,859	\$ 50,000	\$ 1,847,591	
2028	\$ 37,937,190	\$ 2,375,890	\$ 161,944,608	\$ 349,347,232	95.00%	0.63875	\$ 752,483	\$ 2,105,465	\$ 1,042,546	\$ 156,362	\$ 50,000	\$ 1,878,711	
2029	\$ 37,937,190	\$ 2,375,890	\$ 169,232,116	\$ 349,347,232	95.00%	0.63875	\$ 796,714	\$ 2,105,465	\$ 1,060,125	\$ 159,019	\$ 50,000	\$ 1,911,231	
2030	\$ 37,937,190	\$ 2,375,890	\$ 176,847,561	\$ 358,135,498	95.00%	0.63875	\$ 842,925	\$ 2,158,794	\$ 1,078,494	\$ 161,774	\$ 50,000	\$ 1,945,214	
2031	\$ 37,937,190	\$ 2,375,890	\$ 184,805,701	\$ 362,612,192	95.00%	0.63875	\$ 891,216	\$ 2,185,959	\$ 1,097,890	\$ 164,654	\$ 50,000	\$ 1,980,727	
2032	\$ 37,937,190	\$ 2,375,890	\$ 193,121,958	\$ 362,612,192	95.00%	0.63875	\$ 941,681	\$ 2,185,959	\$ 1,117,750	\$ 167,662	\$ 50,000	\$ 2,017,837	
2033	\$ 37,937,190	\$ 2,375,890	\$ 201,812,446	\$ 362,612,192	95.00%	0.63875	\$ 994,416	\$ 2,185,959	\$ 1,138,712	\$ 170,807	\$ 50,000	\$ 2,056,618	
2034	\$ 37,937,190	\$ 2,375,890	\$ 210,894,006	\$ 362,612,192	95.00%	0.63875	\$ 1,049,524	\$ 2,185,959	\$ 1,160,618	\$ 174,093	\$ 50,000	\$ 2,097,144	
2035	\$ 37,937,190	\$ 2,375,890	\$ 220,384,236	\$ 362,612,192	95.00%	0.63875	\$ 1,107,111	\$ 2,185,959	\$ 1,183,510	\$ 177,526	\$ 50,000	\$ 2,139,493	
2036	\$ 37,937,190	\$ 2,375,890	\$ 230,301,527	\$ 362,612,192	95.00%	0.63875	\$ 1,167,291	\$ 2,185,959	\$ 1,207,431	\$ 181,115	\$ 50,000	\$ 2,183,748	
2037	\$ 37,937,190	\$ 2,375,890	\$ 240,665,095	\$ 362,612,192	95.00%	0.63875	\$ 1,230,178	\$ 2,185,959	\$ 1,228,696	\$ 185,959	\$ 50,000	\$ 2,233,653	
2038	\$ 37,937,190	\$ 2,375,890	\$ 251,485,025	\$ 362,612,192	95.00%	0.63875	\$ 1,295,896	\$ 2,185,959	\$ 1,253,294	\$ 190,889	\$ 50,000	\$ 2,288,989	
2039	\$ 37,937,190	\$ 2,375,890	\$ 262,812,301	\$ 362,612,192	95.00%	0.63875	\$ 1,364,570	\$ 2,185,959	\$ 1,278,927	\$ 196,431	\$ 50,000	\$ 2,349,858	
2040	\$ 37,937,190	\$ 2,375,890	\$ 274,638,854	\$ 362,612,192	95.00%	0.63875	\$ 1,436,335	\$ 2,185,959	\$ 1,309,937	\$ 203,000	\$ 50,000	\$ 2,416,337	
<b>Total</b>							<b>\$ 21,228,696</b>	<b>\$ 52,393,085</b>	<b>\$ 73,619,761</b>	<b>\$ 24,539,937</b>	<b>\$ 3,680,989</b>	<b>\$ 1,450,000</b>	<b>\$ 43,948,865</b>

Notes:

- (1) Base Year is Tax Year 2003
- (2) Collection Rate for TY 12 to TY 40 uses 95%
- (3) The annual affordable housing set-aside will be the greater of one-third of the actual revenues or the amount reflected in Exhibit 9 of the Part C Plan.



ANNISE D. PARKER  
MAYOR

OFFICE OF THE MAYOR  
CITY OF HOUSTON  
TEXAS

2  
AUG 08 2012

July 25, 2012

COPY TO EACH MEMBER OF COUNCIL:

CITY SECRETARY: 7-25-12  
date

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

The Honorable City Council  
City of Houston

Dear Council Members:

Pursuant to Chapter 311, Texas Tax Code, and City of Houston Ordinance No. 97-1589, I am nominating the following individuals for appointment to the Reinvestment Zone Number Ten, City of Houston, Texas (Lake Houston Zone) Board of Directors, subject to Council confirmation:

Mr. Jeffrey Nielsen, appointment to Position Two, for a term to expire December 31, 2012; and

Ms. Deborah A. Yocham, (Humble Independent School District Representative) appointment to Position Six, for a term to expire December 31, 2013.

Résumés of the nominees are attached for your review.

Sincerely,

Annise D. Parker  
Mayor

AP/JC/jsk

Attachments



cc: Mr. Ralph De Leon, Division Manager, Mayor's Office of Economic Development



ANNISE D. PARKER  
MAYOR

OFFICE OF THE MAYOR  
CITY OF HOUSTON  
TEXAS

July 25, 2012

The Honorable City Council  
City of Houston

Dear Council Members:

Pursuant to Chapter 431 of the Texas Transportation Code, Chapter 394 of the Texas Local Government Code and Resolution No. 2003-10, I am nominating the following individuals for appointment to the Lake Houston Redevelopment Authority, (Reinvestment Zone Number Ten) Board of Directors, subject to Council confirmation:

Mr. Jeffrey Nielsen, appointment to Position Two, for a term to expire December 31, 2012;  
and

Ms. Deborah A. Yocham, (Humble Independent School District Representative)  
appointment to Position Six, for a term to expire December 31, 2013.

The résumés of the nominees are attached for your review.

Sincerely,

Annise D. Parker  
Mayor

AP: JC:jsk

Attachments

cc: Mr. Ralph De Leon, Division Manager, Mayor's Office of Economic Development

**REQUEST FOR COUNCIL ACTION**

**TO:** Mayor via City Secretary

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

Category #

Page 1 of 1

Agenda Item#

3

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

Kelly Dowe, Director of Finance

**Origination Date**

August 1, 2012

**Agenda Date**

AUG 0 8 2012

**DIRECTOR'S SIGNATURE:**

*Kelly Dowe*

**Council Districts affected:**

All

**For additional information contact:**

Minnette Boesel, Mayor's Assistant for Cultural Affairs,

Phone: (832) 393-1097

Tantri Emo, Assistant Director – Finance Department

Phone: (713) 837-9845

**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 Theatre Advisory Board, Inc., Houston Museum District Association & Theater District Improvement, Inc.

**Amount of Funding: \$ 1,025,419 of FY 2012 Hotel Occupancy Tax Revenue**

**Finance Department Budget:**

**SOURCE OF FUNDING:**

General Fund

Grant Fund

Enterprise Fund

Other (Specify)

**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 Theatre Advisory Board, Inc. (MTAB), Theater District Improvement, Inc. and Houston Museum District Association to promote the arts. During FY 2012 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 2012 contract projected the Arts Contractors would receive approximately \$11,500,000. Based on actual FY2012 figures, the Arts Contractors' share of the HOT revenues is \$12,525,419 which is \$1,025,419 over the amount projected in the FY 2012 budget in year two of the three year contract with the City. Pursuant to the terms of the contract, the Arts Contractors have each submitted a supplemental budget outlining how it will utilize the funds over and above the original projected amount and to obtain City Council approval before the additional funds are received.

Proposed supplemental budgets are attached.

The Finance Department recommends approval of the Arts Contractors' supplemental budgets for FY 2012.

**REQUIRED AUTHORIZATION**

Finance Department

Other Authorization

*[Signature]*

Other Authorization

Exhibit A  
Houston Museum District Association  
Gross Receipts Budget for  
Hotel Occupancy Tax Funds  
FY 2011-12, 5th Quarter

FY 2011-2012 5th 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>Adopted Budget(*)</u>
<u>11,074.53</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>\$ 173,500.95</u>
Museum of Fine Arts, Houston	\$54,826.30
Houston Museum of Natural Science	\$35,741.20
The Menil Collection	\$26,545.65
Contemporary Arts Museum Houston	\$12,318.57
Children's Museum of Houston	\$12,318.57
Houston Zoo	\$ 7,113.54
Health Museum	\$ 7,113.54
Holocaust Museum Houston	\$ 7,113.54
Rice University Art Gallery	\$ 3,470.02
Lawndale Art Center	\$ 3,470.02
Jung Center	\$ 3,470.02
 <u>Total</u>	 <u>\$ 184,575.48</u>

(\*) Subject to adjustment for City of Houston final amount.

1069



July 30, 2012

**Overview**

5th quarter FY 11/12 funds would make an enormous impact on the ability of the 11 HOT fund contracted members of Houston's Museum District to facilitate the promotion of ongoing and new programming, support of educational outreach, the ability to maintain current exhibits and more. Expenses for member museums generally far outreach their income levels and 5th quarter distributions can make an enormous difference in supporting and maintaining ongoing and new programming.

**Houston Museum District Association**

Houston Museum District Association will use 5th Quarter FY 11/12 funds to produce and distribute a new brochure to promote tourism to Houston throughout Texas, including but not limited to the I-45 corridor north to Dallas, the I-10 west corridor to San Antonio and throughout southeast Texas eastward to Orange. Any additional funds will be used for the continued use and promotion of our new website and its mobile functions and for marketing the 19 institutions of the Houston Museum District in print ads in our region and beyond.

**Rice Art Gallery**

We are working on creating an iPad app. Our total costs spent on marketing and PR items, once again exceeded the amount allocated to us by the city. To receive the 5th quarter overage would be incredibly helpful.

**Jung Center**

The Jung Center is in the process of updating our website and technology presence to promote our programs outside of Houston with the goal of expanding our student base (we currently have students who travel to Houston for classes and workshops). We have received very generous partial funding from Houston Endowment Inc. to accomplish this. Fifth quarter overage funds would be used to build on that gift and expand our online publicity and marketing efforts both nationally and internationally.

**Houston Zoo**

The zoo will inaugurate a new program this year with Zoo Lights, a holiday lights extravaganza aimed at attracting people to the Zoo from surrounding areas. Because this is a new program, the 5<sup>th</sup> quarter payment will be very helpful in providing support for the marketing initiatives needed to publicize and market this new program.

**Holocaust**

In order to inspire visitors to build the moral courage necessary to speak out against victimization, Holocaust Museum Houston uses a piece of its permanent collection to tell the inspiring story of rescuers who made an incredible difference. The Hanne Frank is a 1942 Danish fishing vessel which helps HMMH tell the story of ordinary citizens of Denmark who ferried their Jewish countrymen to safety in neutral Sweden; in so doing, they saved more than 7,200 lives.

2069



## HOUSTONmuseumDISTRICT

After a particularly harsh summer last year, this important artifact, which is housed outside, is in need of conservation. The level of conservation needed is well above the usual yearly budget the Museum has for conservation of artifacts. Holocaust Museum Houston has developed a conservator-approved plan to restore the Hanne Frank for the benefit of future generations, and we have raised half of the support needed. Fifth quarter support from the city will allow us to confidently proceed with this and other important projects.

### **The Menil Collection**

The 5<sup>th</sup> quarter will help us continue our PR/marketing efforts to educate visitors and residents about The Menil's free year-round programming and the other resources in the Houston Museum District.

### **Museum of Fine Arts, Houston**

The Museum of Fine Arts, Houston will use its fifth quarter funds to support our summer program for adults and children. We have numerous major exhibitions on view and have a lot of opportunities to create website messaging and direct contact with summer camps, school groups and adults, young and old. We have two special programs. One is called Look and Learn which provides free admission for 2 hours for anyone who eats at our restaurant or the food trucks we have in our parking lot. Additionally with an exhibitions from England and one from Japan, we are have a tea and tour program.

### **Lawndale Art Center**

The 5<sup>th</sup> quarter will help us continue our PR/marketing efforts to educate visitors and residents about the merits of Lawndale's unique programming that highlights Houston-area artists of all genres.

### **Houston Museum of Natural Science**

Fifth quarter funds will be used to fund ongoing PR/Marketing efforts for our new Hall of Paleontology, continued implementation of educational programs, and development and maintenance of ongoing museum programming.

### **Children's Museum of Houston**

5th quarter funds will be used to continue our PR/Marketing push in many markets and will be vital to our ongoing pursuit to maintain interesting, stimulating, educational programming for visitors.

### **Contemporary Arts Museum Houston**

5th quarter funds will be used for the support and promotion of new gallery shows being hosted by CAMH through the fall. These funds will allow us to promote and maintain ongoing programs to the fullest extent possible.

### **The Health Museum**

5th quarter funds will make a huge difference in allowing us to raise awareness of The Health Museum, it's connection to Texas Medical Center, and facilitate new exhibits and ongoing educational programming.

3 of 9

Miller Theatre Advisory Board, Inc.  
FY 2012 Supplemental Budget (Proposed)  
Hotel Occupancy Tax Revenues

Revenue

Hotel Occupancy Tax

\$ 164,067.09

Expenses

HOT Grants/Performances & Programming Expenses

\$ 104,300.00

Miller Presents Production Expenses

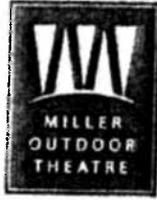
\$ 34,767.09

Outreach/Education/Marketing

\$ 25,000.00

*Total Expenses* \$ 164,067.09

4089



**Miller Theatre Advisory Board, Inc.**

**FY 2012 Supplemental Budget (Proposed)  
Hotel Occupancy Tax Revenues**

The Miller Theatre Advisory Board (MTAB) will use supplementary Hotel Occupancy Tax funds for enhancing the 2013 season of always-free performances at Miller Outdoor Theatre and for marketing all of the season's performances as tourist destinations. HOT Grants Programming expenses also include a contingency to engage HPD Special Operations Traffic Detail for performances that historically draw or are anticipated to draw large audiences. With a limited number of parking spaces available in Hermann Park, MTAB is aware of the need to keep traffic moving and reduce gridlock on Hermann Park Drive and in the Museum District/Medical Center area.

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. Annual attendance increased by 75% from 2008's 245,300 to nearly 431,000 in both 2009 and 2010. We experienced another dramatic increase in annual attendance in 2011 with a jump of 51,000 to a record-breaking 482,000.

The 2013 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 4<sup>th</sup> 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 XI" and "Splendid China X" with award-winning guest artists from China
- Musical performances celebrating Cinco de Mayo, El Grito and Juneteenth
- Indian Performing Arts- Samskriti's "Incredible India!" and "Bollywood Blast"
- 34<sup>th</sup> Annual Festival Chicano
- 24<sup>th</sup> Annual Accordion Kings & Queens
- Dominic Walsh Dance Theater
- Mercury

240,000 brochures will be printed and distributed to promote the 2013 season, including distribution at area-hotels and visitors' centers. Texas visitors will be reached through advertisements in Texas Highways and the GHCVB'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. This facility is the only outdoor proscenium theatre in the country that offers more than 130 artistically excellent and culturally diverse performances in an annual season of events, totally free of charge to the public.

We sincerely appreciate your consideration.

5/6/12

**Houston Arts Alliance**  
Executive Committee Meeting  
30 July 2012; 5:30 – 7:30 p.m.  
University of St. Thomas Board Room

**Action Item #7: FY 2012 Fifth Quarter HOT Funds Proposal**

HOT revenue for fiscal year 2012 (FY12) was \$65.8 million, which exceeds the contracted amount of \$61 million by \$4.8 million. Our estimated share is \$430,676 of the fifth quarter supplemental payment, which will be allocated as follows:

HAA HOT FIFTH QUARTER	\$430,676
HAA ADMIN-10.5%	\$42,529
CITY SPEC INITIATIVES-2.5%	\$25,635
HAA PROGRAM & GRANTS -84%	\$362,512

Staff proposes using the fifth quarter supplemental payment for the Capacity Building Initiatives and Arts Marketing grant programs.

The Arts Marketing grants 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 2012. HAA will award grants up to \$15,000 per organization based on a competitive panel review process specifically geared towards marketing efforts to attract tourist to the City of Houston. HAA plans to complete the grant requirements and have an application available on our website by 15 October 2012 with a deadline of 15 November 2012.

In addition, our Capacity Building Initiative grants will assist mid-size arts organizations with strategic planning and implementation. By investing in infrastructure HAA is promoting tourism for the Greater Houston region. The fifth quarter supplemental will add to existing funding allowing HAA to award grants up to \$20,000. The grant requirements are currently available on our website and we expect the competitive panel review process to be completed in August 2012.

689

Theater District Improvement, Inc.  
Gross Receipts Budget for  
Hotel Occupancy Tax Funds  
5<sup>th</sup> Quarter FY 2011-2012

FY 2011-2012 5<sup>th</sup> Quarter Hotel Occupancy Tax Funds are allocated to the Theater District Improvement, Inc. and 7 member arts organizations for the following purposes (see attached expenditure outline):

Theater District tourism and marketing programs \$9,998.64

To support the tourism marketing efforts for the Theater District Open House taking place Sunday August 26, 2012. The 5<sup>th</sup> quarter allows the Theater District to use a new marketing opportunity called retargeting, which creates ads for the Theater District Open House for people who visit any of the arts groups' websites. It's a relatively new technology, but is proving to be highly effective and the overage allows us to try this platform to reach more audience.

Theater District Organizations

Houston Symphony	\$57,915
Theatre Under The Stars	\$34,258
Houston Grand Opera	\$51,494
Houston Ballet	\$45,379
Da Camera of Houston	\$3,660
Society For The Performing Arts	\$9,232
Alley Theatre	\$34,164
<b>Total</b>	<b>\$246,100.64</b>

7069

**5th Quarter FY 2011-12 Expected Theater District HOT Receipts: \$246,100.64**

**Proposed Expenditures:**

**Theater District Improvement, Inc. - \$9,998.64**

To support the tourism marketing efforts for the Theater District Open House taking place Sunday August 26, 2012. The 5<sup>th</sup> quarter allows the Theater District to use a new marketing opportunity called retargeting, which creates ads for the Theater District Open House for people who visit any of the arts groups' websites. It's a relatively new technology, but is proving to be highly effective and the overage allows us to try this platform to reach more audience.

**Alley Theatre - \$34,164**

The overage will make it possible to increase the marketing budget to include more TVspots for *A Christmas Carol: A Ghost Story of Christmas*. This family favorite will attract and entertain audiences during the festive holiday season from across Houston's combined metropolitan statistical area (12 counties of approximately 6 million people) and beyond as well as out of state visitors in the area looking for great holiday entertainment. The play will attract people to the area to shop, dine, and spend the evening being entertained.

**Houston Ballet - \$45,379**

Houston Ballet's **Overage** HOT Funds will be used toward expenses associated with the company's three performances at the National Arts Centre's Southam Hall in Ottawa, Canada to be presented in October 2012. Per our budgeted touring expenses as defined in our detailed budget for fiscal year 2013, these touring expenses total \$191,199.97. We hold that this important touring opportunity would not be possible without the funding of the HOT Funds overage. Houston Ballet acts as an ambassador for the city of Houston when it presents performances outside of the city limits. The exposure that this tour to Canada will afford us will work to further solidify Houston as a city that offers a world-class fine arts experience and will therefore be a draw for increased international tourism and revenue here at home.

**Da Camera of Houston - \$3,660**

Artist Fees for Richard Lavenda on April 9, 2013. Da Camera will be presenting a world premier of his work which will draw audience from all over the country.

**Houston Grand Opera - \$51,494**

Production expenses for *La Boheme* which is expected to draw well regionally and nationally for this popular opera by Puccini.

889

**Society for the Performing Arts - \$9,232**

Production expenses for Neil Berg's 100 Years of Broadway, 1 performance on Saturday, April 21, 2102 @ Jones Hall

Catalyst Quartet, a Sphinx Ensemble, 1 performance on Wednesday, April 25, 2012 @ Cullen Theater, Wortham Center

Corrella Ballet, 1 performance on Saturday, May 5, 2012 @ Jones Hall

FELÁ, 7 performances on Tuesday, June 5 – Sunday, June 10, 2012 @ Jones Hall

All of these world class performances are expected to draw patrons regionally into Houston.

**Houston Symphony Orchestra- \$57,915**

The overage funds will be used to help underwrite the new Access concert series to attract new audience. With this new Houston Symphony concert experience, patrons given greater access to the artists, composers, music and the stories behind the music. ACCESS concerts conveniently begin and end earlier, while connecting patrons more deeply with the music they enjoy. NPR's *Morning Edition* music commentator Miles Hoffman will be the musical host for each ACCESS concert, leading the audience through engaging commentary followed by a complete performance of each work on the program.

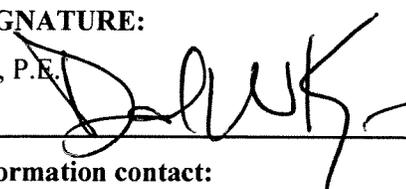
**Theatre Under The Stars - \$34,258**

Production expenses for *La Cage Aux Folles*, which is expected to draw many patrons regionally to attend.

989

<b>SUBJECT:</b> Accept Work for Sanitary Sewer Cleaning and Television Inspection in Support of Rehabilitation, WBS No. R-000266-0138-4, File No. 4277-42	<b>Category</b>	<b>Page</b> 1 of 1	<b>Agenda Item</b> # 4
-----------------------------------------------------------------------------------------------------------------------------------------------------------	-----------------	-----------------------	---------------------------

<b>FROM (Department or other point of origin):</b> Department of Public Works and Engineering	<b>Origination Date</b> 8/2/12	<b>Agenda Date</b> AUG 08 2012
--------------------------------------------------------------------------------------------------	-----------------------------------	-----------------------------------

<b>DIRECTOR'S SIGNATURE:</b> Daniel W. Krueger, P.E. 	<b>Council District affected:</b> (A, B, C, D, E, F, G, H, I, J, K)
-------------------------------------------------------------------------------------------------------------------------------------------	------------------------------------------------------------------------

<b>For additional information contact:</b> A. James Millage Senior Assistant Director Phone: (713) 641-9566	<b>Date and identification of prior authorizing Council action:</b> 10/14/09, Ordinance No. 2009-978
-------------------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------------

**RECOMMENDATION: (Summary)**  
Pass a motion to approve the final contract amount of \$479,163.84 or 0.33 % over the original contract amount, and under the 5% contingency amount, accept the work, and authorize final payment.

**Amount and Source of Funding:** No additional funding is required. (Original appropriation of \$506,444.00 from the Water and Sewer System Consolidated Construction Fund No. 8500). *M.P. 7/20/2012*

**PROJECT NOTICE/JUSTIFICATION:** This project was part of the Neighborhood Sewer Rehabilitation Program and was required to renew/replace various deteriorated neighborhood collection systems on an emergency basis throughout the City.

**DESCRIPTION/SCOPE:** This project consisted of sanitary sewer cleaning and television inspection in support of rehabilitation. The project was awarded to Envirowaste Services Group, Inc. with an original contract amount of \$477,565.27. The Notice to Proceed date was 06/02/10 and the project had 730 calendar days for completion.

**LOCATION:** The project is located in Council Districts A, B, C, D, E, F, G, H, I.

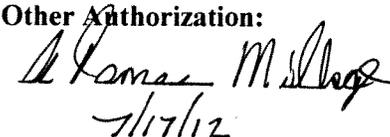
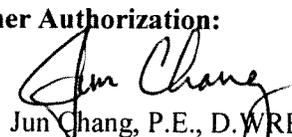
**CONTRACT COMPLETION AND COST:** The Contractor, Envirowaste Services Group, Inc. has completed the work under the contract within the contract time. The final cost of the project, including overrun and underrun of estimated bid quantities, will be \$479,163.84 an increase of \$1,598.57 or 0.33% over the original contract amount.

The increased cost is a result of the difference between planned and measured quantities of a few final issued work orders. This increase is primarily the result of an overruns in various Unit Price Items, which were necessary to complete the project.

**M/WBE PARTICIPATION:** No City M/WSBE participation goal has been established for this project, as the contract was not a goal-oriented contract per Section 15-82 of the Code of Ordinances.

DWK:JC:AJM:OS:SM:TC:tc  
Attachments  
cc: Marta Crinejo  
A. James Millage  
Carl Smitha, P.E. File No. 4277-42

**REQUIRED AUTHORIZATION** CUIC ID# 20AJM275

<b>Finance Department:</b>	<b>Other Authorization:</b>  8/17/12	<b>Other Authorization:</b>  Jun Chang, P.E., D.WRE, Deputy Director Public Utilities Division
----------------------------	-------------------------------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

<b>SUBJECT:</b> Accept Work for Neighborhood Back Lot Wastewater Substitute Service Program-Eastwood, WBS No. R-002011-0072-4, File No. 4868-04	<b>Category</b>	<b>Page</b> 1 of <u>1</u>	<b>Agenda Item</b> # <u>5</u>
-------------------------------------------------------------------------------------------------------------------------------------------------	-----------------	------------------------------	----------------------------------

<b>FROM (Department or other point of origin):</b> Department of Public Works and Engineering	<b>Origination Date</b> 8/2/12	<b>Agenda Date</b> AUG 08 2012
--------------------------------------------------------------------------------------------------	-----------------------------------	-----------------------------------

<b>DIRECTOR'S SIGNATURE:</b> Daniel W. Krueger, P.E. 	<b>Council District affected:</b> 1
-------------------------------------------------------------------------------------------------------------------------------------------	----------------------------------------

<b>For additional information contact:</b> A. James Millage Senior Assistant Director Phone: (713) 641-9566	<b>Date and identification of prior authorizing Council action:</b> 05/11/11, Ordinance No. 2011-340
-------------------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------------

**RECOMMENDATION: (Summary)**  
Pass a motion to approve the final contract amount of \$234,630.04 or 1.0 % under the original contract amount, accept the work, and authorize final payment.

**Amount and Source of Funding:** No additional funding is required. (Original appropriation of \$285,500.00 from the Water and Sewer System Consolidated Construction Fund No. 8500). *M.P. 7/20/2012*

**PROJECT NOTICE/JUSTIFICATION:** This project was part of the Neighborhood Sewer Rehabilitation Program and was required to provide the relocation of sanitary sewer lines from back lots to front lots.

**DESCRIPTION/SCOPE:** This project consisted of the relocation of sewer laterals for 72 properties on Polk, Clay, and Bell in the Eastwood subdivision. The project was awarded to T Construction, LLC with an original contract amount of \$236,994.00. The Notice to Proceed date was 06/01/11 and the project had 210 calendar days for completion.

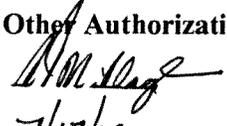
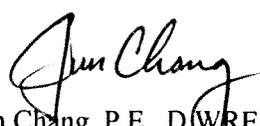
**LOCATION:** The project is located in Council District I.

**CONTRACT COMPLETION AND COST:** The Contractor, T Construction, LLC, has completed the work under the contract within the contract time. The final cost of the project, including overrun and underrun of estimated bid quantities, will be \$234,630.04 a decrease of \$2,363.96 or 1.0% under the original contract amount.

**M/WBE PARTICIPATION:** No City M/WSBE participation goal was established for this project, as the contract was not a goal-oriented contract per Section 15-82 of the Code of Ordinances.

DWK:JC:AJM:OS:SM:TC:tc  
Attachments  
cc: A. James Millage  
Carl Smitha, P.E. File No. 4868-04

**REQUIRED AUTHORIZATION** CUIC ID# 20AJM274

<b>Finance Department:</b>	<b>Other Authorization:</b>  7/17/12	<b>Other Authorization:</b>  Jun Chang, P.E., DWRE, Deputy Director Public Utilities Division
----------------------------	-------------------------------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

**T- Construction Services  
Work Orders Status Report  
Wastewater File No. 4868-04**

W.O. No.	IMS Work Order No.	IMS W.O. Date	Street No.	Street Name	Work Type	Issue Date	Repair Date	Asphalt Date	Concrete Date	Landscap e Date	Closing Date	Key Map	2011 Council District (old)	2012 Council District (new)
1	11613387	10/5/11	4701	POLK	PRIVATE SERVICE LATERAL INSTALL	10/5/2011	10/19/12	n/a	n/a	10/19/12	10/19/2011	494T	-	-
2	11620093	10/20/11	4702	POLK	PRIVATE SERVICE LATERAL INSTALL	10/20/2011	10/20/11	n/a	n/a	10/28/11	10/28/2011	494T	-	-
3	11613391	10/5/12	4705	POLK	PRIVATE SERVICE LATERAL INSTALL	10/5/11	10/18/12	n/a	n/a	10/28/11	10/28/2011	494T	-	-
4	11620115	10/20/11	4710	POLK	PRIVATE SERVICE LATERAL INSTALL	10/20/2011	10/21/11	n/a	n/a	10/28/11	10/28/2011	494T	-	-
5	11613393	10/5/11	4711	POLK	PRIVATE SERVICE LATERAL INSTALL	10/20/2011	10/23/11	n/a	n/a	10/28/11	10/28/2011	494T	-	-
6	11620122	10/5/11	4712	POLK	PRIVATE SERVICE LATERAL INSTALL	10/5/2011	11/14/12	n/a	n/a	11/30/12	11/30/2011	494T	-	-
7	11613396	10/5/11	4713	POLK	PRIVATE SERVICE LATERAL INSTALL	10/5/2011	11/14/11	n/a	n/a	11/30/12	11/30/2011	494T	-	-
8	11620126	10/20/11	4714	POLK	PRIVATE SERVICE LATERAL INSTALL	10/20/2011	11/14/11	n/a	n/a	11/30/12	11/30/2011	494T	-	-
9	11620132	10/20/11	4720	POLK	PRIVATE SERVICE LATERAL INSTALL	10/20/2011	cancel	n/a	n/a	n/a	12/5/2011	494T	-	-
10	11613399	10/5/11	4723	POLK	PRIVATE SERVICE LATERAL INSTALL	10/5/2011	10/23/11	n/a	n/a	10/28/12	10/28/2011	494T	-	-
11	11613401	10/5/11	4725	POLK	PRIVATE SERVICE LATERAL INSTALL	10/5/2011	11/2/11	11/23/11	n/a	n/a	11/23/2011	494T	-	-
12	11620135	10/20/11	4726	POLK	PRIVATE SERVICE LATERAL INSTALL	10/5/2011	11/1/11	n/a	n/a	11/8/12	11/8/2011	494T	-	-
13	11620136	10/20/11	4728	POLK	PRIVATE SERVICE LATERAL INSTALL	10/20/2011	11/14/11	n/a	n/a	11/30/12	11/30/2011	494T	-	-
14	11628849	11/7/11	4910	POLK	PRIVATE SERVICE LATERAL INSTALL	11/7/2011	11/14/11	n/a	n/a	11/30/12	11/30/2011	494T	-	-
15	11628861	11/7/11	4916	POLK	PRIVATE SERVICE LATERAL INSTALL	11/7/2011	11/2/11	n/a	n/a	11/30/12	11/30/2011	494T	-	-
16	11573140	8/4/11	4603	CLAY	PRIVATE SERVICE LATERAL INSTALL	8/5/2011	8/15/11	n/a	n/a	8/30/12	8/30/2011	494T	-	-
17	11573143	8/4/11	4606	CLAY	PRIVATE SERVICE LATERAL INSTALL	8/5/2011	8/15/11	n/a	n/a	8/30/12	8/30/2011	494T	-	-
18	11573147	8/4/11	4607	CLAY	PRIVATE SERVICE LATERAL INSTALL	8/5/2011	8/15/11	n/a	n/a	8/30/12	8/30/2011	494T	-	-
19	11573148	8/4/11	4610	CLAY	PRIVATE SERVICE LATERAL INSTALL	8/5/2011	8/15/11	n/a	n/a	8/30/12	8/30/2011	494T	-	-
20	11573150	8/4/11	4611	CLAY	PRIVATE SERVICE LATERAL INSTALL	8/5/2011	8/15/11	n/a	n/a	8/30/12	8/30/2011	494T	-	-
21	11573153	8/4/11	4613	CLAY	PRIVATE SERVICE LATERAL INSTALL	8/5/2011	8/15/11	n/a	n/a	8/30/12	8/30/2011	494T	-	-
22	11573157	8/4/11	4616	CLAY	PRIVATE SERVICE LATERAL INSTALL	8/5/2011	8/15/11	n/a	n/a	8/30/12	8/30/2011	494T	-	-
23	11573226	8/4/11	4617	CLAY	PRIVATE SERVICE LATERAL INSTALL	8/5/2011	8/16/11	n/a	n/a	8/30/12	8/30/2011	494T	-	-
24	11573229	8/4/11	4618	CLAY	PRIVATE SERVICE LATERAL INSTALL	8/5/2011	8/16/11	n/a	n/a	8/30/12	8/30/2011	494T	-	-
25	11573230	8/4/11	4619	CLAY	PRIVATE SERVICE LATERAL INSTALL	8/5/2011	8/16/11	n/a	n/a	8/30/12	8/30/2011	494T	-	-
26	11573231	8/4/11	4620	CLAY	PRIVATE SERVICE LATERAL INSTALL	8/5/2011	8/16/11	n/a	n/a	8/30/12	8/30/2011	494T	-	-
27	11573235	8/4/11	4625	CLAY	PRIVATE SERVICE LATERAL INSTALL	8/5/2011	8/16/11	n/a	n/a	8/30/12	8/30/2011	494T	-	-
28	11573237	8/4/11	4626	CLAY	PRIVATE SERVICE LATERAL INSTALL	8/5/2011	8/16/11	n/a	n/a	8/30/12	8/30/2011	494T	-	-
29	11548670	6/27/11	4630	CLAY	PRIVATE SERVICE LATERAL INSTALL	6/28/2011	6/27/11	n/a	n/a	7/13/11	7/13/2011	494T	-	-
30	11573241	8/4/11	4633	CLAY	PRIVATE SERVICE LATERAL INSTALL	8/5/2011	8/24/11	n/a	n/a	8/25/12	8/25/2011	494T	-	-
31	11591061	9/1/11	4701	CLAY	PRIVATE SERVICE LATERAL INSTALL	9/1/2011	9/26/11	n/a	n/a	9/30/12	9/30/2011	494T	-	-
32	11591067	9/1/11	4702	CLAY	PRIVATE SERVICE LATERAL INSTALL	9/1/2011	9/26/11	n/a	n/a	9/30/12	9/30/2011	494T	-	-
33	11591069	9/1/11	4707	CLAY	PRIVATE SERVICE LATERAL INSTALL	9/1/2011	9/26/11	n/a	n/a	9/30/12	9/30/2011	494T	-	-
34	11591079	9/1/11	4709	CLAY	PRIVATE SERVICE LATERAL INSTALL	9/1/2011	10/5/11	10/28/12	n/a	10/28/12	10/28/2011	494T	-	-
35	11591082	9/1/11	4710	CLAY	PRIVATE SERVICE LATERAL INSTALL	9/1/2011	9/16/11	n/a	n/a	9/30/12	9/30/2011	494T	-	-
36	11591086	9/1/11	4711	CLAY	PRIVATE SERVICE LATERAL INSTALL	9/1/2011	10/5/11	n/a	n/a	10/28/12	10/28/2011	494T	-	-
37	11591089	9/1/11	4714	CLAY	PRIVATE SERVICE LATERAL INSTALL	9/1/2011	9/16/11	n/a	n/a	9/30/12	9/30/2011	494T	-	-
38	11591091	9/1/11	4715	CLAY	PRIVATE SERVICE LATERAL INSTALL	9/1/2011	10/4/11	n/a	n/a	10/28/12	10/28/2011	494T	-	-
39	11591096	9/1/11	4719	CLAY	PRIVATE SERVICE LATERAL INSTALL	9/1/2011	9/19/11	n/a	n/a	9/30/12	9/30/2011	494T	-	-
40	11591100	9/1/11	4722	CLAY	PRIVATE SERVICE LATERAL INSTALL	9/1/2011	10/15/11	n/a	n/a	10/28/12	10/28/2011	494T	-	-
41	11591102	9/1/11	4725	CLAY	PRIVATE SERVICE LATERAL INSTALL	9/1/2011	10/28/11	n/a	n/a	10/28/12	10/28/2011	494T	-	-
42	11591105	9/1/11	4726	CLAY	PRIVATE SERVICE LATERAL INSTALL	9/1/2011	9/21/11	n/a	n/a	10/28/12	10/28/2011	494T	-	-
43	11591107	9/1/11	4727	CLAY	PRIVATE SERVICE LATERAL INSTALL	9/1/2011	10/7/11	n/a	n/a	10/28/12	10/28/2011	494T	-	-
44	11591110	9/1/11	4728	CLAY	PRIVATE SERVICE LATERAL INSTALL	9/1/2011	9/19/11	9/30/12	n/a	n/a	9/30/2011	494T	-	-
						9/1/2011	10/14/11	10/28/12	n/a	n/a	10/28/2011	494T	-	-

**T- Construction Services  
Work Orders Status Report  
Wastewater File No. 4868-04**

W.O. No.	IMS Work Order No.	IMS W.O. Date	Street No.	Street Name	Work Type	Issue Date	Repair Date	Asphalt date	Concrete Date	Landscap e Date	Closing Date	Key Map	2011 Council District (old)	2012 Council District (new)
45	11591112	9/1/11	4730	CLAY	PRIVATE SERVICE LATERAL INSTALL	9/1/2011	9/22/11	n/a	n/a	9/30/12	9/30/2011	494T	-	-
46	11591115	9/1/11	4733	CLAY	PRIVATE SERVICE LATERAL INSTALL	9/1/2011	9/20/11	n/a	n/a	9/30/12	9/30/2011	494T	-	-
47	11533387	6/7/11	4605	BELL	PRIVATE SERVICE LATERAL INSTALL	6/7/2011	6/25/11	n/a	n/a	7/15/11	7/15/2011	494T	-	-
48	11533375	6/7/11	4609	BELL	PRIVATE SERVICE LATERAL INSTALL	6/7/2011	6/17/11	n/a	n/a	7/15/11	7/15/2011	494T	-	-
49	11533380	6/7/11	4617	BELL	PRIVATE SERVICE LATERAL INSTALL	6/7/2011	6/23/11	n/a	n/a	7/15/11	7/15/2011	494T	-	-
50	11533387	6/7/11	4618	BELL	PRIVATE SERVICE LATERAL INSTALL	6/7/2011	8/1/11	n/a	n/a	7/15/11	8/15/2011	494T	-	-
51	11533393	6/7/11	4621	BELL	PRIVATE SERVICE LATERAL INSTALL	6/7/2011	6/24/11	n/a	n/a	7/15/11	7/15/2011	494T	-	-
52	11533399	6/7/11	4624	BELL	PRIVATE SERVICE LATERAL INSTALL	6/7/2011	6/19/11	7/15/11	n/a	n/a	7/15/2011	494T	-	-
53	11544625	6/21/11	4625	BELL	PRIVATE SERVICE LATERAL INSTALL	6/22/2011	6/24/11	n/a	n/a	7/15/11	7/15/2011	494T	-	-
54	11544628	6/21/11	4626	BELL	PRIVATE SERVICE LATERAL INSTALL	6/22/2011	6/20/11	n/a	n/a	8/15/11	7/15/2011	494T	-	-
55	11544632	6/21/11	4627	BELL	PRIVATE SERVICE LATERAL INSTALL	6/22/2011	7/11/11	n/a	n/a	7/15/11	7/15/2011	494T	-	-
56	11544638	6/21/11	4629	BELL	PRIVATE SERVICE LATERAL INSTALL	6/22/2011	6/28/11	n/a	n/a	7/15/11	7/15/2011	494T	-	-
57	11544642	6/21/11	4630	BELL	PRIVATE SERVICE LATERAL INSTALL	6/22/2011	6/27/11	n/a	n/a	8/15/11	8/15/2011	494T	-	-
58	11544644	6/21/11	4700	BELL	PRIVATE SERVICE LATERAL INSTALL	6/22/2011	7/18/11	n/a	30-Jul	7/30/11	7/30/2011	494T	-	-
59	11544645	7/8/11	4701	BELL	PRIVATE SERVICE LATERAL INSTALL	6/22/2011	7/8/11	n/a	n/a	8/15/11	8/15/2011	494T	-	-
60	11555531	7/8/11	4706	BELL	PRIVATE SERVICE LATERAL INSTALL	7/8/2011	8/9/11	n/a	n/a	8/15/11	8/15/2011	494T	-	-
61	11555532	7/8/11	4707	BELL	PRIVATE SERVICE LATERAL INSTALL	7/8/2011	8/2/11	n/a	n/a	8/15/11	8/15/2011	494T	-	-
62	11555534	7/8/11	4708	BELL	PRIVATE SERVICE LATERAL INSTALL	7/8/2011	8/2/11	n/a	n/a	8/15/11	8/15/2011	494T	-	-
63	11555536	7/8/11	4710	BELL	PRIVATE SERVICE LATERAL INSTALL	7/8/2011	8/2/11	n/a	n/a	8/15/11	8/15/2011	494T	-	-
64	11555537	7/8/11	4717	BELL	PRIVATE SERVICE LATERAL INSTALL	7/8/2011	8/2/11	n/a	n/a	8/15/11	8/15/2011	494T	-	-
65	11555538	7/8/11	4718	BELL	PRIVATE SERVICE LATERAL INSTALL	7/8/2011	7/22/11	n/a	n/a	8/15/11	8/15/2011	494T	-	-
66	11555540	7/8/11	4721	BELL	PRIVATE SERVICE LATERAL INSTALL	7/8/2011	10/6/11	n/a	n/a	10/28/11	10/28/2011	494T	-	-
67	11555541	7/8/11	4722	BELL	PRIVATE SERVICE LATERAL INSTALL	7/8/2011	8/3/11	n/a	n/a	8/15/11	8/15/2011	494T	-	-
68	11555544	7/8/11	4727	BELL	PRIVATE SERVICE LATERAL INSTALL	7/8/2011	8/3/11	n/a	n/a	8/15/11	8/15/2011	494T	-	-
69	11555545	7/8/11	4729	BELL	PRIVATE SERVICE LATERAL INSTALL	7/8/2011	7/25/11	n/a	n/a	7/30/11	7/30/2011	494T	-	-
70	11555547	7/8/11	4730	BELL	PRIVATE SERVICE LATERAL INSTALL	7/8/2011	7/25/11	n/a	n/a	7/30/11	7/30/2011	494T	-	-
71	11555551	7/8/11	4733	BELL	PRIVATE SERVICE LATERAL INSTALL	7/8/2011	8/3/11	n/a	n/a	8/15/11	8/15/2011	494T	-	-
72	11555553	7/8/11	4734	BELL	PRIVATE SERVICE LATERAL INSTALL	7/8/2011	7/21/11	n/a	n/a	8/15/11	8/15/2011	494T	-	-
							8/2/11	n/a	n/a	8/15/11	8/15/2011	494T	-	-

**REQUEST FOR COUNCIL ACTION**

**TO:** Mayor via City Secretary

**RCA# 9455**

**Subject:** Approve the Purchase of a Verizon Data (Air Card) Plan through the City's Master Agreement with the Texas Department of Information Resources for the Houston Police Department/S33-E24345

Category #  
4

Page 1 of 2

Agenda Item  
  
6

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

**Origination Date**  
  
July 11, 2012

**Agenda Date**  
  
AUG 0 8 2012

**DIRECTOR'S SIGNATURE**

*Calvin D. Wells*

**Council District(s) affected**  
All

**For additional information contact:**

Joseph A. Fenninger *JAF 7/18/12* Phone: (713) 308-1708  
Douglas Moore Phone: (832) 393-8724

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

**RECOMMENDATION: (Summary)**

Approve the purchase of a Verizon data (air card) plan in the total amount of \$1,367,340.00 through the City's Master Agreement with the Texas Department of Information Resources for the Houston Police Department.

Award Amount: \$1,367,340.00

**Finance Budget**

\$1,367,340.00 - General Fund (1000)

**SPECIFIC EXPLANATION:**

The Police Chief of the Houston Police Department (HPD) and the City Purchasing Agent recommend that City Council approve the purchase of a Verizon data (air card) plan in the total amount of \$1,367,340.00 through the City's Master Agreement with the Texas Department of Information Resources for HPD and that authorization be given to issue purchase orders, as needed, to DIR's Go Direct Vendor, Cellco Partnership d/b/a Verizon Wireless, and its related entities. This amount represents the total funding required for FY13.

The HPD mobile communications system is dependent on air cards for data transmission. In past years the HPD air card system was part of the City's Verizon data network contract. Verizon was suitable for police communications because it is compliant with all criminal justice information security requirements and is approved for use by the Texas Department of Public Safety and the FBI. When the City of Houston changed its voice (from AT&T) and data wireless services vendor to Sprint, HPD's data card plan remained with Verizon as approved by the Information Technology Department. Costs for HPD's secure air cards were previously embedded in the City's original Verizon contract, but are now split out for HPD. The new Sprint contract does not include the cost of these air cards and the \$1,367,340 for the Verizon service is not an incremental cost with respect to prior years.

Altogether, the police air card network design consists of approximately 3,000 cards. The rate per month is \$37.99 per card with no charge for the air card. The air card network is utilized for the following:

- Used on a 24x7 basis to electronically dispatch police officers responding to emergencies across the city. While on-scene, the high-speed connectivity allows these officers to directly query local, state and federal databases and receive driver license, vehicle information or criminal history information such as stolen and felony vehicles, wanted persons, protective orders, and sex offenders. In addition, officers can biometrically scan the fingerprint of a suspect to aid in positive identification prior to transporting suspects to jail, which reduces jail-processing times.

**REQUIRED AUTHORIZATION**

Finance Department:

Other Authorization:

Other Authorization:

*JAF 7/18/12*

*MA*

Date: 7/11/2012	Subject: Approve the Purchase of a Verizon Data (Air Card) Plan through the City's Master Agreement with the Texas Department of Information Resources for the Houston Police Department/S33-E24345	Originator's Initials CJ	Page 2 of 2
--------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------------	-------------

- Used by police investigators to perform work which would have to be done in the office, but allows the investigators routine access to crime information, mug shots or digital images, and review of incident-related information that includes victim, witness, and suspect data from the department's Online Offense, Coplink, and Automated Fingerprint Information Systems.
- Ability to perform covert camera surveillance and GPS tracking from sites across the city.

**Hire Houston First:**

This procurement is exempt from the City's Hire Houston First Ordinance. Bids/proposals were not solicited because the department is utilizing an Interlocal Agreement for this purchase.

Attachment: M/WBE Zero Percentage Goal Document approved by the Mayor's Office of Business Opportunity.

Buyer: Conley Jackson



**CITY OF HOUSTON**  
Houston Police Department

**Interoffice**

Correspondence

**To:** Marsha Murray, Asst. Director  
Mayor's Office of Business  
Opportunity

**From:** Patricia Cheesman – IRM Manager  
HPD Technology Services

**Date:** July 20, 2012

**Subject:** M/WBE 0% Goal Request

**Items or Scope of Services of Bid:**

Verizon Air Card Data Services for the Houston Police Department.

The total dollar value is: **\$ 1,367,340**

I am requesting approval of a : **0 % goal.**

**Justification:**

This purchase will consist of the vendor providing air card data service for approximately 3000 air cards through the DIR contract. The air cards are provided at no cost to the City. Verizon is suitable for police communications because it is compliant with all criminal justice information security requirements and is approved for use by the Texas Department of Public Safety and the FBI. There are no subcontracting opportunities available with this purchase.

Concur:

Patricia  
Cheesman

Agency required by Public Information Act  
2011-07-20 10:00:00 AM  
Patricia Cheesman  
Houston Police Department  
2011-07-20 10:00:00 AM

Patricia Cheesman, IRM Manager  
Houston Police Department

Approved:

Handwritten signature of Marsha Murray in black ink.

Marsha Murray, Assistant Director  
Mayor's Office of Business Opportunity

**REQUEST FOR COUNCIL ACTION**

**TO:** Mayor via City Secretary

**RCA# 9432**

**Subject:** Spending Authority to Purchase Chemical, Inorganic Metal Salt Coagulant (Ferric Sulfate) for the Public Works & Engineering Department  
S12-E24333

Category #  
4

Page 1 of 1

Agenda Item

7

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

**Origination Date**  
June 11, 2012

**Agenda Date**  
AUG 08 2012

**DIRECTOR'S SIGNATURE**

*Calvin D. Wells*

**Council District(s) affected**  
All

**For additional information contact:**

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

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

**RECOMMENDATION: (Summary)**

Approve spending authority in an amount not to exceed \$829,230.00 for inorganic metal salt coagulant chemical, ferric sulfate for the Public Works & Engineering Department.

Estimated Spending Authority: \$829,230.00

**F & A Budget**

\$829,230.00 - Water & Sewer System Operating Fund (Fund 8300)

**SPECIFIC EXPLANATION:**

The Director of the Public Works & Engineering Department and the City Purchasing Agent recommend that City Council approve spending authority in an amount not to exceed \$829,230.00 for the emergency purchase of inorganic metal salt coagulant chemical, ferric sulfate, for the East (EWPP) and Southeast (SEWPP) Water Purification Plants. It is further requested that authorization be given to issue purchase orders, on an as needed basis, to Kemira Water Solutions, Inc. Ferric sulfate is utilized on a daily basis by the Department's Drinking Water Operations Branch (DWOB) to extract contaminants and other particles from raw water during the potable drinking water treatment process and is imperative to maintain regulatory compliance with the Environmental Protection Agency, Texas Commission on Environmental Quality and the Safe Drinking Water Act mandates. The spending authority is expected to sustain daily plant operations at the EWPP and SEWPP until a new multi-year agreement can be presented to City Council, which is anticipated within 120-days.

In July 2011, the DWOB began the transition from acidified aluminum sulfate (alum) to ferric sulfate as its primary coagulant chemical at the EWPP. The driver for this transition was the need to maintain finished water quality while the raw water quality was changing significantly. In addition, the alum treated water had a pH level higher than the optimum 7.0, resulting in corrosive water flowing through the treatment basins and deteriorating plant equipment. The plant operations and maintenance staff had to periodically take the affected basins out of the service for refurbishment or replacement to maintain their functionality. Though the transition to ferric sulfate has resulted in better coagulation and solids removal, improved water quality, and a cost savings of approximately \$2,800,000.00 in FY'12, the EWPP's usage of ferric sulfate was not anticipated. As a result, the spending authority of the City's ferric sulfate agreement with Kemira Water Solutions, Inc. has been exhausted prior to the end of the awarded term. The Strategic Purchasing Division issued an emergency purchase order on May 30, 2012 to Kemira Water Solutions, Inc. to address the emergency.

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

Buyer: Martin King

**REQUIRED AUTHORIZATION**

F&A Director:

Other Authorization:

Other Authorization:

*MA*

**REQUEST FOR COUNCIL ACTION**

**TO:** Mayor via City Secretary

**RCA# 9304**

**Subject:** Approve the Purchase of Industrial Maintenance, Repair, and Operating (MRO) Commodities and Related Serv. through the Master Intergovernmental Cooperative Purchasing Agreement with U.S. Communities for the Public Works & Engineering Dept. S35-S24200

Category #  
4

Page 1 of 2

Agenda Item

8

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

**Origination Date**  
July 11, 2012

**Agenda Date**  
AUG 08 2012

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

**Council District(s) affected**  
All

**For additional information contact:**  
David Guernsey Phone: (832) 395-3640  
Desiree Heath Phone: (832) 393-8742

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

**RECOMMENDATION: (Summary)**

Approve the purchase of industrial maintenance, repair, and operating (MRO) commodities and related services in an amount not to exceed \$770,000.00 through the Master Intergovernmental Cooperative Purchasing Agreement with U.S. Communities for the Public Works & Engineering Department.

Estimated Spending Authority: \$770,000.00

**Finance Budget**

\$770,000.00 PWE-Water & Sewer System Operating Fund (8300)

**SPECIFIC EXPLANATION:**

The Director of the Public Works & Engineering Department and the City Purchasing Agent recommend that City Council approve the purchase of industrial MRO commodities and related services in an amount not to exceed \$770,000.00 for a two year period with three one-year options to extend through the Master Intergovernmental Cooperative Purchasing Agreement (MICPA) with U.S. Communities and that authorization be given to make purchases using purchase orders and the City's Purchasing Card, as needed, to the U.S. Communities' Lead Public Agency contractor Applied Industrial Technologies, Inc. The initial two year period is used to coincide with the expiration of the MICPA with U.S. Communities in July 2014.

The MICPA with U. S. Communities' Lead Public Agency contractor will provide bearings, seals, couplings and related hardware items to be used by the Public Works & Engineering Department to repair and maintain equipment and machinery citywide. The utilization of the MICPA allows the City to leverage numerous existing U.S. governmental contracts with over 50,000 participating agencies with an estimated purchasing power value of \$1.5 billion annually. Moreover, the City will receive the most favorite nation rate. As a result, the City shall capitalize on significant cost savings. Additionally, by participating in the MICPA the City will save approximately 6% off catalog pricing.

The City is eligible to participate in the U.S. Communities Purchasing Alliance as set out in Section 791.011 of the Government Code and such purchases satisfy State bid laws as set out in Section 791.025 of the Government Code.

**M/WBE Subcontracting:**

The MICPA with U.S. Communities does not have an M/WBE subcontracting component; however, the contractor has agreed to subcontract 11% of the total award amount to a certified City of Houston M/WBE and has designated the below-named company as its certified M/WBE subcontractor:

<u>Name</u>	<u>Type of Work</u>	<u>Amount</u>
Atlantic Petroleum & Mineral Resources, Inc.	Supply Petroleum Lubricants & Chemicals	\$84,700.00

**REQUIRED AUTHORIZATION**

Finance Department:

Other Authorization:

Other Authorization:

*MS*

*0 out*

Date: 7/11/2012	Subject: Approve the Purchase of Industrial Maintenance, Repair, and Operating (MRO) Commodities and Related Serv. through the Master Intergovernmental Cooperative Purchasing Agreement with U.S. Communities for the Public Works & Engineering Dept. S35-S24200	Originator's Initials JD	Page 2 of 2
--------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------------	-------------

**Hire Houston First:**

This procurement is exempt from the City's Hire Houston First Ordinance. Bids/proposals were not solicited because the department is utilizing a Cooperative Purchasing Agreement for this purchase.

Buyer: John Dearmon

**Estimated Spending Authority**

Department	FY13	Out Years	Total
Public Works & Engineering	\$89,000.00	\$681,000.00	\$770,000.00

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

<b>SUBJECT:</b> Approval of a resolution designating the Meldrum House at 2411 Stanmore Drive as a Landmark in accordance with Chapter 33, Code of Ordinances	<b>Category #</b>	<b>Page</b> 1 of 1	<b>Agenda Item #</b> <div style="text-align: right; font-size: 2em;">9</div>
------------------------------------------------------------------------------------------------------------------------------------------------------------------	-------------------	-----------------------	---------------------------------------------------------------------------------

<b>FROM (Department or other point of origin):</b> Planning and Development	<b>Origination Date</b> June 26, 2012	<b>Agenda Date</b> AUG 08 2012
--------------------------------------------------------------------------------	------------------------------------------	-----------------------------------

<b>DIRECTOR'S SIGNATURE:</b> <i>Ms. Marlene R. Spillane</i>	<b>Council District affected:</b> G
----------------------------------------------------------------	----------------------------------------

<b>For additional information contact:</b> Courtney Spillane Phone: (713) 837-7894	<b>Date and identification of prior authorizing Council action:</b>
---------------------------------------------------------------------------------------	---------------------------------------------------------------------

**RECOMMENDATION: (Summary)**  
 Approval of a resolution designating the Meldrum House at 2411 Stanmore Drive as a Landmark

<b>Amount and Source of Funding:</b> N/A	<b>Finance Budget:</b>
------------------------------------------	------------------------

**SPECIFIC EXPLANATION:**

A property owner may initiate an application for the designation of a Landmark. This application for Landmark designation of the Meldrum House at 2411 Stanmore Drive was initiated by the owner.

A public hearing was held on June 14, 2012 by the Houston Archaeological and Historical Commission and there were no objections to the designation. The Houston Archaeological and Historical Commission determined that the application satisfied applicable criteria of the ordinance and unanimously recommended approval of the Landmark designation.

Attachments: Application and Staff Report

xc: Minnette Boesel, Mayor's Assistant for Cultural Affairs  
 David M. Feldman, City Attorney  
 Deborah McAbee, Land Use Division, Legal Department  
 C.A. McClelland, Chief, Police Department  
 Terry A. Garrison, Chief, Fire Department

**REQUIRED AUTHORIZATION**

<b>Finance Director:</b>	<b>Other Authorization:</b>	<b>Other Authorization:</b>
--------------------------	-----------------------------	-----------------------------

## LANDMARK DESIGNATION REPORT

**LANDMARK NAME:** Meldrum House  
**OWNER:** Carla Knobloch  
**APPLICANT:** Same  
**LOCATION:** 2411 Stanmore Drive – River Oaks

**AGENDA ITEM:** II.  
**HPO FILE NO:** 12L266  
**DATE ACCEPTED:** Feb-22-2012  
**HAHC HEARING:** Jun-14-2012

### SITE INFORMATION

Lot 22, Block 41, River Oaks Sec. 1, City of Houston, Harris County, Texas. The site includes a two-story, brick residence.

**TYPE OF APPROVAL REQUESTED:** Landmark Designation

### HISTORY AND SIGNIFICANCE SUMMARY

The Meldrum House at 2411 Stanmore Drive in River Oaks was built in 1941. The original owners, C.B. and Gladys Meldrum, lived in the house until 1987. C.B. Meldrum was an electrician and owner of his own business, Meldrum Electric Company, and Gladys Meldrum was a Spanish teacher who taught at numerous Houston junior high schools.

The Meldrum House is a two-story shingle-clad Colonial Revival style house, and is one of seven houses sited around a horseshoe-shaped court on Stanmore Drive. The River Oaks Corporation saw the Courts as a way to deal with problematic house sites that would otherwise face the heavily traveled San Felipe Road. This unique development plan drew local and national attention; articles were published in *Good Housekeeping* and the *Houston Post* extolling the benefits of the design.

The Meldrum House meets Criteria 1, 4, and 6 for Landmark designation.

### HISTORY AND SIGNIFICANCE

#### *Curtis and Gladys Meldrum*

The *River Oaks Magazine* announced the arrival of the Meldrum family to River Oaks in November, 1941, with the following article:

“The new home built by Mr. and Mrs. C.B. Meldrum is Early American in type, of clapboard and shingle construction. The combination of white clapboard, cool gray for the shingles, and a natural shingle roof, is most pleasing and lends itself to the informality of the type. Carriage lights and curving black iron handrails at the low-set, recessed doorway, are other good points. Little Margaret Ann, age 5, is the daughter of the house. Mr. Meldrum is owner of the Meldrum Electric Company, Electrical Contractors.”

Curtis Meldrum was born on March 15, 1904, and raised in Houston by his widowed mother, who worked as a dressmaker. She raised four children on her own; they were all sent out in their early teens to work in business or trades. Curtis became an electrician and was successful early in life, working his way up from helper to foreman at the Jacobe Brothers Electrical Company to owning his own electrical contracting business. He built a one-story duplex at 1113-1115 Marconi Street

# CITY OF HOUSTON

Archaeological & Historical Commission

Planning and Development Department

near River Oaks in 1930 when he and Gladys married. They lived there until the mid-1930s, moving to a home on Marconi Street. The Meldrums moved to their home in River Oaks in 1941. Curtis lived in the house until his death July 9, 1975, and Gladys lived in the house until she sold it in 1987, a total of 46 years.

Gladys Woolley Meldrum was born January 10, 1904, in Neuville, Texas to O.S. and Virginia Margaret Woolley. She grew up in East Texas, and attended schools in Center and Longview. She attended Southern Methodist University on an academic scholarship. She graduated from the University of Texas and worked on her Master degree in Spanish in Mexico City and Austin. She moved to Houston in 1927, and taught Spanish for the next fifteen years at Hogg, Jackson, and Hamilton Junior High schools. At her death in 2000, she had been a member of Bering Methodist Church and St. Luke's Methodist Church, and a member of the Phi Mu and Zeta Tau Alpha Mother's Clubs, College Women's Clubs, and the Spanish Club. Mrs. Meldrum sold the home in 1987, and it has had four owners since that time.

The River Oaks Property Owners' (ROPO) plans library does not indicate who designed the Meldrum House, but when C.B. Meldrum built his duplex on Marconi Street, he served as the contractor for the job. It's possible that Meldrum also contracted the house at 2411 Stanmore, as he likely had numerous friends in the building business. In 1940, he shared an office at 611 Clay Avenue with a general contractor, Charles R. Berry, and a plumbing company, Swanson Plumbing.

## *River Oaks*

When Will C. Hogg, Mike Hogg, and Hugh Potter began the development of River Oaks in 1923, it was with the intention of making it into a demonstration of the highest standards of modern community planning, a role model for the rest of Houston to follow. Will Hogg's ambitiousness and Hugh Potter's skillful management of River Oaks during its first thirty years made the community known nation-wide as a symbol of Houston. Since its creation, River Oaks has been published in national news, real estate, and design media, and has been the focus of scholarly analysis, in recognition of its significant contributions to the history of Houston and twentieth-century American elite suburban community development.

The creation of this type of subdivision was unique for Houston in many respects. The subdivision was laid out at what was then the far western edge of Houston. Prior to 1923, the majority of Houston's residential developments had occurred in a tight girdle around the downtown business district, such as Westmoreland (1902), Avondale (1907), Montrose (1911), Audubon Place (1906), Cherryhurst (1908), Binz, Southmore (1914), and Courtland Place (1906). River Oaks, however, was situated at the western city limits far away from other developments.

In addition, the developers broke with convention by laying out an organic pattern of roadways which lent a sense of spaciousness to the neighborhood, which was very different from the traditional Houston neighborhoods that followed a more rigid approach to development. These traditional neighborhoods used street grids which carved the land up into predictable square or rectangular blocks.

## *Stanmore Courts*

The concept of the Stanmore Courts was conceived by the River Oaks Corporation as a way to avoid placing homes on the heavily traveled San Felipe Road. By turning homes inward around a

horse-shoe and thus in a sense creating a common front yard, the River Oaks Corporation was able to place more homes for sale.

The homes received a lot of notice and articles appeared in *Good Housekeeping* and the *Houston Post*. In February 1937, *Good Housekeeping* extolled the virtue of planned suburbs, and described the River Oaks Court homes:

“Today, fortunately, in many of our cities and towns “new developments,” as new community planning is often called, are to be found. Consider these carefully. Where large tracts of land are bought and planned for residential sections by a responsible real-estate company, your risks are lessened. Good developments have the proper restrictions in architecture, intercommunity planning, parkways, recreation centers for children, fine schools, churches, and even convenient shopping centers.

This month, we illustrate a group of moderately priced houses, built on a central court, in the beautiful River Oaks section of Houston, Texas, under the direction of Hugh Potter....Here are moderately priced houses, ideally planned, which are excellent examples of the importance of neighborhood. They are a part of a beautiful general plan, where the finest residences with the largest property are at the core or heart of some 1000 acres, graduating to smaller plots which come under the same fine restrictions, careful zoning, and good architectural and building standards. Notice the care with which the garage drives are kept to the back, adjoining a boulevard; notice the space between the houses and the privacy which each house enjoys, although sharing the charm of the trees, green grass and roses of the central court...

Thus we see that the restrictions, the zoning, the careful planning by real-estate developers to keep each small section a part of a beautiful whole, maintain property values and pleasant surroundings at a high standard through a period of years. This, then, establishes the fact – Neighborhood is of First Importance.”

On December 20, 1936, the *Houston Post* ran the following about the courts:

“River Oaks Corporation today presents something new in subdivision development and home building, an idea which relates land platting to home architecture. The above five homes have been completed, facing a private court on Stanmore drive. Each home is different in design, but there is architectural harmony within the group. The court idea presents a new defense from traffic hazards, especially where children are concerned. The property in the center of the court has been set aside and developed into a private park, utilizable as part front yard by all residents of the court. The homes were designed by Cameron D. Fairchild, Houston architect. Each has an electrically controlled heating system.”

In all, six courts were laid out on Stanmore Drive, and two similar courts were laid out on adjacent Sharp Place. These were developed throughout the late 1930s and the 1940s.

## **ARCHITECTURAL DESCRIPTION AND RESTORATION HISTORY**

The Meldrum home is sited facing slightly northwest on one of the Stanmore Courts. The home is two-story and is 2,884 square feet on an 11,145 square foot lot. The house is designed in the

# CITY OF HOUSTON

Archaeological & Historical Commission

Planning and Development Department

Colonial Revival style, and is entirely faced with shingles. The house has a three part front façade. The entry is located in the center of the façade, and consists of a wood and glass door surrounded by decorative molding and topped with ornate broken pediment. Above the entry on the second story is a 3-over-3 wood sash window with shutters. To the other side of the front door are 12-over-12 wood sash floor length windows with shutters. Above these windows are two 8-over-8 wood sash windows with shutters. The upstairs windows are set abutting the roofline of the house and there is a pediment that surrounds the home. The house has a side gabled roof, and a tall brick chimney is located on the west side of the house.

## BIBLIOGRAPHY

Ancestry.com

Houston City Directories

"Obituary for Gladys Woolley Meldrum" *Houston Chronicle*, February 12, 2000.

*River Oaks Magazine*, November 1941.

*T.G.C.B.*, 1930.

*The information and sources provided by the applicant for this application have been reviewed, verified, edited and supplemented with additional research and sources by Diana DuCroz, Planning and Development Department, City of Houston.*

## APPROVAL CRITERIA FOR PROTECTED LANDMARK DESIGNATION

The HAHC shall review each application for designation of a protected landmark that is included in an application for designation of a landmark at the same time and in the same manner as it reviews and considers the application for a landmark. The HAHC and the Planning Commission, in making recommendations with respect to a protected landmark designation, and the City Council, in making a designation, shall consider whether the building, structure, site, or area meets at least three of the criteria in Section 33-224, or one of the criteria in Section 33-229, as follows:

S NA

S - satisfies NA - not applicable

Meets at least three of the following (Sec. 33-229(a)(1)):

- (1) Whether the building, structure, object, site or area possesses character, interest or value as a visible reminder of the development, heritage, and cultural and ethnic diversity of the city, state, or nation;
- (2) Whether the building, structure, object, site or area is the location of a significant local, state or national event;
- (3) Whether the building, structure, object, site or area is identified with a person who, or group or event that, contributed significantly to the cultural or historical development of the city, state, or nation;
- (4) Whether the building or structure or the buildings or structures within the area exemplify a particular architectural style or building type important to the city;

# CITY OF HOUSTON

Archaeological & Historical Commission

Planning and Development Department

- (5) Whether the building or structure or the buildings or structures within the area are the best remaining examples of an architectural style or building type in a neighborhood;
- (6) Whether the building, structure, object or site or the buildings, structures, objects or sites within the area are identified as the work of a person or group whose work has influenced the heritage of the city, state, or nation;
- (7) Whether specific evidence exists that unique archaeological resources are present;
- (8) Whether the building, structure, object or site has value as a significant element of community sentiment or public pride.

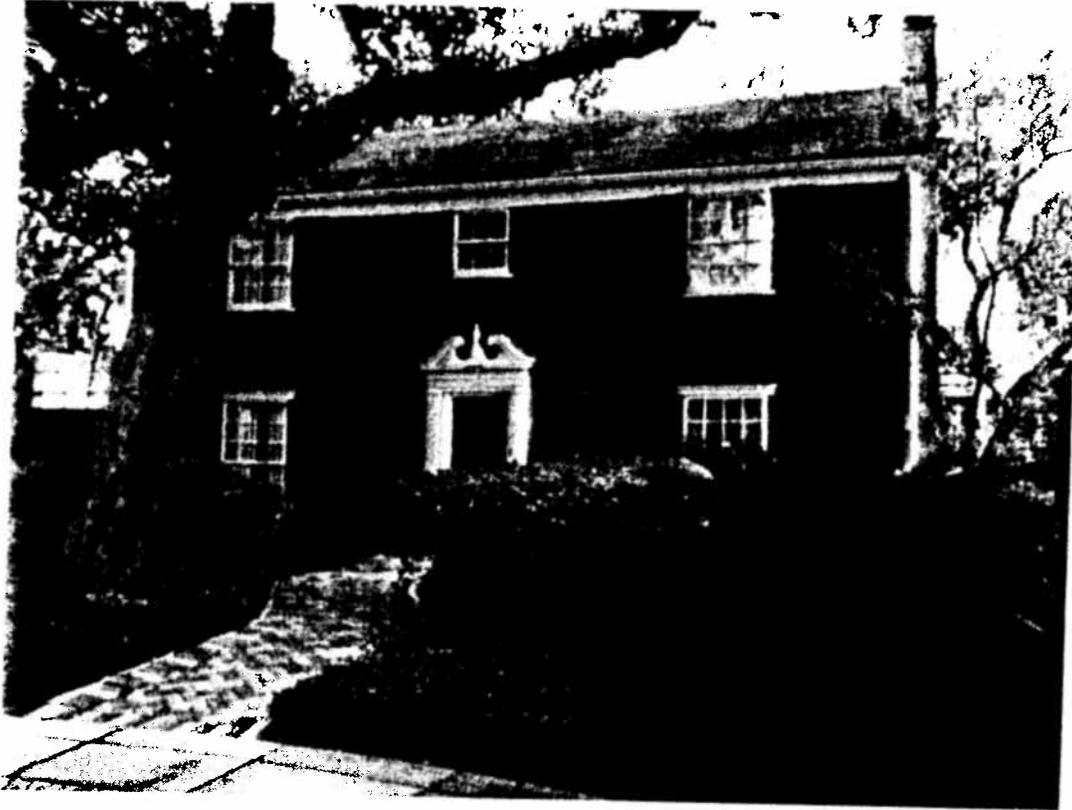
**AND**

- (9) If less than 50 years old, or proposed historic district containing a majority of buildings, structures, or objects that are less than 50 years old, whether the building, structure, object, site, or area is of extraordinary importance to the city, state or nation for reasons not based on age (Sec. 33-224(b)).

## **STAFF RECOMMENDATION**

Staff recommends that the Houston Archaeological and Historical Commission recommend to City Council the Landmark Designation of the Meldrum House at 2411 Stanmore Drive.

## EXHIBIT A - PHOTOS





HCD 12-109 Reso  
12 - Willow Green

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

**SUBJECT:** Approval of a City of Houston Resolution supporting and approving the proposed rehabilitation of Willow Green Apartments located at 8301 Willow Place North. **Category #** **Page 1 of 1** **Agenda Item # 10**

**FROM (Department or other point of origin):** Neal Rackleff, Director  
Housing and Community Development **Origination Date** 7/27/2012 **Agenda Date** AUG 08 2012

**DIRECTOR'S SIGNATURE:** *[Signature]* **Council District affected:** District A

**For additional information contact:** Eta Paransky  
Phone: 713-868-8449 **Date and identification of prior authorizing Council action:**

**RECOMMENDATION:**  
The Department recommends approval of a Resolution supporting and approving the proposed rehabilitation of Willow Green Apartments located at 8301 Willow Place North.

**Amount of Funding:** None **Finance Budget:**

**SOURCE OF FUNDING**  General Fund  Grant Fund  Enterprise Fund  
No Funding is Required

**SPECIFIC EXPLANATION:**  
Dalcov Willow Green, Ltd, the developer for the proposed rehabilitation of Willow Green Apartments, a 336-unit multifamily development located at 8301 Willow Place North, is currently applying for 4% Housing Tax Credits (HTC) from the Texas Department of Housing and Community Affairs (TDHCA). Because the City of Houston has twice the state average of units per capita supported by housing tax credits or private activity bonds, TDHCA requires that the developer obtain approval and a written statement of support from the Governing Body of the municipality to submit with its application for the project to be considered for Housing Tax Credits.  
Due to outstanding need, the Housing and Community Development Department recommends the City of Houston approve a Resolution supporting and approving the rehabilitation of Willow Green Apartments.

**REQUIRED AUTHORIZATION**

**Finance Department:** **Other Authorization:** **Other Authorization:** *MA*

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Ordinance ordering a regular election to request voter authorization of City of Houston Public Improvement Bonds.

Category #

Page 1 of 1

Agenda Item# 11

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

Origination Date: 8/1/2012

Agenda Date

AUG 08 2012

DIRECTOR'S SIGNATURE:

*[Handwritten Signature]*

Council District Affected: All

For additional information contact:

Jennifer Olenick

Phone: 832-393-9112

Date and identification of prior authorizing Council action:

RECOMMENDATION: (Summary) Adopt an ordinance ordering an election to be held on November 6, 2012 to request voter authorization of the issuance of City of Houston Public Improvement Bonds in the total amount of \$410,000,000.

Amount of Funding: Not Applicable

Finance Budget:

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

SPECIFIC EXPLANATION:

The proposed ordinance orders an election to be held on November 6, 2012, to request voter approval of the issuance of Public Improvement Bonds to be used for capital improvements and equipment in the following categories and amounts:

Proposition A	Public Safety (Police and Fire)	\$144,000,000
Proposition B	Parks	\$166,000,000
Proposition C	General Permanent Improvements (General Government)	\$57,000,000
Proposition D	Library	\$28,000,000
Proposition E	Housing	\$15,000,000
<b>TOTAL</b>		<b>\$410,000,000</b>

The proposed authorization anticipates annual capital project appropriations of approximately \$82 million per year from FY2013 through FY2017. This will require no increase in the property tax rate levied for debt service. The authorization amount will facilitate capital improvement planning through 2017.

REQUIRED AUTHORIZATION

Finance Director:

Other Authorization:

Other Authorization:

11  
AUG 08 2012

City of Houston Ordinance No. 2012-\_\_\_\_\_

**AN ORDINANCE ORDERING AN ELECTION TO BE HELD ON NOVEMBER 6, 2012, FOR THE PURPOSE OF SUBMITTING TO THE QUALIFIED VOTERS OF THE CITY OF HOUSTON, TEXAS, CERTAIN PROPOSITIONS FOR THE ISSUANCE OF PUBLIC IMPROVEMENT BONDS FOR VARIOUS PURPOSES; DESIGNATING THE LOCATION OF EACH POLLING PLACE AND THE HOURS THAT THE POLLS SHALL BE OPEN; PROVIDING FOR SEVERABILITY; MAKING OTHER PROVISIONS RELATED TO THE SUBJECT; AND DECLARING AN EMERGENCY.**

\* \* \*

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

**Section 1.** It is hereby ordered that an election (the "Election") be held in the City of Houston (the "City") on Tuesday, November 6, 2012, between the hours of 7:00 a.m. and 7:00 p.m., at which Election the following Propositions for the issuance of bonds for permanent public improvements, public projects and other public purposes for the City, and the levy of taxes for payment thereof and interest thereon, shall be separately submitted to the qualified voters of the City:

**PROPOSITION A**

Shall the City Council of the City of Houston, Texas, be authorized to issue bonds of the City, which may be called City of Houston, Texas, Public Improvement Bonds in the amount of \$144,000,000, maturing serially or otherwise at such times as may be fixed by the City Council not to exceed 40 years from their date or dates and bearing interest at any rate or rates, either fixed, variable or floating, according to any clearly stated formula, calculation or method, not exceeding the maximum interest rate now or hereafter authorized by law, and to sell said bonds at any price or prices, all as shall be determined within the discretion of the

City Council at the time of issuance, and to levy a tax upon all taxable property in the City annually sufficient to pay the interest on the bonds (together with any bonds that may be issued to refund the bonds) as it comes due, and to provide a sinking fund for the payment of the principal of the bonds (together with any bonds that may be issued to refund the bonds) as they mature, as well as all payments under any credit agreements, for the purpose of the acquisition, construction, rehabilitation and equipping of public safety permanent improvements for or benefiting the police and fire departments, which may include joint facilities with other political subdivisions, the acquisition of lands and rights-of-way for any of such improvements and for other public safety purposes of such departments, and all matters necessary or incidental thereto?

**PROPOSITION B**

Shall the City Council of the City of Houston, Texas, be authorized to issue bonds of the City, which may be called City of Houston, Texas, Public Improvement Bonds in the amount of \$166,000,000, maturing serially or otherwise at such times as may be fixed by the City Council not to exceed 40 years from their date or dates and bearing interest at any rate or rates, either fixed, variable or floating, according to any clearly stated formula, calculation or method, not exceeding the maximum interest rate now or hereafter authorized by law, and to sell said bonds at any price or prices, all as shall be determined within the discretion of the City Council at the time of issuance, and to levy a tax upon all taxable

property in the City annually sufficient to pay the interest on the bonds (together with any bonds that may be issued to refund the bonds) as it comes due, and to provide a sinking fund for the payment of the principal of the bonds (together with any bonds that may be issued to refund the bonds) as they mature, as well as all payments under any credit agreements, for the purpose of the conservation, improvement, acquisition, construction and equipment of neighborhood parks, recreational facilities and bayous, including such green spaces along all bayous to create an integrated system of bayou walking, running and bicycle trails, all of which shall include the acquisition of land, conservation easements, rights-of-way for the enhancement, preservation and protection of the health of its citizens, water quality, natural habitat and native wildlife, and which may include joint facilities and/or improvements with other political subdivisions that are owned by or benefit the City, and all matters necessary or incidental thereto?

### **PROPOSITION C**

Shall the City Council of the City of Houston, Texas, be authorized to issue bonds of the City, which may be called City of Houston, Texas, Public Improvement Bonds in the amount of \$57,000,000, maturing serially or otherwise at such times as may be fixed by the City Council not to exceed 40 years from their date or dates and bearing interest at any rate or rates, either fixed, variable or floating, according to any clearly stated formula, calculation or method, not exceeding the maximum

interest rate now or hereafter authorized by law, and to sell said bonds at any price or prices, all as shall be determined within the discretion of the City Council at the time of issuance, and to levy a tax upon all taxable property in the City annually sufficient to pay the interest on the bonds (together with any bonds that may be issued to refund the bonds) as it comes due, and to provide a sinking fund for the payment of the principal of the bonds (together with any bonds that may be issued to refund the bonds) as they mature, as well as all payments under any credit agreements, for the purpose of the acquisition, construction, rehabilitation, remediation and equipment of permanent public improvements owned and operated by the City that support public health, sanitation and other essential general services of the City, which may include joint facilities with other political subdivisions, and acquiring lands and rights-of-way for such permanent improvements, and all matters necessary or incidental thereto?

#### **PROPOSITION D**

Shall the City Council of the City of Houston, Texas, be authorized to issue bonds of the City, which may be called City of Houston, Texas, Public Improvement Bonds in the amount of \$28,000,000, maturing serially or otherwise at such times as may be fixed by the City Council not to exceed 40 years from their date or dates and bearing interest at any rate or rates, either fixed, variable or floating, according to any clearly stated formula, calculation or method, not exceeding the maximum

interest rate now or hereafter authorized by law, and to sell said bonds at any price or prices, all as shall be determined within the discretion of the City Council at the time of issuance, and to levy a tax upon all taxable property in the City annually sufficient to pay the interest on the bonds (together with any bonds that may be issued to refund the bonds) as it comes due, and to provide a sinking fund for the payment of the principal of the bonds (together with any bonds that may be issued to refund the bonds) as they mature, as well as all payments under any credit agreements, for the purpose of the acquisition, construction, rehabilitation and equipping the public library system, which may include joint facilities with other political subdivisions, the acquisition of lands and rights-of-way for such improvements, and for other library permanent improvements and all matters necessary or incidental thereto?

#### **PROPOSITION E**

Shall the City Council of the City of Houston, Texas, be authorized to issue bonds of the City, which may be called City of Houston, Texas, Public Improvement Bonds in the amount of \$15,000,000, maturing serially or otherwise at such times as may be fixed by the City Council not to exceed 40 years from their date or dates and bearing interest at any rate or rates, either fixed, variable or floating, according to any clearly stated formula, calculation or method, not exceeding the maximum interest rate now or hereafter authorized by law, and to sell said bonds at any price or prices, all as shall be determined within the discretion of the

City Council at the time of issuance, and to levy a tax upon all taxable property in the City annually sufficient to pay the interest on the bonds (together with any bonds that may be issued to refund the bonds) as it comes due, and to provide a sinking fund for the payment of the principal of the bonds (together with any bonds that may be issued to refund the bonds) as they mature, as well as all payments under any credit agreements, for the purpose of providing a housing program for homeless and low and moderate income persons within the corporate limits of the City of Houston, including, but not by way of limitation, developing, acquiring, designing, rehabilitating, constructing, furnishing and equipping decent, safe, and sanitary housing facilities for such purpose, acquiring lands and rights-of-way for such purpose, providing infrastructure improvements in connection with and related thereto, and all matters necessary or incidental thereto, and for other public purposes related to the aforesaid housing program, and to the fullest extent permitted by law, loaning or otherwise using or applying the proceeds of the bonds to accomplish any or all of the foregoing housing purposes?

**Section 2.** The election precincts and polling places for the Election are hereby established as set forth in Exhibit "A," attached hereto and made a part of this Ordinance for all purposes. In the event the Mayor shall find that one or more of the polling places designated above shall have become unavailable or unsuitable for use at the Election, she is hereby authorized to designate substitute polling places and provide such notice as required by applicable law.

**Section 3.** The Election shall be held under the provisions of the Charter of the City of Houston, Texas, the Constitution and laws of the State of Texas and United States, and this Ordinance. Only voters of the City of Houston, Texas, who are qualified under state and federal law shall be allowed to vote at the Election, and each voter shall vote at the polling place designated for the election precinct in which such voter resides.

**Section 4.** The City Secretary is hereby authorized to take all actions necessary to implement the terms of the election services contracts to be entered into between the City and Harris, Fort Bend, and Montgomery Counties and to provide any other necessary supplies and services not covered by the contracts in accordance with applicable law. Ballots for the Election shall be prepared and provided by the City Secretary and Harris, Fort Bend, and Montgomery Counties, as provided in the contracts. On such ballots shall appear a Proposition corresponding to each of the propositions set forth in Section 1 of this Ordinance. Such propositions shall be as follows with provision to vote "FOR" or "AGAINST" the Proposition:

**PROPOSITION A**

The issuance of \$144,000,000 public safety improvement bonds for the acquisition, construction, rehabilitation and equipment of public safety public improvements for police and fire departments and the levying of taxes sufficient for the payment thereof and interest thereon

**PROPOSITION B**

The issuance of \$166,000,000 park improvement bonds for the conservation, improvement, acquisition, construction and equipment of neighborhood parks, recreational facilities and bayous, including such green spaces along all bayous to create an integrated system of bayou walking, running and bicycle trails to enhance, preserve and protect the health of citizens, water quality, natural habitat and native wildlife and the levying of taxes sufficient for the payment thereof and interest thereon

### **PROPOSITION C**

The issuance of \$57,000,000 permanent public improvement bonds for the acquisition, construction, rehabilitation, remediation and equipment of permanent improvements that support public health, sanitation and other essential general services of the City and the levying of taxes sufficient for the payment thereof and interest thereon

### **PROPOSITION D**

The issuance of \$28,000,000 library improvement bonds for the acquisition, construction, rehabilitation and equipment of the public library system and the levying of taxes sufficient for the payment thereof and interest thereon

### **PROPOSITION E**

The issuance of \$15,000,000 affordable housing bonds for the acquisition, construction, rehabilitation and equipment of affordable housing and the levying of taxes sufficient for the payment thereof and interest thereon

Voting at the Election shall utilize a voting system approved pursuant to the provisions of the Texas Election Code and/or the United States Department of Justice, as applicable ("an approved voting system").

**Section 5.** The County Clerk of Harris County and the Elections Administrators of Fort Bend and Montgomery Counties are designated as Early Voting Clerks to perform those functions for City voters who are qualified under stated and federal law in their respective counties provided, however, that in the event the City is unable to execute a final agreement with Harris, Fort Bend, or Montgomery County pursuant to Chapters 31 and 271, Texas Election Code, the Mayor is authorized to order any changes necessary to facilitate early voting by City voters of Harris, Fort Bend, and Montgomery Counties who are qualified under state and federal law. Early voting by personal appearance shall in a like manner use an approved voting system and shall be

conducted at the following locations and times show below and at other such locations and hours as the City Council may hereafter designate:

**Harris County Voters Only - Main Early Voting Polling Place**

Harris County Administration Building  
 1001 Preston, 1<sup>st</sup> Floor  
 Houston, Texas 77002

**Dates/Hours for Early Voting by Personal Appearance – Harris County Voters Only**

Monday	October 22, 2012	8:00 a.m. – 4:30 p.m.
Tuesday	October 23, 2012	8:00 a.m. – 4:30 p.m.
Wednesday	October 24, 2012	8:00 a.m. – 4:30 p.m.
Thursday	October 25, 2012	8:00 a.m. – 4:30 p.m.
Friday	October 26, 2012	8:00 a.m. – 4:30 p.m.
Saturday	October 27, 2012	7:00 a.m. – 7:00 p.m.
Sunday	October 28, 2012	1:00 p.m. – 6:00 p.m.

Monday	October 29, 2012	7:00 a.m. – 7:00 p.m.
Tuesday	October 30, 2012	7:00 a.m. – 7:00 p.m.
Wednesday	October 31, 2012	7:00 a.m. – 7:00 p.m.
Thursday	November 1, 2012	7:00 a.m. – 7:00 p.m.
Friday	November 2, 2012	7:00 a.m. – 7:00 p.m.

**Fort Bend County Voters only – Main Early Voting Polling Place**

Rosenberg Annex  
 4520 Reading Road  
 Rosenberg, TX 77471

**Dates/Hours for Early Voting by Personal Appearance – Fort Bend County Voters Only**

Monday	October 22, 2012	8:00 a.m. – 5:00 p.m.
Tuesday	October 23, 2012	8:00 a.m. – 5:00 p.m.
Wednesday	October 24, 2012	8:00 a.m. – 5:00 p.m.
Thursday	October 25, 2012	8:00 a.m. – 5:00 p.m.
Friday	October 26, 2012	8:00 a.m. – 5:00 p.m.
Saturday	October 27, 2012	7:00 a.m. – 7:00 p.m.

Sunday	October 28, 2012	12:00 noon-5:00 p.m.
Monday	October 29, 2012	7:00 a.m. – 7:00 p.m.
Tuesday	October 30, 2012	7:00 a.m. – 7:00 p.m.
Wednesday	October 31, 2012	7:00 a.m. – 7:00 p.m.
Thursday	November 1, 2012	7:00 a.m. – 7:00 p.m.
Friday	November 2, 2012	7:00 a.m. – 7:00 p.m.

**Montgomery County Voters Only - Main Early Voting Polling Place**

Montgomery County Administration Annex  
 207 West Phillips  
 Conroe, Texas 77301

**Dates/Hours for Early Voting by  
 Personal Appearance - Montgomery County Voters Only**

Monday	October 22, 2012	8:00 a.m. – 5:00 p.m.
Tuesday	October 23, 2012	8:00 a.m. – 5:00 p.m.
Wednesday	October 24, 2012	8:00 a.m. – 5:00 p.m.
Thursday	October 25, 2012	8:00 a.m. – 5:00 p.m.
Friday	October 26, 2012	8:00 a.m. – 5:00 p.m.
Saturday	October 27, 2012	7:00 a.m. – 7:00 p.m.
Sunday	October 28, 2012	12:00 noon-5:00 p.m.
Monday	October 29, 2012	7:00 a.m. – 7:00 p.m.
Tuesday	October 30, 2012	7:00 a.m. – 7:00 p.m.
Wednesday	October 31, 2012	7:00 a.m. – 7:00 p.m.
Thursday	November 1, 2012	7:00 a.m. – 7:00 p.m.
Friday	November 2, 2012	7:00 a.m. – 7:00 p.m.

Additionally, each Early Voting Clerk, in his or her discretion, may establish one or more additional early voting locations throughout the City, and the City Secretary shall cause notice of all early voting locations and the hours of operation to be given as required by law.

**Section 6.** The Early Voting Clerk of the county of the voter's residence shall receive applications for early voting ballots to be voted by mail in accordance with the Election Code.

Applications for Election ballots to be voted by mail by Harris County residents should be mailed to:

Stan Stanart, Harris County Clerk  
P. O. Box 1525  
Houston, Texas 77251-1525

Applications for Election ballots to be voted by mail by Fort Bend County residents should be mailed to:

John Oldham, Elections Administrator  
Fort Bend County  
301 Jackson Street, Suite 101  
Richmond, Texas 77469

Applications for Election ballots to be voted by mail by Montgomery County residents should be mailed to:

Suzie Harvey, Elections Administrator  
Montgomery County  
P. O. Box 2646  
Conroe, TX 77305

**Section 7.** In the event the Mayor shall, from time to time, find that additional matters require designation or substitution prior to the Election, the Mayor shall be authorized to make such substitutions or designations as may be necessary, giving such notice as she deems sufficient and to make such other provision for the orderly conduct of the Election as she may deem necessary. In order to secure the approval of the Attorney General with respect to the issuance of any bonds under the Propositions, the Mayor and/or the City Attorney or their designees may confer with the Attorney

General or his representatives and make such changes in the written text of the Propositions or this Ordinance as are necessary to obtain the Attorney General's approval and as the Mayor and/or City Attorney or their designees determine are consistent with the intent and purposes of the Propositions and this Ordinance which determination shall be final.

**Section 8.** In accordance with all applicable federal and state law, the County Clerk of Harris County shall also provide to the voters Spanish, Vietnamese, and Chinese translations of all ballots where appropriate; and all other election materials shall be available and distributed in Spanish, Vietnamese, and Chinese as well as English, as required by applicable law. The Election Administrators of Fort Bend and Montgomery Counties shall also provide Spanish translations of all ballots, and all other materials shall be available and distributed in Spanish as well as English.

**Section 9.** This Ordinance shall constitute the election order for the Election, and notice of the Election shall be given by publication and posting as required by the Texas Election Code and other applicable law.

**Section 10.** It is the intention of the City Council that the proceeds of any public improvement bonds proposed to be issued and authorized at the Election shall be used in accordance with the purposes stated in the Proposition submitted to the voters. Further, it is the intention of the City Council to allocate \$100,000,000 of the proceeds of any public improvement bonds or obligations issued and authorized under Proposition B to fund the project known as the Bayou Greenways Initiative, which includes the acquisition of land, conservation easements and other rights of way along all bayous located within the boundaries of the City for the purpose of creating integrated systems

of connected parks and walking, running and bicycle trails, and to add greenspace and natural areas along such bayous and parks to enhance, protect and preserve water quality, natural habitat, native wildlife, which will promote the health and welfare of the citizens of Houston. Except as described in this section, it is not the intention of the City Council to enter into a contract with the voters as to any specific project, any public discussion of particular proposed projects, if any, being intended merely as examples of the types of projects that might be undertaken if a Proposition should be approved.

**Section 11.** If the submission of any Proposition to the electorate is determined, found or held to be violative of any provision of Texas or United States constitution or any Texas statute or other law, code or regulation, then it is the intention of the City Council that all other Propositions are declared to be severable from any Proposition deemed, found or held to be violative of any applicable law and provided further, that if any portion of any Proposition is determined, found or held to be violative of any provision of Texas or United States constitution or any Texas statute, law, code or regulation, then it is the intention of the City Council that the remainder of such Proposition, if sufficient for its intended purpose and in accordance with applicable law, shall be severable from the portion deemed, found or held to be violative of any applicable law.

If any provision, section, subsection, sentence, clause, or phrase of this Ordinance, or the application of this Ordinance to any person or set of circumstances is for any reason held to be unconstitutional, void, invalid, or unenforceable, neither the remaining portions of this Ordinance nor their application to other persons or sets of circumstances shall be affected thereby, it being the intent of the City Council in

adopting this Ordinance that no portion hereof or provision or regulation contained herein shall become inoperative or fail by reason of any unconstitutionality, voidness, invalidity or unenforceability of any other portion hereof, and all provisions of this Ordinance are declared to be severable for that purpose.

**Section 12.** In the event the Propositions are authorized at the Election, all matters relating to the issuance of such bonds within the terms of the Propositions shall be determined by the City Council, and said bonds may be issued at one time, or in installments from time to time as it may determine. Likewise, bonds for different purposes may be issued separately, or combined in single multi-purpose issues, or issued in any other lawful manner, in the discretion of the City Council.

**Section 13.** The City Council officially finds, determines, recites and declares that a sufficient written notice of the date, hour, place and subject of this meeting of the City Council was posted at a place convenient to the public at the City Hall of the City for the time required by law preceding this meeting, as required by the Open Meetings Law, Chapter 551, Texas Government Code; and that this meeting has been open to the public as required by law at all times during which this Ordinance and the subject matter thereof has been discussed, considered and formally acted upon. The City Council further ratifies, approves and confirms such written notice and the contents and posting thereof.

**Section 14.** That there exists a public emergency requiring that this Ordinance be passed finally on the date of its introduction as requested in writing by the Mayor; therefore, this Ordinance shall be passed finally on such date and shall take effect immediately upon its passage and approval by the Mayor; however, in the event that the

Mayor fails to sign this Ordinance within five days after its passage and adoption, it shall take effect in accordance with Article VI, Section 6, Houston City Charter.

**PASSED AND ADOPTED** this \_\_\_ day of \_\_\_\_\_, 2012.

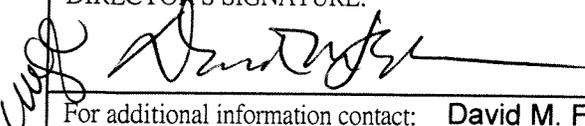
**APPROVED** this \_\_\_ day of \_\_\_\_\_, 2012

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

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

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

*pl*  
Prepared by Legal Dept. \_\_\_\_\_  
YC: \_\_\_\_\_ Assistant City Attorney  
Requested by Kelly Dowe, Director of Finance Department  
L.D. File No. 0341200386001

SUBJECT: Ordinance calling a special election to be held on November 6, 2012, for the purpose of submitting to the voters of the City a proposition to amend various articles in the Houston City Charter.		Page 1 of 1	Agenda Item #  12
FROM (Department or other point of origin):  Legal Department		Origination Date  8/3/12	Agenda Date  AUG 08 2012
DIRECTOR'S SIGNATURE:  		Council District affected:  All	
For additional information contact: <b>David M. Feldman</b> Phone: 832.393.6416		Date and identification of prior authorizing Council action:  N/A	
<u>RECOMMENDATION:</u> (Summary) That the City Council pass an ordinance calling a special election for the purpose of submitting to the voters of the City a proposition to amend various articles in the City Charter by repealing provisions that are obsolete or that have been superseded by state or federal law.			
Amount and Source of Funding: N/A			
<u>SPECIFIC EXPLANATION:</u>  The proposed ordinance calls a special election to be held on November 6, 2012, for the purpose of submitting to the voters of the City a proposition to amend various articles in the City Charter by repealing certain provisions that have become obsolete or that have been superseded by state or federal law, to wit: <ul style="list-style-type: none"> <li>• Article I, Section 2-a, relating to annexation</li> <li>• Article I, Section 2-b, relating to extending boundary limits</li> <li>• Section 14 and 14 A, relating to city control of Houston Independent School District</li> <li>• Article II, Section 16, relating to the regulation of the price of certain goods, and to the treatment of disabled persons</li> <li>• Article IX, Section 10, exempting city employees from jury duty</li> </ul>			
REQUIRED AUTHORIZATION			
Other Authorization:			

12  
AUG 08 2012

ARTICLE I.

CORPORATE NAME AND BOUNDARIES AND PLATTING OF PROPERTY

\* \* \*

~~Section 2-a. Extending City Limits upon Petition.~~

~~The City of Houston, whenever a majority of the qualified voters who are citizens of the State of Texas and inhabitants of any territory adjoining said City of Houston, desire the annexation of such territory to said City they may present a written petition to that effect to the City Council, and shall attach to said petition the affidavit of one or more of their number to the effect that said petition is signed by a majority of such qualified voters; and thereupon the City Council at any regular session held not sooner than twenty days after the presentation of said petition may by ordinance annex such territory to the City of Houston and thenceforth the said territory shall be a part of the City of Houston, and the inhabitants thereof shall be entitled to all the rights and privileges of other citizens and shall be bound by the acts, ordinances, resolutions and regulations of the said city. (Added by amendment October 15, 1913)~~

~~Section 2-b. Extending Limits by Action of City Council.~~

~~The City Council shall have power by ordinance to fix the boundary limits of the said City of Houston, and to provide for the extension of said boundary limits and the annexation of additional territory lying adjacent to said city with or without the consent of the territory and inhabitants annexed; that upon the introduction of such an ordinance in the Council after it has been reported upon by the ordinance committee and has been amended as desired by the Council for final passage, it shall be published in some daily newspaper published in the City of Houston one time, and shall not thereafter be finally passed until at least 30 days has elapsed after said publication, and when said ordinance is finally passed the said territory so annexed shall be a part of the City of Houston, and the inhabitants thereof shall be entitled to all the rights and privileges of other citizens, and shall be bound by the acts, ordinances, resolutions and regulations of the said city. (Added by amendment October 15, 1913)~~

\* \* \*

## ARTICLE II.

### CORPORATE AND GENERAL POWERS

\* \* \*

#### **Sec. 14. Reserved. ~~Schools—City of Houston an Independent School District.~~**

~~The City of Houston shall constitute an independent school district, subject to the general school laws of the State, except where in conflict with this Act, and the City shall have authority to levy and collect taxes and appropriate funds for the support and maintenance of the public schools within its limits.~~

~~*School Trustees, How Appointed, Terms of Office, etc.* The trustees to constitute the school board of said City shall hereafter be appointed by the Mayor, and confirmed by the Council, but the trustees now in office shall continue to serve till the expiration of their respective terms; and all vacancies caused by death, resignation or other cause, shall be filled by appointment in the same manner for the unexpired term. The regular term of members of the school board shall be two years, and the regular appointment of members shall be made at the first meeting of the Council in May of each year, or as soon thereafter as practicable, and the necessary number of trustees shall be appointed to take the places of those whose terms have expired.~~

~~*Right Of Mayor To Veto Any Pecuniary Liability.* No order, resolution or vote of the school board by which any pecuniary liability shall be incurred, or any funds expended or appropriated, shall become effective until ten days after the same is adopted, and a certified copy thereof furnished to the Mayor, and the Mayor may at any time during said period veto the same by filing his objections thereto in writing with the Secretary of the School Board, who shall enter the objections at large upon the minutes of the Board; said order, resolution or vote shall become void, unless at the next meeting of the Board it shall again be adopted over the veto by the affirmative votes of at least five members, whose names shall be entered upon the minutes of the Board.~~

~~*City Treasurer Custodian of Funds.* The custodian of other City funds, as provided by this Act, shall be the custodian of all public school funds, upon the same terms and conditions as other funds, and his bond shall cover said school funds.~~

~~*How Funds are to be Paid Out.* No school funds shall be paid out except upon pay rolls or warrants signed by the President of the School Board and the Mayor of the City, and countersigned by the City Controller.~~

~~*Duty of School Board to Make Financial Statements.* It shall be the duty of the School Board to make such financial statements or reports as may be requested by the Mayor or the City Council, and the Mayor or Council may make or cause to be made all such investigations as to the expenditures of funds or the conduct of the schools as either may deem proper.~~

~~Members of School Board not to Receive any Pay or to be Interested in any Contract or to Buy or Sell any School Warrants, etc. No member of the School Board shall receive any compensation for his services in any capacity whatever, nor be interested, directly or indirectly, in any contract with or claim or demand of any character against the School Board or the City of Houston. Any such contract, claim or demand shall be void, and any member of said Board who shall become interested in any such contract, claim or demand, or shall buy or sell any school warrants or obligations of said Board, and shall have any interest in any claims or obligations of said School Board, shall be subject to removal by the City Council. (Act of 1905)~~

**~~Section 14a. School board to furnish free school books.~~**

~~It is hereby made the duty of the school board to purchase such text books as are required to be used in all the city's schools, to appropriate money from the school funds to pay for said books, and it is hereby made the duty of the Mayor of the City of Houston to approve such appropriations as are necessary to pay for said books, such books to be purchased in the manner as shall hereinafter be provided. For the school year commencing September, 1914, on or about such date, and for all terms and semesters thereafter, the school board shall buy and furnish text books to be used by the pupils of the first four grades, known as First, Second, Third and Fourth grades. For the school year commencing in 1915, and for all terms and semesters thereafter, the school board shall buy and furnish text books to be used by the pupils of the first eight grades, known as First, Second, Third, Fourth, Fifth, Sixth, Seventh and Eighth grades. For the school year commencing in 1916, and for all terms and semesters thereafter, and for all school years, terms and semesters in the future, for all schools conducted by the City of Houston, including the Freshman, Sophomore, Junior and Senior classes of the High School, the school board shall buy and furnish all books used by all the pupils in all grades whatsoever. The books shall be the property of the City of Houston, and they shall be loaned to the pupils within the scholastic age attending the public schools, free of charge, for use, and no pupil attending school in Houston, Texas, under the provisions of this amendment, shall be deprived of any books necessary for his studies in the aforesaid grades. The control and distribution of the books shall be governed by such rules as the school board sees fit to make, or by such ordinances as may be passed by the City Council. All laws or parts of laws in conflict herewith shall stand repealed. (Added by amendment October 15, 1913)~~

\* \* \*

**Section 16. Peace and Good Order.**

The City of Houston shall have power by ordinance duly passed to establish and maintain the City Police Department, prescribe the duties of policemen and regulate their conduct.

To permit, forbid or regulate theaters, balls, dance houses and other public

amusements, and to suppress the same whenever the preservation of order, tranquility, public safety or good morals may demand.

To regulate dram shops, drinking saloons and other places where intoxicating liquors are sold, and to close variety theaters when necessary, expedient or advisable.

To prohibit and punish keepers and inmates of bawdy houses and variety shows, to prevent and suppress assignation houses and houses of ill fame, and to regulate, colonize and segregate the same, and to determine such inmates and keepers to be vagrants, and provide for the punishment of such persons.

To inspect weights and measures, fix standards of weights and measures, and to fix penalties for not using or conforming to the same, and to provide that inspection fees may be fixed by ordinance.

To make all needful and proper regulations concerning keepers of taverns and grog shops and other public houses, draymen, horse drivers, water carriers, omnibus drivers, hack drivers and drivers of baggage wagons and other vehicles, and especially to preserve order and prevent noise and confusion in and about the several depots on the arrival and departure of railway trains, and to provide how and where hacks or other carriers shall stand or take their position upon the streets adjacent or near to said depots.

To prevent extortion by carriers of passengers or baggage, hacks, drays and public conveyances, by establishing maximum rates of charges and providing penalties for violation thereof.

To provide and fix by ordinance public stands where hacks and drays, baggage wagons or other public carriers shall stand on the streets of said City for the purpose of soliciting business, and to prescribe that they shall not stand, except when receiving or discharging passengers or freight, at any points, other than those designated in the ordinance as public stands.

To suppress gambling houses, and to punish keepers of gambling houses and pool sellers, and all persons who play cards or games of chance of any kind, and to punish persons who sell lottery tickets or who advertise lottery drawings or schemes and results of drawings or lotteries.

~~To provide for the regulation of bakers, and to prescribe the weight, quality and price for bread manufactured or sold in the City of Houston, according to the price of the material or otherwise, and to provide for the inspection of milch cattle, whether kept within the City or without the City limits, from which milk is sold within the City, and to provide for the inspection of the milk offered for sale, and to prescribe the fees to be charged therefor.~~

To establish and regulate public pounds and to regulate and restrain and prohibit

the running at large of horses, mules, cattle, sheep, swine, goats, geese and pigeons, and to authorize the distraining, impounding and sale of the same for the cost of the proceedings and the penalty incurred, and to order their destruction when they cannot be sold, and to impose penalties upon the owners thereof for the violation of any ordinance regulating or prohibiting the same.

To tax, regulate, restrain and prohibit the running at large of dogs, and authorize their destruction when at large contrary to ordinance, and to impose penalties on the owners or keepers thereof.

To prohibit and restrain or regulate the rolling of hoops, the flying of kites and firing of fire crackers, the use of velocipedes and bicycles, and the use of any pyrotechnic or any other amusement or practice tending to annoy persons passing in the streets or sidewalks or to frighten horses and teams.

To restrain and prohibit the ringing of bells or blowing of horns, bugles and whistles, crying of goods, and all other noises, practices and performances, tending to the collection of persons in the streets or sidewalks by auctioneers and others for the purpose of business, amusement or otherwise.

~~To prohibit mendicants, beggars or persons of infirm or maimed bodies, or suffering with diseases of any kind, from soliciting alms, help or assistance upon the streets or sidewalks of said City, and to prescribe a penalty by fine for a non-observance thereof.~~

To prohibit and regulate the ringing of bells and blowing of whistles of railroad engines or locomotives within the City limits and to regulate the speed thereof.

To regulate and control the driving of cattle, horses and all other animals into or through the City.

To prevent all trespasses and breaches of the peace and good order, assault and batteries, fighting, quarreling, using abusive, profane and insulting language, misdemeanors and all disorderly conduct, and punish all persons thus offending.

To prevent and punish the keepers of houses in which loud or immoral theatrical representations are given, and to adopt summary measures for the removal or suppression of all such establishments.

The City Council shall have power to require, on due notice, all steam or street railway companies owning tracks within the City limits upon the public streets or highways of said City, which may have been or may hereafter be abandoned by said companies by non-use, to remove such hacks and to restore at their own expense the street or way upon which such abandoned track is located to the proper grade.

To prohibit, prevent and suppress horse racing, immoderate riding and driving in

the streets of said City.

To regulate the use of automobiles and the speed thereof.

To prohibit and punish the abusers of animals.

To compel persons to fasten their horses or other animals attached to vehicles or otherwise hitched or standing in the streets.

To restrain and punish vagrants, mendicants, beggars and prostitutes.

To regulate and control the sale, gift, barter or exchange of cocaine, opium, morphine, and the salts thereof. (Act of 1905)

\* \* \*

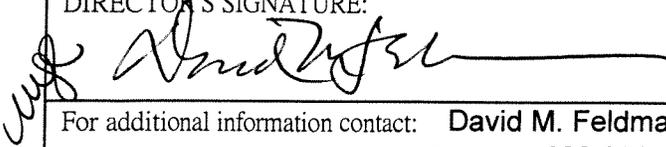
ARTICLE IX.

GENERAL PROVISIONS

\* \* \*

**Sec. 10. Reserved. ~~Freeholder in city not disqualified as juror, etc.; city employees exempt jury service.~~**

~~No person shall be an incompetent judge, justice, witness or juror by reason of his being an inhabitant, or a free holder, or a tax payer of the City of Houston, in any action or proceeding in which said City may be a party at interest, and all officers and employes of said City shall be exempt from jury service. (Act of 1905)~~

SUBJECT: Ordinance calling a special election to be held on November 6, 2012, for the purpose of submitting to the voters of the City a proposition to amend Articles V, VII-a, and VII-b of the City Charter.		Page 1 of 1	Agenda Item # <b>13</b>
FROM (Department or other point of origin):  <p style="text-align: center;">Legal Department</p>		Origination Date  <p style="text-align: center;">8/3/12</p>	Agenda Date  <p style="text-align: center;">AUG 03 2012</p>
DIRECTOR'S SIGNATURE: 		Council District affected:  <p style="text-align: center;">All</p>	
For additional information contact: <b>David M. Feldman, City Attorney</b> Phone: <b>832.393.6416</b>		Date and identification of prior authorizing Council action:  <p style="text-align: center;">N/A</p>	
RECOMMENDATION: (Summary) That the City Council pass an ordinance calling a special election for the purpose of submitting to the voters of the City a proposition to amend Articles V (Officers and Elections), VII-a (Recall of Officers), and VII-b (Legislation by the People, Initiative and Referendum) of the City Charter.			
Amount and Source of Funding: <b>N/A</b>			
SPECIFIC EXPLANATION:  The proposed ordinance calls a special election to be held on November 6, 2012, for the purpose of submitting to the voters of the City a proposition to amend Articles V (Officers and Elections), VII-a (Recall of Officers), and VII-b (Legislation by the People, Initiative and Referendum) of the City Charter to update provisions relating to the required number of signatures on petitions, the existence of single-member districts and the impact of current election laws.			
REQUIRED AUTHORIZATION			
Other Authorization:			

13  
AUG 08 2012

**ARTICLE V. OFFICERS AND ELECTIONS**

**Section 10. Number of Signatures on Recall, Initiative and Referendum Petitions.**

The number of signatures required for the petitions provided for in Articles ~~VIII~~ VII-a and ~~VIII-VII-b~~ VII-b of this Charter shall be calculated upon the greatest total vote cast for Mayor at any ~~City Primary~~ or city general election held within the three years next preceding the date of the filing of such petition.

**ARTICLE VII-a. RECALL OF OFFICERS.**

**Section 1. Scope of Recall.**

The holder of any public office in the City of Houston, whether elected thereto by the people or appointed by the City Council, may be removed from office by recall.

**Section 2. Petition—Generally.**

All petitions for recall of any officer of the City of Houston, shall be instituted by filing with the City Secretary ~~of a~~ verified written petition requesting the removal of such officer, which said petition shall be signed by ~~the~~ qualified electors-voters of the City of Houston, in number not less than twenty-five per cent. of the total votes cast at calculated in accordance with Article V, Section 10 of this Charter, based on the votes cast city-wide if the Democratic Primary for officer sought to be recalled was elected city-wide, or if the nomination of Mayor and Commissioners next preceding officer sought to be recalled was elected by district, based on the filing of said petition votes cast in the district which the officer sought to be recalled currently serves. The signers of said petition shall also set opposite their respective names, the number of his residence, naming the street, and shall also state the day of the month and the year when such signature was affixed.

**Section 3. Form of Petition.**

The form of petition above provided for shall be as follows:

TO THE MAYOR AND CITY COUNCIL OF THE CITY OF HOUSTON:

We, the undersigned hereto, who are qualified voters of the City of Houston, request the removal of \_\_\_\_\_ from the office of \_\_\_\_\_ (petition shall set forth distinctly and specifically grounds showing or tending to show some ground of incompetency or unfitness for or misconduct or malfeasance in the office, upon which the petition for removal is predicated, and if there be more than one ground, shall specifically state each ground with such certainty as to give the officer sought to be removed, notice of the matters and things which he will be called to answer and ~~if the officer sought to be recalled was nominated at a primary the petition shall state~~

~~that each signer participated in said primary~~). Said petition shall be signed by the requisite number of voters as provided by Section 2 of this Article. Each signature to said petition shall be proved or acknowledged as required of petitioners by Article IX, Section 3 of this Charter, or shall be verified as follows.

STATE OF TEXAS, \_\_\_\_\_ §  
COUNTY OF HARRIS, \_\_\_\_\_ §

I, \_\_\_\_\_, being first duly sworn on oath depose and say: that I am one of the signers of the above petition, that the statements made therein are true, and that each signature appearing thereto was made in my presence on the day and date it purports to have been made, and I solemnly swear that the same is a genuine signature of the person whose name it purports to be.

\_\_\_\_\_  
Sworn to and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_, 1913  
2.

\_\_\_\_\_  
~~Notary Public in and for Harris County,  
State of Texas.~~

**Section 3a. Various Papers, Certifications, Filing.**

The petition may consist of one or more papers circulated separately, and the signatures thereto may be upon the paper or papers containing the formal petition, or upon other papers attached thereto; each signer of a petition shall sign his name in ink or indelible pencil. The verification may be made by one or more petitioners, and the several parts of the petition may be verified separately and by different persons, but no signature to such petition shall remain effective or be counted which was placed thereon more than thirty days prior to the filing of such petition or petitions with the City Secretary. All papers and documents comprising a single petition shall be filed with the Secretary on the same day, and the Secretary shall immediately notify in writing the officers sought to be removed.

**Section 4. Objection to Petition.**

Within ten days after the filing of petition, the incumbent whose removal is requested shall file with the City Secretary his objection in writing to the sufficiency of such petition, and he cannot thereafter contest its sufficiency upon any objection not so filed. Within ~~five-ten~~ days after exceptions have been filed, if the petition is filed to remove an appointee of the Council, then the City Council shall sit as a body to hear and determine the sufficiency of the objections, and the exceptions shall be sustained in the particulars in which the same are held to be sufficient, and the signers of said petition may amend said petition to meet the requirements of the ruling of the Council, and if the said objections go to the form and manner of the charge preferred it shall be

necessary for said petition to be recirculated and signed anew, but if the objections go to the number of the signers, or the genuineness of the signatures, or the fact of the party signing being a qualified voter, and are sustained, then said petition shall be dismissed and the parties may immediately reinstitute a petition to remove said party.

Any member or members of the City Council against whom a petition is directed shall not be eligible to act in the matter of the determination of the sufficiency of said objections, but the remainder of said Council, if constituting a majority shall serve and act therein, and a majority of the votes of those members of the Council acting on the sufficiency of the petition shall control; provided, that should the petition be directed against a majority of the members of the City Council then same shall be presented to and acted upon by one of the District Judges of Harris County, Texas, whose decision on the sufficiency of said petition shall be final, and who, if he shall sustain said petition shall order the Council to call a recall election to be held as provided in Section 7 hereof. Any exceptions or objections to the sufficiency of the petition must be specific and definite and no general objections will be entertained.

**Section 5. The Certificate of the Secretary.**

On or before the thirtieth day after the date of filing of the petition the City Secretary shall certify to the City Council (a) ~~the greatest total vote cast for Mayor at any city general election held within three years next preceding the date of the filing of such petition~~ minimum number of signatures necessary to qualify the petition as calculated in accordance with Section 2 of this Article VII-a, and (b) the number of valid signatures on said petition, and shall present such petition and certificate to the Council.

**Section 6. Amendment of Petition.**

If the petition is insufficient in respect to the matters charged against the officer sought to be removed, it may be withdrawn by the person filing it, and amended as many times as desired within twenty days of the time when objections are sustained thereto. The duty of the Secretary shall be the same with respect to any amended petition as with the original petition.

**Section 7. Calling of Election. ~~25% of the Electors at Democratic Primaries in City must sign Petition.~~**

If the petition be signed as herein provided ~~by qualified electors equal to twenty-five per cent. of the total vote cast at the Democratic Primary for the nomination of Mayor and Commissioners, next preceding the filing of such petition,~~ and if it set forth the grounds of objection as provided in Section 3 hereof and same is not declared insufficient upon objection thereto as provided in Section 4 hereof, the Council shall within ten days after the final certification of the Secretary, unless the incumbent sought to be removed resigns within five days after such final certification, ~~shall order a special election to be held on a day fixed in such order not less than forty days nor more than~~

~~fifty days from the next uniform date of such final certification; prescribed by the Texas Election Code to determine whether the incumbent sought to be removed should be recalled, provided, that if any municipal sufficient time remains to properly order and conduct such election, and if time is appointed to occur within ninety days from such final certification, the recall not sufficient for such election, the election shall not be held on the next available uniform date prescribed by state law.~~

**Section 8. Result of Election: Petition to Recall.**

If the person sought to be removed shall at said election be recalled, his tenure of office shall terminate upon the determination of the result of the election by the City Council, who shall examine, count and canvass the returns and declare the result as elsewhere provided in this Charter for other elections; and, if an appointed officer, his successor shall at once be appointed by the Mayor and City Council, as provided in this Charter, and if an elective officer, provision shall at once be made for the election of a successor to fill the vacancy, as elsewhere provided for in this Charter and State law.

**Section 9. Qualification of Recalled Officers.**

Any officer removed from office by recall election, or who shall resign from said office pending recall proceedings against him, shall not be appointed or elected to any city office or appointment within two years after his removal or resignation.

**Section 10. Joinder of Several Officers in One Petition.**

Two or more officers subject to recall, as provided for in this amendment may be joined in one petition for removal, and one election may be held therefor.

**Section 11. Limitation on filing petition.**

No petition for the recall of any officer shall be filed until eight months after the election or appointment and the qualification of such officer, nor shall there be more than one recall election in any one ~~calender~~ calendar year.

**ARTICLE VII-b. LEGISLATION BY THE PEOPLE.  
INITIATIVE AND REFERENDUM.**

**Section 1. General Power.**

The people of Houston, in addition to the method of legislation hereinbefore provided, shall have the power of direct legislation by the initiative and referendum.

**Section 2. The Initiative.**

The initiative shall be exercised in the following manner:

- (a) *Petition.* A petition signed and verified in the manner and form required for recall petition in Article ~~V~~VII-a by qualified electers ~~voters~~ equal to fifteen per cent. of the total vote cast ~~at the Democratic Primary for the nomination~~ as calculated in accordance with Article V, Section 10 of Mayor and Commissioners this Charter, next preceding the filing of said petition, accompanied by the proposed legislation or measure in the form of a proposed ordinance or resolution, and requesting that such ordinance or resolution be submitted to a vote of the people, if not passed by the Council, shall be filed with the City Secretary.
- (b) On or before the thirtieth day after the date of filing of the petition the City Secretary shall certify to the City Council (a) the greatest total vote cast for Mayor at any city general election held within three years next preceding the date of the filing of such petition, and (b) the number of valid signatures on said petition, and shall present such petition and certificate to the Council.
- (c) *Action by the Council upon Petition.* If such petition be signed, as in the Charter provided, by qualified electers ~~voters~~ equal to fifteen per cent. of the total vote cast ~~at the Democratic Primary for the nomination~~ as calculated in accordance with Article V, Section 10 of Mayor and Commissioners this Charter, next preceding the filing of such petition, the Council, within ten days after the receipt thereof, except as otherwise provided in this Charter, shall either pass such ordinance or resolution without alteration, or submit it to the popular vote at a special election, which must be held ~~within thirty days after~~ on the next uniform date of prescribed by the ordering thereof; Texas Election Code, provided, however, that sufficient time remains to properly order and conduct such election, and if any other municipal election time is to be held within sixty days after not sufficient for such election, the filing of the petition said proposed ordinance or resolution election shall be submitted without alteration to be voted upon at such election held on the next available uniform date prescribed by state law.

**Section 3. Referendum.**

If prior to the date when an ordinance or resolution shall take effect, or within thirty days after the publication of same, whichever is later, a petition signed and verified, as required in section 2-(a) hereof, by the qualified voters equal in number to ~~ten per centum~~ percent of the total vote cast ~~at the Democratic Primary for the nomination~~ as calculated in accordance with Article V, Section 10 of Mayor and

~~Commissioners, next preceding the filing of said petition as hereinbefore provided this~~ Charter, shall be filed with the City Secretary, protesting against the enactment or enforcement of such ordinance or resolution, it shall be suspended from taking effect and no action theretofore taken under such ordinance or resolution shall be legal and valid. Immediately upon the filing of such petition the City Secretary shall do all things required by section 2-(b) of this Article. Thereupon the Council shall immediately reconsider such ordinance or resolution and, if it ~~de~~does not entirely repeal the same, shall submit it to popular vote at the next ~~municipal-city~~ general election, or the Council may, in its discretion, call a special election for that purpose; and such ordinance or resolution shall not take effect unless a majority of the qualified ~~electors~~voters voting thereon at such election shall vote in favor thereof.

**Section 4. Submission by the Council.**

The Council, ~~of~~on its own motion, may submit to popular vote for adoption or rejection or repeal at any election any proposed ordinance or resolution or measure, in the same manner and with the same force and effect as provided in this Article for submission on petition.

**Section 5. Form of Ballots.**

The ballots used when voting upon such proposed and referred ordinances, resolutions or measures shall set forth their nature sufficiently to identify them, and shall also set forth upon separate lines the words "For the Ordinance" and "Against the Ordinance", or "For the Resolution" or "Against the Resolution."

**Section 6. Publication of Ordinance, etc. Notice of Election.**

The Secretary shall publish at least once, every proposed or referred ordinance or resolution in some daily newspaper in the City of Houston within fifteen days before the date of the election; and shall have such other notices, and do such other things relative to such election as are required in general municipal elections, or by the ordinance calling said election.

**Section 7. Adoption of Ordinance.**

If a majority of the qualified ~~electors~~voters voting on any proposed ordinance or resolution or measure shall vote in favor thereof the same shall thereupon or at any time fixed therein become effective as a law or as a mandatory order to the Council.

**Section 8. Inconsistent Ordinances.**

If the provisions of two or more proposed ordinances or resolutions approved at the same election are inconsistent, the ordinance or resolution receiving the highest number of votes shall prevail.

**Section 9. Repeal or Amendment of Ordinances Passed by the People.**

No ordinance or resolution, which has been passed by the Council upon a petition, or adopted by popular vote, under the provisions of this Article, shall be repealed or amended, except by the Council in response to a referendum petition or by popular vote thereon.

**Section 10. Number of Elections.**

There shall not be held under this Article more than one special election in any period of six months.

**Section 11. Regulations by Council.**

The Council, by ordinance may make other and further regulations for carrying out the provisions of this Article not inconsistent herewith.

**Section 12. Certain sections not construed to be repealed.**

Nothing herein shall be construed to in any wise affect, impair or repeal Sections 17 and 18 of Article II or any other provision of the Charter affecting the granting of franchises or privileges or the referendum thereon, but the same shall continue to remain in full force and effect as though this Article had not been adopted.

**Section 13. Referendum on Zoning.**

The City of Houston shall have the power to adopt a zoning ordinance only by: (a) allowing a six month waiting period after publication of any proposed ordinance for public hearings and debate and (b) holding a binding referendum at a regularly scheduled election. Any existing zoning ordinance is hereby repealed.

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

**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")

Page  
1 of 1

Agenda  
Item  
14

**FROM (Department or other point of origin):**  
Mayor's Office

**Origination Date**  
8/2/12

**Agenda Date**  
AUG 08 2012

**DIRECTOR'S SIGNATURE:**

Andy F. Icken  
Chief Development Officer

**Council District affected:**  
All

**For additional information contact:**  
Andy Icken 832-393-1064

**Date and identification of prior authorizing Council action:** July 13, 2011

**RECOMMENDATION:** Approve a 16-month contract between the City of Houston and the Greater Houston Convention and Visitors Bureau (GHCVB).

**Amount and Source Of Funding:** \$685,000 General Fund (1000)  
(total dollar amount to be reimbursed by HOT funds)

**SPECIFIC EXPLANATION:**

The Greater Houston Convention and Visitors Bureau (GHCVB) has provided protocol services to the City for many years through its annual funding agreement with the Convention and Entertainment Facilities Department (CEFD). Because of the vital role the 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 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 this 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.

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. This 16-month contract, if approved, will expire December 31, 2013 which coincides with the calendar year budget cycle of the GHCVB.

GHCVB has provided or will provide services to the City as set out in this agreement without interruption for the period from July 1, 2012 through August 31, 2012. The value of these services is \$75,000 and the city shall make payment to the GHCVB for such pre-contract services by September 30, 2012.

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.

The MWBE goal for this contract is 4% of all funds paid to the GHCVB under the agreement.

The Mayor's office recommends City Council approval of a contract with the Greater Houston Convention and Visitors Bureau for September 2012 - December 2013.

**REQUIRED AUTHORIZATION**

--	--	--

**REQUEST FOR COUNCIL ACTION**

**TO:** Mayor via City Secretary

**RCA #**

**SUBJECT:** Ordinance approving an economic development agreement between the City of Houston ("City") and OMB Houston, LP ("OMB") pursuant to Chapter 380, Texas Local Government Code

**Category #**

**Page 1 of 1**

**Agenda Item#**

15

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

Andrew F. Icken  
Chief Development Officer – Mayor's Office

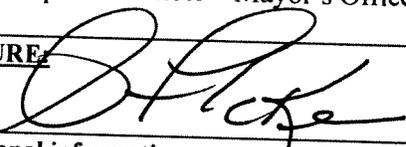
**Origination Date**

August 1, 2012

**Agenda Date**

AUG 08 2012

**SIGNATURE:**



**Council Districts affected:**

Council Member Pennington, District G

**For additional information contact:**

Tim Douglass

Phone: 832-393-0937

**Date and identification of prior authorizing Council Action:** Ordinance No. 99-674 dated 6/30/99

**RECOMMENDATION: (Summary)**

Ordinance approving an economic development agreement between the City of Houston ("City") and OMB Houston, LP ("OMB") pursuant to Chapter 380, Texas Local Government Code.

**Amount of Funding:**

**Finance Budget:**

**SOURCE OF FUNDING:**

General Fund

Grant Fund

Enterprise Fund

Other (Specify)

**SPECIFIC EXPLANATION:**

In 1989, the State legislature enacted Chapter 380 of the Texas Local Government Code ("Code") to create a mechanism that municipalities could use to grant or loan public funds for economic development purposes. Subsequently, by Ordinance No. 99-674, the City established the City of Houston Chapter 380 loan/grant program, pursuant to the provisions of Chapter 380 of the Code, and adopted criteria for Chapter 380 assistance to provide the City with an additional tool to encourage development in targeted areas to fulfill a critical need to attract tourism and commerce to an area resulting in positive economic impact.

The Administration proposes to offer performance-based financial incentives calculated upon the incremental increases in the City's portion of its sales and use tax revenues ("Incentives") generated by this project. The incentives will be based solely upon post-project proven increases in the City's portion of its sales and use tax revenues collected after the project is completed and the taxes can be accurately measured. The Incentives will be equal to the incremental increases in the City's portion of its sales and use tax revenues generated at 4444 Westheimer Road ("Property") measured from the 2012 base and continuing for 10 years. The incentives will reimburse OMB for certain public infrastructure improvements including the expansion of Bettis Street and connection between Mid Lane and West Creek, green space, Westheimer Road improvements, signalization, sidewalks and other frontage improvements, including pedestrian access, water and wastewater lines, burial of electric utilities and off-site storm water upgrades that will serve a larger area.

OMB intends to invest approximately \$275 million to re-develop the Property into a mixed use project that will include; 279 apartment units, a parking garage, a movie theater, 350,000 square foot of retail and 65,000 square foot of office space. The City proposes to reimburse OMB 100% of the City's portion of the incremental increase of its sales and use tax revenues generated at the Property. The City will retain the increase in ad valorem taxes generated. The term of the agreement is 10 years with a maximum total reimbursement for public improvements capped at \$19,449,756. Interest for the unreimbursed portion will be set at a maximum of 3.75%.

This project was presented to the Housing, Sustainable Growth and Development Committee on July 30, 2012.

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

**Finance Director:**

**Other Authorization:**

**Other Authorization:**

**REQUEST FOR COUNCIL ACTION**

**TO:** Mayor via City Secretary

**RCA #**

**SUBJECT:** Ordinance approving an economic development agreement between the City of Houston ("City") and CenterPointe Hotel Partners, L.L.C. pursuant to Chapter 380, Texas Local Government Code

**Category #**

**Page 1 of 1**

**Agenda Item#**

16

**FROM: (Department or other point of origin):**  
Andrew F. Icken  
Chief Development Officer – Office of the Mayor

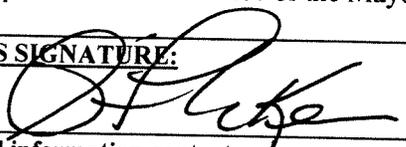
**Origination Date**

8/2/12

**Agenda Date**

AUG 08 2012

**DIRECTOR'S SIGNATURE:**



**Council Districts affected:**  
Council Member Rodriguez, District I

**For additional information contact:**

Tim Douglass

Phone: 832-393-0937  
Phone:

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

**RECOMMENDATION: (Summary)**

Ordinance approving an economic development agreement between the City of Houston ("City") and CenterPointe Hotel Partners L.L.C. pursuant to Chapter 380, Texas Local Government Code

**Amount of Funding:**

**Finance Budget:**

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

**SPECIFIC EXPLANATION:**

In 1989, the State legislature enacted Chapter 380 of the Texas Local Government Code ("Code") to create a mechanism that municipalities could use to grant or loan public funds for economic development purposes. Subsequently, by Ordinance 99-674, the City established the City of Houston Chapter 380 loan/grant program, pursuant to the provisions of Chapter 380 of the Code, and adopted criteria for Chapter 380 assistance to provide the City with an additional tool to encourage development in targeted areas to fulfill a critical need to attract tourism and commerce to an area resulting in positive economic impact.

The Administration proposes to offer performance-based incentives calculated upon the incremental increases in the City's ad valorem tax revenues ("Incentives") around this project. The Incentives will be based solely upon the post-project proven increases in the City's portion of its ad valorem and sales tax revenues collected after the project is completed and the taxes can be accurately measured. The Incentives will be equal to the incremental increases in the City's portion of its ad valorem tax revenues generated by CenterPointe Hotel Partners project location at 10525-10528 East Freeway measured from the 2012 base and the sales taxes generated on site, continuing for 15 years. The maximum reimbursement for public infrastructure is \$2,074,875. The incentives will reimburse CenterPointe Hotel Partners for certain public infrastructure including a street, bridge, drainage, sidewalks and screening landscape.

CenterPointe Hotel Partners intends to invest at least \$30 million at this location to build, in phases, four hotels on the 8+ acre including two by Hilton and two by Marriott. The City proposes to reimburse CenterPointe Hotel Partners 100% of the City's portion of the incremental increase in ad valorem tax revenues from the area directly impacted by the new development and the sales taxes generated on site. The estimated total reimbursement for the public improvements will be capped at no more than the lower of actual costs or \$2,074,875. Interest for the unreimbursed portion will be set at a maximum of 3.75%. It is estimated that CenterPointe Hotel Partners will create 1,000 jobs during construction and 100 direct jobs at the hotels.

This project was presented to the Housing, Sustainable Growth and Development Committee on July 30, 2012.

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

**REQUIRED AUTHORIZATION**

**Finance Director:**

**Other Authorization:**

**Other Authorization:**

**REQUEST FOR COUNCIL ACTION**

RCA# 0000

**TO:** Mayor via City Secretary

**Subject:** An ordinance approving and authorizing a contract with the four major cellular phone providers for a cellular phone and public safety radio signal amplification system in the downtown Houston tunnels

Category #  
1

Page 1 of 1

Agenda Item

17

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

Charles T. Thompson  
Chief Information Officer  
Information Technology

**Origination Date**

July 30, 2012

**Agenda Date**

AUG 0 8 2012

**DIRECTOR'S SIGNATURE**

*Charles T. Thompson 7/31/12*

**Council District(s) affected**  
All

**For additional information contact:**  
Tom Sorley

Phone: (832) 393-0300

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

**RECOMMENDATION: (Summary)**

Approve an Ordinance approving and authorizing a contract with the four major cellular phone providers for the construction, installation, maintenance and ownership of a cellular phone and public safety radio amplification system in the downtown Houston tunnels.

Award Amount: \$ 0.00

**Finance Budget**

Source of Funds: N/A

**SPECIFIC EXPLANATION:**

The Chief Information Officer of the Information Technology Department requests City Council approval and authorization of an agreement with GTE Mobilnet of South Texas Limited Partnership d/b/a Verizon Wireless, T-Mobile West Corporation, SprintCom, Inc. and Nextel of Texas, Inc., and New Cingular Wireless PCS, LLC for an initial term of ten years from date of countersignature with three (3) five-year renewals.

This contract allows the cellular phone carriers access to City of Houston property in the tunnels and provides a contract vehicle (through addendum(s)) for building owners to grant similar access to their property for the purpose of providing an amplification system for both cellular phone signals and public safety radio signals. The cellular phone carriers will construct, install, and maintain the system free of charge to the City of Houston resulting in a cost avoidance of approximately \$1.5 million.

Once completed, this system will greatly enhance the safety of the first responders as well as the citizens they serve.

This item was presented at the July 24, 2012 Public Safety Committee.

**REQUIRED AUTHORIZATION**

Finance Department:

Other Authorization:

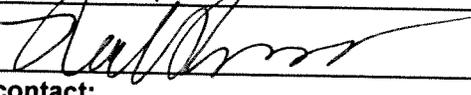
Other Authorization:

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

**SUBJECT:** An Ordinance amending the Housing and Community Development Department's Citizen Participation Plan to include Economic Development Initiative / Section 108 program information.      **Category #**      **Page** 1 of 1      **Agenda Item #** 18

**FROM:** Neal Rackleff, Director  
Housing and Community Development Department      **Origination Date** 07/11/2012      **Agenda Date** AUG 0 8 2012

*aug*

**DIRECTOR'S SIGNATURE:**       **Council District affected:** All  
**For additional information contact:** Veronica Chapa-Jones Phone: 713-868-8335  
Brenda Scott Phone: 713-868-8484      **Date and identification of prior authorizing Council action:** Various

**RECOMMENDATION:** Approval of an Ordinance amending the Housing and Community Development Department's Citizen Participation Plan to include Economic Development Initiative / Section 108 program information.

**Amount of Funding:** None      **Finance Budget:**

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

**SPECIFIC EXPLANATION:**

The Citizen's Participation Plan (CPP) governs public participation for any funding received from the U.S. Department of Housing and Urban Development. The CPP specifically details how HCDD will solicit and use feedback from Houston residents on its various funding actions, plans, amendments, applications and reports.

The Housing and Community Development Department (HCDD) recommends City Council's approval of an amendment to the CPP that will include information about the Economic Development Initiative (EDI) and Section 108 programs. The following paragraph will be added to the CPP:

It should be noted that the process for amending the EDI / Section 108 Grant Application (EDI) differs substantially from that used for the Consolidated Plan/ Annual Action Plan and other Section 108 programs. First, in accordance with Item 8 of the executed Grant Agreement between the City of Houston and HUD, the EDI can only be amended with prior written permission of HUD. In the case of the Consolidated Plan / Annual Action Plan or other Section 108 programs, HUD is notified of the amendment following City Council approval. Second, federal regulations require that a public hearing be held when amending the EDI Grant Application. However, no such requirement is attached to the amendment process for the Consolidated Plan / Annual Action Plan or other Section 108 programs. For any program amended, verbal and written citizen comments will be summarized and submitted to HUD along with HCDD's response to each. EDI is subject to all CPP requirements applicable to the Consolidated Plan / Annual Action Plan where they are the same as specifically required under 24 CFR §570.704.

A public notice was published in the Houston Chronicle (and the HCDD website) on July 7, 2012. To date, no public comments have been received.

This item was referenced at the Housing, Sustainable Growth and Development Committee on July 30, 2012.

NR:VC-J:BS:PC

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

**REQUIRED AUTHORIZATION**

**Finance Director:**      **Other Authorization:**      **Other Authorization:**

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

HCD12-112

**SUBJECT:** An Ordinance approving the following amendments to the Economic Development Initiative grant: a three year grant extension; adding the approved program activities of single family and multifamily housing; and adding necessary activities to facilitate commercial lending.

**Category #**

**Page**  
1 of 1

**Agenda Item #**  
19

**FROM:**

Neal Rackleff, Director  
Housing and Community Development Department

**Origination Date**

07/11/2012

**Agenda Date**

AUG 0 8 2012

**DIRECTOR'S SIGNATURE:**

**Council District affected:**

All

**For additional information contact:**

Veronica Chapa-Jones Phone: 713-868-8335  
Brenda Scott Phone: 713-868-8484

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

**RECOMMENDATION:** Approval of an Ordinance approving the following amendments to the Economic Development Initiative grant: a three year grant extension; adding the approved program activities of single family and multifamily housing; and adding necessary activities to facilitate commercial lending.

**Amount of Funding:**

No Additional Funding Required

**Finance Budget:**

**SOURCE OF FUNDING**

[ ] General Fund [ X ] Grant Fund [ ] Enterprise Fund  
Economic Development Initiative Grant (EDI)

**SPECIFIC EXPLANATION:**

The Housing and Community Development Department (HCDD) recommends City Council's approval of the following changes to amend the Economic Development Initiative (EDI) grant agreement:

- A three (3) year extension, through August 31, 2015, of the EDI and Section 108 program.
- The addition of two approved program activities - single family and multifamily housing.
- The addition of the following approved EDI uses: payment of interest on obligations guaranteed through the Section 108 program; payment of costs associated with private sector financing of debt obligations guaranteed under Section 108; economic development activities; and debt service reserve to be used in accordance with requirements specified in Contract for Loan guarantee assistance.

These changes will enable HCDD to address the increasing need for affordable housing and economic development opportunities for Houston's low- and moderate-income population.

Once approved by HUD, EDI program activities will include the: Micro Enterprise Loan Program; Revolving Loan Program; Special Development Project Fund; Single Family Rehabilitation and Replacement Program; and Multifamily Housing Program.

A public notice was published in the Houston Chronicle (and the HCDD website) on Saturday, July 7, 2012. To date, no public comments have been received. This action was discussed at the Monday, July 30, 2012 Council Committee on Housing, Sustainable Growth, and Development special call meeting.

NR:VC-J:BS:PC

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

**REQUIRED AUTHORIZATION**

**Finance Director:**

**Other Authorization:**

**Other Authorization:**

<b>SUBJECT:</b> An Ordinance authorizing a grant of Community Development Block Grant funds in the amount of \$675,000 to the Archdiocese of Galveston-Houston, a non-profit organization, for the construction of the St. Monica Food Pantry which will be located at 8421 West Montgomery Road, Houston, Texas 77088.		<b>Category #</b>	<b>Page 1 of 1</b>	<b>Agenda Item #</b>  20
<b>FROM:</b> Neal Rackleff, Director Housing and Community Development		<b>Origination Date</b> 4/6/2012	<b>Agenda Date</b> AUG 08 2012	
<b>DIRECTOR'S SIGNATURE:</b> 		<b>Council District affected:</b> B		
<b>For additional information contact:</b> Ana Patino-Martinez Phone: 713-868-8310		<b>Date and identification of prior authorizing Council action:</b> None		
<b>RECOMMENDATION:</b> Approval of an ordinance authorizing a contract between the City of Houston and the Archdiocese of Galveston-Houston, a non-profit organization, for the construction of St. Monica Food Pantry, which serves low to moderate-income families.				
<b>Amount of Funding:</b>  \$675,000.00			<b>Finance Budget:</b>	
<b>SOURCE OF FUNDING:</b> [ ] General Fund      [X] Grant Fund      [ ] Enterprise Fund Community Development Block Grant (Fund 5000)				
<b>SPECIFIC EXPLANATION:</b>  The Housing and Community Development Department requests Council approval to enter into a grant agreement with the Archdiocese of Galveston-Houston to provide \$675,000 in Community Development Block Grant funds for the construction of the St. Monica Food Pantry located at 8421 West Montgomery Road, Houston, Texas 77088.  The St. Monica Food Pantry was established in June of 1969. The pantry is currently operated out of the church. It's a major distribution outlet for the Houston Food Bank and several other charitable foundations. On a monthly basis, the St. Monica Food Pantry serves between 400-500 individuals. Additional space is needed to accommodate the increasing demand for the services that they provide.  The new St. Monica Food Pantry will be the first "green" (highly energy efficient) food pantry in the State of Texas. In addition to reducing the building's carbon footprint, this green building will provide ongoing utility savings and allow for continuous service in times of natural disasters. The additional cost of incorporating renewable energy features at the time of construction is approximately 45% less than the cost of retrofitting the building at a later date.				
cc: City Attorney Mayor's Office City Secretary Finance Department				
<b>REQUIRED AUTHORIZATION</b>				
<b>Finance Department Director:</b>		<b>Other Authorization:</b>		<b>Other Authorization:</b>

*Aug*

*AS*

**REQUEST FOR COUNCIL ACTION**

**TO:** Mayor via City Secretary

**Subject:** Ordinance approving and authorizing a Compromise & Settlement Agreement ("CSA") with Carrier Corporation ("Carrier") to settle a lawsuit.

Category #  
6

Page 1 of 1

Agenda Item #

21

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

**Origination Date:**  
8-2-12

**Agenda Date:**  
AUG 08 2012  
AUG 08 2012

**DIRECTOR'S SIGNATURE**

David M. Feldman



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

**For additional information contact:** John M. Helms, Sr. Asst. City Attorney  
**Phone:** (832) 393-6485  
 Calvin Wells (832)-393-8700

**Date and Identification of prior authorizing Council Action:** 2004-864; and, 2007-1048

**RECOMMENDATION: (Summary)**

Authorize an Ordinance approving and authorizing a Compromise & Settlement Agreement ("CSA") with Carrier Corporation ("Carrier") to settle a lawsuit.

**Amount of Funding:** \$130,966.43

**Finance Budget:**

*Subt into for Kelly Dove*

**SOURCE OF FUNDING: Amount**

	<u>Amount</u>	<u>Fund</u>
\$81,199.19 (PWE)	Water & Sewer Op.	8300
\$49,767.24 (GSD)	General Fund	(1000)

Other (Specify)

**SPECIFIC EXPLANATION:**

The City and Carrier entered into an Agreement for Heating, Ventilation and Air Conditioning Services, City Contract No. C56253 ("Contract"), dated effective August 26, 2004, approved by Ordinance No. 2004-0864. Disputes have arisen between Carrier and the City over sums allegedly owed by the City to Carrier for work performed under the Contract. Carrier has sued in Cause No. 2011-33573 in the 55<sup>th</sup> District Court ("Lawsuit") alleging the City owes \$261,932.86, plus interest, and other sums. The claimed work was ordered, performed and approved. Funding was an issue. The City's motion for summary judgment in the lawsuit was denied. Carrier has offered to settle the lawsuit for \$130,966.43.

After a thorough consideration of all the relevant facts and circumstances, the Legal Department recommends that Council accept the settlement offer and approve an Ordinance authorizing the execution of the attached CSA to settle the Lawsuit. The Departments of Administration & Regulatory Affairs and General Services concur with this recommendation. PWE agrees to and commits the extent of funding from Fund 8300 to cover invoices unpaid at City's exhaustion of prior contract amount but within the Department's prior request for and allocation of an amount of the overall contract value and services.

**REQUIRED AUTHORIZATION**

Administration & Regulatory Affairs:

By: Alfred J. Moran, Jr., Director

Other Authorization:  
Public Works & Engineering

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

Other Authorization:  
General Services

By: Scott Munix, Director

2012 JUL 26 702 AM '12  
 CONTROLLED  
 09

**REQUEST FOR COUNCIL ACTION**

**TO:** Mayor via City Secretary

**RCA#**

**Subject:** Approve an Ordinance to Award a Contract to SeeClickFix, Inc. for the Design, Development, and Maintenance of Smartphone Applications for the Administration & Regulatory Affairs Department's 311 Help & Information Center

Category #

Page 1 of 2

Agenda Item

22

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

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

**Origination Date**

July 2, 2012

**Agenda Date**

AUG 0 8 2012

**DIRECTOR'S SIGNATURE**

**Council District(s) affected**

All

**For additional information contact:**

Frank Carmody  
Tom Sorley

**Phone:** (713) 226-2001  
**Phone:** (832) 393-0300

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

2010-1007, Passed 12/7/10; 2011-0955, Passed 11/9/11; 2011-1112, Passed 12/7/11

**RECOMMENDATION: (Summary)**

Approve an ordinance awarding a contract to SeeClickFix, Inc. to the design, development, and maintenance of Smartphone applications for the Administration & Regulatory Affairs 311 Help & Information Center.

Maximum Contract Award Amount: \$98,750.00

**Finance Budget**

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

**Other (Specify)** Required Funds Previously Appropriated from Equipment Acquisition Consolidated Fund (1800) via Ordinance 2011-1112, Passed 12/7/2011.

**SPECIFIC EXPLANATION:**

The Directors of the Administration & Regulatory Affairs ("ARA") and Information Technology Departments recommend that City Council approve an ordinance awarding a three-year contract, with two one-year options to extend, to SeeClickFix, Inc. in an amount not to exceed \$98,750 to provide design, development, and maintenance services related to the deployment of Smartphone applications which will communicate with the ARA 311 Help & Information Customer Relationship Management (CRM) system. City Council approved Ordinance 2011-1112 on December 7, 2011, which appropriated the funds required for this project from the Equipment Acquisition Consolidated Fund.

ARA has redesigned 311 from a model which relied solely upon call center operations to deliver information and receive Service Requests ("SRs") to a new approach that expands citizen engagement. The redesign has included design and implementation of a new CRM system, development and launch of a new customer-focused website that enables users to submit more than 100 Service Requests online, and the launch of Social Media properties.

The next phase in the redesign of 311 Help & Information will develop mobile applications that will form a bridge between Houstonians and the various systems described above. The application will take advantage of GPS location information pulled from the user's mobile device, as well as photograph or video files uploaded from a camera or gallery, to automatically report and enter the service request types into the CRM system.

The mobile application will be available at no cost to users. Users will be able to follow particular service requests via the application. The contractor will also provide an interactive map widget into the [www.houston311.org](http://www.houston311.org) website, which will allow citizens to view existing and recently closed SRs and to submit new SRs. The application solution will also be integrated with Social Media platforms (Facebook and Twitter) to generate advisory content for users and to provide additional channels for communication between Houstonians and the City.

**REQUIRED AUTHORIZATION**

Information Technology Department:

Charles Thompson,  
Chief Information Officer    7-25-12

Other Authorization:

Other Authorization:

Date: 7/2/12	Subject: Approve an Ordinance to Award a Contract to SeeClickFix, Inc. for the Design, Development, and Maintenance of Smartphone Applications for the Administration & Regulatory Affairs Department's 311 Help & Information Center	Originator's Initials CAN	Page 2 of 2
-----------------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	------------------------------	-------------

The scope of work requires the contractor to provide all supervision, resources, tools, software, and supplies to design, develop, and place custom-branded iPhone and Android applications in the iTunes store and Android marketplace. The contractor shall also ensure that the applications will be available for download at no cost to citizens.

This Request for Proposal (RFP) was advertised in accordance with the requirements of the State of Texas bid laws. Thirty-eight prospective proposers downloaded the solicitation document from SPD's e-bidding website and as a result, proposals were received from SeeClickFix, Inc., Connected Bits LLC, City Sourced, Inc., Idea integration Corp. d/b/a Idea, Lagan Technologies, Inc., and Simplikate. The evaluation committee was comprised of expert staff from the Houston Emergency Center, Public Works & Engineering, Information Technology, and the Administration & Regulatory Affairs Departments. The proposals were evaluated based upon the following criteria:

- Functional and Technical Requirements
- Implementation Support and Customization
- Costs
- Expertise/Experience/Qualifications
- Conformance to RFP Requirements
- Other Features

SeeClickFix, Inc. received the highest overall score.

**Hire Houston First:**

The proposed contract requires compliance with the City's "Hire Houston First" ordinance that promotes economic opportunity for Houston businesses and supports job creation. In this case, the proposed contractor does not meet the requirements of Hire Houston First.

The table below presents the fiscal impact of authorizing this contract, which was allocated for in the FY13 Budget.

	Year 1	Years 2 - 5	Total
Implementation Charges	\$ 8,750.00	\$ -	\$ 8,750.00
Annual Maintenance Service Fee	\$18,000.00	\$18,000.00	\$90,000.00
Total per Year	\$26,750.00	\$18,000.00	
<b>Maximum Contract Amount</b>			<b>\$98,750.00</b>

ARA will coordinate the launch of the new City of Houston 311 Mobile App to occur over two phases. The first phase will be comprised of a "soft launch" which will commence upon City Council's approval of this agreement. During the soft launch, internal and select external users will test the application and its integration with the City's CRM system to identify and resolve user experience issues to the greatest extent possible. The "soft launch" period is projected to require 4 - 8 weeks to complete, after which the City will roll out a "hard launch" of this new product and service to the Houston general public.

cc: Marta Crinejo, Agenda Director  
Anna Russell, City Secretary  
David Feldman, City Attorney

**REQUEST FOR COUNCIL ACTION**

RCA# 9344

**TO:** Mayor via City Secretary

**Subject:** Approve an Ordinance Awarding a Contract for E-One Fire Trucks Repair Services for the Fleet Management Department/S23-L24186

Category #  
4

Page 1 of 2

Agenda Item  
  
23

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

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

**Origination Date**

July 25, 2012

**Agenda Date**

AUG 0 8 2012

**DIRECTOR'S SIGNATURE**

*Calvin D. Wells*

**Council District(s) affected**  
All

**For additional information contact:**

Kenneth Hoglund Phone: (832) 393-6901  
Douglas Moore Phone: (832) 393-8724

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

**RECOMMENDATION: (Summary)**

Approve an ordinance awarding a contract to Hall-Mark Fire Apparatus Texas, LLC, on its sole bid in an amount not to exceed \$999,000.00 for E-ONE fire trucks repair services for the Fleet Management Department.

Maximum Contract Amount: \$999,000.00

**Finance Budget**

\$999,000.00 - Fleet Management Fund (1005)

**SPECIFIC EXPLANATION:**

The Director of the Fleet Management Department and the City Purchasing Agent recommends that City Council approve an ordinance awarding a three-year contract, with two one-year options, to Hall-Mark Fire Apparatus Texas, LLC, on its sole bid in an amount not to exceed \$999,000.00 for E-One fire trucks repair services for the Fleet Management Department (FMD). The City Purchasing Agent may terminate this contract at any time upon 30-days written notice to the contractor.

This project was advertised in accordance with the requirements of the State of Texas bid laws. Twenty-one prospective bidders viewed the solicitation document on SPD's e-bidding website and one bid was received. Prior to issuing the invitation to bid (ITB), E-ONE, Inc. provided a letter to the City stating that Hall-Mark Fire Apparatus Texas, LLC, was the only authorized supplier for E-One fire trucks after-market parts and service provider for the state of Texas. However, an ITB was issued by the Strategic Purchasing Division (SPD) to ensure that there were no other companies capable of bidding on the solicitation.

The scope of work requires the contractor to provide all supervision, labor, materials, supplies, tools, equipment and transportation necessary to provide turnkey repair services for E-One fire trucks for FMD. Moreover, the contractor will be required to repair E-One fire trucks equipment malfunctions to include mechanical repairs, and any other repair service or alterations that may be deemed necessary; due to vehicle accidents and/or normal wear and tear. Finally, the City currently has ninety-four E-One fire trucks in its fleet.

**Pay or Play Program:**

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

**Hire Houston First:**

The proposed contract requires compliance with the City's 'Hire Houston First' ordinance that promotes economic opportunity for Houston businesses and support job creation. In this case, the proposed contractor meets the requirements of Hire Houston First.

Buyer: Roy Breaux

**REQUIRED AUTHORIZATION**

Finance Department:

Other Authorization:

Other Authorization: *Not*

Date: 7/25/2012	Subject: Approve an Ordinance Awarding a Contract for E-One Fire Trucks Repair Services for the Fleet Management Department/S23-L24186	Originator's Initials RB	Page 2 of 2
--------------------	----------------------------------------------------------------------------------------------------------------------------------------	--------------------------------	-------------

Attachment: MWBE zero-percentage document approved by the Mayor's Office of Business Opportunity.

<b>Estimated Spending Authority</b>			
<b>DEPARTMENT</b>	<b>FY13</b>	<b>OUT YEARS</b>	<b>TOTAL</b>
Fleet Management	\$199,800.00	\$799,200.00	\$999,000.00



# CITY OF HOUSTON

## Interoffice

Fleet Management Department

Correspondence

To: Calvin D. Wells, Deputy Director  
City Purchasing Agent

From: Larry Benka, Contract Administrator  
Fleet Management Department

Date: October 27, 2011

Subject: MWBE Participation Form

I am requesting a walver of the MWBE Goal: Yes  No  Type of Solicitation: Bid  Proposal

I am requesting a MWBE goal below 11% Yes  No

I am requesting a revision of the MWBE Goal: Yes  No  Original Goal: \_\_\_\_\_ New Goal: 0 *rdg*

If requesting a revision, how many solicitations were received: \_\_\_\_\_

Solicitation Number: To be assigned Estimated Dollar Amount: \$1,000,000.00

Anticipated Advertisement Date: 02/2012 Solicitation Due Date: 02/2012 ✓

Goal On Last Contract: 3% Was Goal met: Yes  No

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

Name and Intent of this Solicitation: E-One Fire Truck Repair Services and Replacement Parts

### Rationale for requesting a Walver or Revision:

This contract was previously advertised as a supply contract with a labor component but now is being advertised as a service contract with a parts component. E-One Fire Trucks is the sole manufacturer of these trucks and there is only one authorized repair center in the greater Houston area. Since the parts are shipped directly from the manufacturer to the repair center there will not be an opportunity for any MWBE participation.

Concurrence:

Larry Benka  
Larry Benka, Contract Administrator  
Fleet Management Department

Jennifer Johnson  
Jennifer Johnson, Deputy Assistant Director  
Fleet Management Department

Approved:  
Robert Gallegos  
Robert Gallegos, Assistant Director  
\*Office of Business Opportunity

\*Signature is required if the request is three percent or less MWBE participation, or to revise the MWBE goal



**Clay Gibson**  
Service Parts Sales Manger  
Ph: (352)-861-3600  
Fx: (352)-861-5142  
cgibson@e-one.com

A handwritten signature in black ink, appearing to be "CG", located to the left of the contact information.

January 1, 2012

This memo is to confirm that Hall-Mark Texas Fire Apparatus is the sole source supplier for E-ONE, Inc. after-market parts and service for the state of Texas.

Hall-Mark Texas Fire Apparatus can be reached at 800-922-4142.

**REQUEST FOR COUNCIL ACTION**

RCA# 9349

**TO:** Mayor via City Secretary

**Subject:** Approve an Ordinance to Increase the Maximum Contract Amount and Authorize a 1st Amendment to Contract No. 4600010423 for High-Capacity, Fiber Circuit Services for the Information Technology Department / S10-T23490-A1

Category #  
4 & 5

Page 1 of 1

Agenda Item

24

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

**Origination Date**  
July 24, 2012

**Agenda Date**  
AUG 0 8 2012

**DIRECTOR'S SIGNATURE**

*Calvin D. Wells*

**Council District(s) affected**  
All

**For additional information contact:**  
Charles T. Thompson Phone: (832) 393-0082  
Douglas Moore Phone: (832) 393-8724

**Date and Identification of prior authorizing Council Action:**  
Ord. 2011-0185, 03/9/11

**RECOMMENDATION: (Summary)**

Approve an amending ordinance to increase the maximum contract amount from \$2,463,732.33 to \$3,079,665.41, and authorize a first amendment to the contract between the City of Houston and Phonoscope, Inc., to revise the scope of services for high-capacity, fiber circuit services for the Information Technology Department.

Maximum Contract Amount Increased by: \$615,933.08

**Finance Budget**

\$615,933.08 - Central Service Revolving Fund (1002)

**SPECIFIC EXPLANATION:**

The Director of the Information Technology Department (ITD) and the City Purchasing Agent recommends that the City Council approve an amending ordinance to increase the maximum contract amount from \$2,463,732.33 to \$3,079,665.41, and authorize a first amendment to the contract between the City of Houston and Phonoscope, Inc., to revise the scope of services for high-capacity, fiber circuit services for the Information Technology Department.

The contract was awarded on March 9, 2011 by Ordinance No. 2011-0185 for a three-year term, with two one-year options in the original amount of \$2,463,732.33. Expenditures as of July 24, 2012 totaled \$1,463,055.33. The scope of services will expand the high-capacity fiber-circuit contract to include TRANSTAR partners. The necessary increase to the maximum contract amount is required largely due to the expansion and the increased usage of added services to TRANSTAR and its partners. The additional funds shall sustain ITD throughout the balance of the contract term.

The City of Houston uses Phonoscope circuits to provide high-speed connectivity for City locations and data network distribution points for all City departments. Departments and groups with site-to-site connectivity are: Health and Human Services; Housing and Community Development; BARC; Solid Waste; Municipal Courts; Public Works and Engineering; Houston Police; Houston Fire; Parks and Recreation; and ITD.

Buyer: Greg Hubbard

Attachment: M/WBE zero-percent document approved by the Mayor's Office of Business Opportunity (formerly the Affirmative Action Division).

**REQUIRED AUTHORIZATION**

Finance Department:

Other Authorization: *Charles T. Thompson 7-25-12*

Other Authorization:



# CITY OF HOUSTON

Finance & Administration Department  
Strategic Purchasing Division (SPD)

## Interoffice

Correspondence

To: Kevin M. Coleman, C.P.M.  
Assistant Purchasing Agent

From: Greg Hubbard

Date: December 1, 2009

Subject: MWBE Participation Form

I am requesting a waiver of the MWBE Goal: Yes  No  Type of Solicitation: Bid  Proposal

I am requesting a MWBE goal below 11% (To be completed by SPD, and prior to advertisement): Yes  No

I am requesting a revision of the MWBE Goal: Yes  No  Original Goal: \_\_\_\_\_ New Goal: \_\_\_\_\_

If requesting a revision, how many solicitations were received: \_\_\_\_\_

Solicitation Number: S10-T23490

Estimated Dollar Amount: \$2,000,000.00

Anticipated Advertisement Date: 12/11/2009

Solicitation Due Date: 1/15/2010

Goal On Last Contract: 0%

Was Goal met: Yes  No

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

Name and Intent of this Solicitation:  
Fiber Circuits Services

Rationale for requesting a Waiver or Revision (Zero percent goal or revision after advertisement):  
(To be completed by SPD)

It is recommended that the MWBE subcontracting goal be waived for the Fiber Circuits Services for the Information Technology Department. The services that will be provided in this RFP are not divisible, and are intangible access to high-speed circuits that the City utilizes to transfer voice and data packet from the City Departments to the City's core network nodes. The core networks are designed to address increasing bandwidth demands and transmission speeds at reduced costs through the effective use of Ethernet services and fiber optic technologies. This requirement excludes any opportunity to capture MWBE subcontracting dollars; therefore, a zero-percent (0%) MWBE goal is being sought.

Concurrence: [Signature]  
SPD Initiator

[Signature]  
Division Manager

[Signature]  
Robert Gallegos, Deputy Assistant Director  
\*Affirmative Action

[Signature]  
Kevin M. Coleman, C.P.M.  
Assistant Purchasing Agent

\* Signature is required, if the request is for zero percent MWBE participation, or to revise the MWBE goal.

**REQUEST FOR COUNCIL ACTION**

RCA# 9251

**TO:** Mayor via City Secretary

**Subject:** Approve an Ordinance Awarding a Sole Source Contract for Repair and Preventive Maintenance of the Crime Lab Analytical Instruments for the Houston Police Department S37-E24148

Category #  
4

Page 1 of 2

Agenda Item

25

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

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

**Origination Date**

July 05, 2012

**Agenda Date**

AUG 0 8 2012

**DIRECTOR'S SIGNATURE**

*Calvin D. Wells*

**Council District(s) affected**  
All

**For additional information contact:**

Joseph A. Fenninger *JAF 7/24/12* Phone: (713) 308-1708  
Douglas Moore Phone: (832) 393-8724

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

**RECOMMENDATION: (Summary)**

Approve an ordinance awarding a sole source contract to Applied Biosystems, LLC, in an amount not to exceed \$175,000.00, for the repair and preventive maintenance of the crime lab analytical instruments for the Houston Police Department.

Maximum Contract Amount: \$175,000.00

**Finance Budget**

\$175,000.00 - General Fund (1000)

**SPECIFIC EXPLANATION:**

The Chief of Police and the City Purchasing Agent recommends that City Council approve an ordinance awarding a five-year sole source contract to Applied Biosystems, LLC, part of Life Technologies Corporation (Applied Biosystems) in an amount not to exceed \$175,000.00 for repair and preventive maintenance of the crime lab analytical instruments for the Houston Police Department. The City Purchasing Agent may terminate this contract at any time upon 30-days written notice to the contractor.

Applied Biosystems is the sole proprietary owner, developer, supplier and distributor of the crime lab analytical instruments 3130 Genetic Analyzer, 7500 Sequence Detection System and the 9700-96 Well Sample Module that are currently being used by the crime lab. Additionally, Applied Biosystems is the sole organization authorized to provide preventive maintenance and repairs for the associated crime lab analytical instruments.

The crime lab analytical instruments are used for the quantification, sample dilution, amplification setup, and post-amplification setup of human DNA samples from forensic evidence, and greatly improve the capability of the Crime Lab to efficiently process DNA evidence.

The scope of work requires the contractor to furnish all labor, materials, supplies, equipment, transportation and supervision necessary to maintain and repair the genetic analyzers, sample modules and sequence detection systems for the crime lab. This five-year maintenance agreement includes preventive maintenance, on-call emergency site visits, parts and labor. The Preventative Maintenance of HPD Crime Lab equipment is mandated under HPD Crime Lab Standard Operating Procedures and helps maintain compliance with the FBI DNA Quality Assurance Audit Document, Standard 10 and The American Society of Crime Lab Directors - Lab Accreditation Board and helps ensure continued participation in the Combined DNA Index System (CODIS) databasing program.

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

**REQUIRED AUTHORIZATION**

Finance Department:

Other Authorization:

Other Authorization:

*JAF 7/24/12*

105

Date:  
7/5/2012

Subject: Approve an Ordinance Awarding a Sole Source Contract for  
Repair and Preventive Maintenance of the Crime Lab Analytical  
Instruments for the Houston Police Department  
S37-E24148

Originator's  
Initials  
JH

Page 2 of 2

**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.

**Hire Houston First:**

This procurement is exempt from the City's Hire Houston First Ordinance. Bids/proposals were not solicited because the department is utilizing a sole source contractor for this purchase.

Attachment: M/WBE Zero-Percentage Goal Document approved by the Mayor's Office of Business Opportunity.

Buyer: Joyce Hays

**Estimated Spending Authority**

DEPARTMENT	FY 2013	OUT YEARS	TOTAL
Houston Police Department	\$35,000.00	\$140,000.00	<b>\$175,000.00</b>

**AB** applied biosystems®  
by *life* technologies™

850 Lincoln Centre Drive  
Foster City, CA 94404 U.S.A.  
T 650.554.3436 F 650.638.6030  
www.appliedbiosystems.com

December 13, 2011

Joyce Hays  
City of Houston  
33 Artesian Pl  
Houston, TX 77002

**RE: Capability and Sole Source Statement / Quote# 40358957, 40358958, 40358959, 40358960, 40358961**

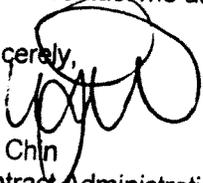
Dear Ms. Hays,

Capability and Sole Source Statement For Services related to (2) 3130-16 Genetic Analyzer, (1) 7500 Real Time PCR System, (4) 9700-96Well, Sample Module:

This is to certify that Applied Biosystems, LLC is the only organization that provides services related for maintenance and repair of the Applied Biosystems, LLC (2) 3130-16 Genetic Analyzer, (1) 7500 Real Time PCR System, (4) 9700-96Well, Sample Module, in accordance with the criteria specified in the attached "LifeTechnology Service Advantages" letter. Only Applied Biosystems, LLC personnel possess the requisite product knowledge and specialized training to provide such services.

For service contract questions, please contact your Service Contract Sales Representative, Dan Rosenfeld, at 800-327-3002, opt 4, 2. Should you have any other questions or concerns, please feel free to contact me at the number listed below.

Sincerely,



Lily Chin  
Contract Administration  
650-638-6817

**REQUEST FOR COUNCIL ACTION**

**TO:** Mayor via City Secretary

**RCA# 9242**

**Subject:** Approve an Ordinance Awarding a Sole Source Contract for Enterprise Environmental Operations Support System Software Maintenance for the Public Works and Engineering Department / S10-E23993

Category #  
4

Page 1 of 2

Agenda Item

26

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

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

**Origination Date**

January 19, 2012

**Agenda Date**

AUG 08 2012

**DIRECTOR'S SIGNATURE**

*Calvin D. Wells*

**Council District(s) affected**  
All

**For additional information contact:**

David Guernsey Phone: (832) 395-3640  
Douglas Moore Phone: (832) 393-8724

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

**RECOMMENDATION: (Summary)**

Approve an ordinance awarding a sole source contract to Infosol, Inc. in an amount not to exceed \$243,075.00 for enterprise environmental operations support system (EEOS) software maintenance for the Public Works and Engineering Department.

Maximum Contract Amount: \$243,075.00

**Finance Budget**

\$243,075.00 - Water & Sewer System Operating Fund (8300)

**SPECIFIC EXPLANATION:**

The Director of the Public Works and Engineering Department and the City Purchasing Agent recommend that City Council approve an ordinance awarding a three-year sole source contract with two one-year options to Infosol, Inc. in an amount not to exceed \$243,075.00, for enterprise environmental operations support system (EEOS) software maintenance for the Public Works and Engineering Department. The Director/City Purchasing Agent may terminate this contract at any time upon 30-days written notice to the contractor.

Infosol, Inc. is the sole developer and copyright holder of the Enterprise EEOS software, and there are no authorized third-party software or maintenance service providers.

The scope of work requires the contractor to provide software maintenance and support services by telephone and on-site for the Wastewater Operations Branch's Pretreatment/Industrial Wastewater Service area. The contractor will also be required to respond to all requests for software support services made during business hours within two hours after receipt of notification from the City and provide 32 hours of monthly on-site software support and services at the Wastewater Operations Branch Laboratory, located at 10500 Bellaire. The EEOS system is used by the Wastewater Operations Branch's Pretreatment/Industrial Wastewater Service area to comply with the Environmental Protection Agency and Texas Natural Resources Conservation Commission reporting requirements, and to optimize use and cost of sewer plant chemicals.

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

**Pay or Play Program:**

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

Buyer: Greg Hubbard

**REQUIRED AUTHORIZATION**

Finance Department:

Other Authorization:

Other Authorization:

Date: 1/19/2012	Subject: Approve an Ordinance Awarding a Sole Source Contract for Enterprise Environmental Operations Support System Software Maintenance for the Public Works and Engineering Department / S10-E23993	Originator's Initials GB	Page 2 of 2
--------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------------	-------------

**Estimated Spending Authority**

DEPARTMENT	FY 2013	OUT YEARS	TOTAL
Public Works and Engineering	\$48,615.00	\$194,460.00	\$243,075.00



An Information Solutions Company

May 31, 2011

Mr. Walid Samarneh, P.E.  
Managing Engineer  
Wastewater Operations Branch  
Department of Public Works and Engineering

Dear : Mr. Samarneh,

The EEOS© software and database schemas are the exclusive proprietary property of Infosol, Inc. and are protected under the United States Copyright Act, all applicable state laws, and international copyright laws. Infosol, Inc. is the sole source for the EEOS© software currently used by the City of Houston. There are no authorized third party providers or distributors of this software. For this reason any and all modifications to the proprietary code-base and database schemas, as may be required by the City of Houston, must be accomplished by Infosol, Inc.

If you have any questions, please feel free to call me at (713) 353-3954 or (713)-503-0226.

Sincerely,

A handwritten signature in black ink, appearing to be "RG", written over a horizontal line.

Robert Garza  
President

**REQUEST FOR COUNCIL ACTION**

**TO:** Mayor via City Secretary

**RCA# 9411**

**Subject:** Approve an Ordinance Authorizing a First Amendment to Contract No. 4600007803 for Maintenance and Repair of Air Compressors for Various Departments/S30-L22109-A1

Category #  
4

Page 1 of 1

Agenda Item

27

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

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

**Origination Date**

June 05, 2012

**Agenda Date**

AUG 0 8 2012

**DIRECTOR'S SIGNATURE**

*Calvin D. Wells*  
For additional information contact:  
David Guernsey Phone: (832) 395-3640  
Douglas Moore Phone: (832) 393-8724

**Council District(s) affected**  
All

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

Ordinance No. 2007-962; Passed 8-22-2007

**RECOMMENDATION: (Summary)**

Approve an amending ordinance authorizing a first amendment to the contract between the City of Houston and Precision Pneumatics, Inc. to extend the contract term from September 12, 2012 to September 11, 2014 for maintenance and repair of air compressors for various departments.

No Additional Funding Required

**Finance Budget**

**SPECIFIC EXPLANATION:**

The City Purchasing Agent recommends that City Council approve an amending ordinance authorizing a first amendment to the contract between the City of Houston and Precision Pneumatics, Inc. to extend the contract term from September 12, 2012 to September 11, 2014 for maintenance and repair of air compressors for various departments. The City Purchasing Agent may terminate this contract any time upon 30-day written notice to the contractor.

This contract was awarded on August 22, 2007 by Ordinance No. 2007-962 for a three-year term, with two one-year options in the amount of \$2,606,831.00. Expenditures as of June 4, 2012 totaled \$1,403,061.00. The first amendment will extend the contract term for two additional years. In consideration for the two-year extension, the contractor has agreed to freeze year five pricing through September 11, 2014.

The scope of work requires the contractor to provide all labor, supervision, materials, tools, replacement parts, supplies, equipment and transportation necessary to provide preventive maintenance inspections and remedial repair services on air compressors. The air compressors are used to operate pneumatic valves that control air flow to aeration basins at the wastewater treatment plants and to run power tools in maintenance shops throughout the City.

This contract was awarded with a 12% M/WBE participation goal and Precision Pneumatics, Inc. is currently achieving 1.92% of its goal. The Mayor's Office of Business Opportunity will continue to monitor this contract to ensure maximum M/WBE participation.

Buyer: Richard Morris

**REQUIRED AUTHORIZATION**

Finance Department:

Other Authorization:

Other Authorization:

Not



CITY OF HOUSTON

Interoffice

Correspondence

To: Carlecia D. Wright, Director  
Mayor's Office of Business Opportunity

From: Richard Morris 3-8736  
Strategic Purchasing Division

cc: \_\_\_\_\_

Date: 03/14/2012

Subject: Final Request for Verification of  
MWDBE Participation

Prime Contractor Precision Pneumatics, Inc.

OA/BPO No. 4600007803 Start Date 9/10/2007 End Date 9/11/2012

Contract Description Air Compressor Repair Services S28-L22109

Prime Contact Person/Phone/Email Andrew Ballard (979)230-9003

MWBE Goal 12% Scheduled MWBE Part. 12% Amt. Paid by City (to date) \$1,209,770.00

Scheduled S/MWBEs McKenzie Compressed Air Solutions, Inc.

FOR OFFICE OF BUSINESS OPPORTUNITY USE ONLY

Total MWBE Dollar Amt. Paid \$23,246.00 MWBE Part. Achieved 1.922%

MWBE Rating: Outstanding X Satisfactory Unsatisfactory

Comments MOBO has met with contractor previously and asked contractor to document efforts to meet the goal. The City has only 6 or 7 Quincy air compressors remaining which the MWBE is qualified to work on. PPI is continuing to look for other certified firms that can work on the project to improve goal.

Approved by Morris Scott  
Division Manager

*Morris Scott*  
Date 3/13/2012

**REQUEST FOR COUNCIL ACTION**

RCA# 9365

TO: Mayor via City Secretary

**Subject:** Approve an Ordinance Awarding a Contract to the Best Respondent for Fire and Security Alarm System Maintenance, Inspections, Testing and Monitoring Services for Various Departments/S33-T23910

Category #  
4

Page 1 of 2

Agenda Item  
  
28

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

**Origination Date**  
June 04, 2012

**Agenda Date**  
AUG 08 2012

**DIRECTOR'S SIGNATURE**

*Calvin D. Wells*

**Council District(s) affected**  
All

**For additional information contact:**

Dallas Evans Phone: (281) 230-8001  
Douglas Moore Phone: (832) 393-8724

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

**RECOMMENDATION: (Summary)**

Approve an ordinance awarding a contract to Koetter Fire Protection of Houston, LLC for fire and security alarm system maintenance, inspections, testing and monitoring services for various departments.

Maximum Contract Amount: \$6,175,400.00

**Finance Budget**

\$4,251,200.00 - HAS Revenue Fund (8001)  
\$1,924,200.00 - General Fund (1000)

-----  
\$6,175,400.00 - Total Amount

**SPECIFIC EXPLANATION:**

The City Purchasing Agent recommends that City Council approve an ordinance awarding a three-year contract, with two one-year options, to Koetter Fire Protection of Houston, LLC for fire and security alarm system maintenance, inspections, testing and monitoring services for various departments. The City Purchasing Agent may terminate this contract at any time upon 30-days written notice to the contractor.

The scope of work requires the contractor to provide all equipment, labor, materials, supervision and transportation necessary to monitor, maintain and respond to activated security alarms and fire alarms at facilities located throughout the City. Additionally, the contractor will be required to provide 24/7 monitoring of elevator telephones, as well as monitor low temperature alarms of walk-in coolers. The contractor is also required to perform periodic testing, repair and certification of fire alarm systems.

This Request for Proposal (RFP) was advertised in accordance with the requirements of the State of Texas bid laws. Sixty-five prospective proposers downloaded the solicitation document from SPD's e-bidding website and as a result, proposals were received from the following: Koetter Fire Protection of Houston, LLC, CLS Technology, Hi-Tech Fire Detection, Simplex Grinnell and Firetrol Protection System. The evaluation committee was comprised of seven subject matter experts; three from the Houston Airport System (HAS) and four from the General Services Department (GSD). The proposals were evaluated based upon the following criteria:

1. Proposed Strategy and Operational Plan
2. Expertise/Experience/Qualifications
3. Conformance to the RFP Requirements
4. Financial Strength
5. Cost
6. M/WBE Participation

Koetter Fire Protection of Houston, LLC was determined to be the best respondent.

**REQUIRED AUTHORIZATION**

Finance Department:

Other Authorization:

Other Authorization: *MD*

Date: 6/4/2012	Subject: Approve an Ordinance Awarding a Contract to the Best Respondent for Fire and Security Alarm System Maintenance, Inspections, Testing and Monitoring Services for Various Departments/S33-T23910	Originator's Initials CJ	Page 2 of 2
-------------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------------	-------------

**M/WBE Subcontracting:**

This RFP was issued as a goal-oriented contract with an 11% M/WBE participation level. Koetter Fire Protection of Houston, LLC has designated the below-named company as its certified M/WBE subcontractor.

Subcontractor	Type of Work	Dollar Amount	Percentage
Rocman Security Solutions, Inc.	Fire and Security Alarm Monitoring	\$462,720.00	7.49%

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 has elected to pay into the Contractor Responsibility Fund in compliance with City policy.

Buyer: Conley Jackson

**Estimated Spending Authority**

Department	FY13	Out-Years	Total Amount
General Services Department	\$388,840.00	\$1,535,360.00	\$1,924,200.00
Houston Airport System	\$850,240.00	\$3,400,960.00	\$4,251,200.00
<b>Total Amount</b>	<b>\$1,239,080.00</b>	<b>\$4,936,320.00</b>	<b>\$6,175,400.00</b>

Attachment: M/WBE Reduced Percentage Goal Document approved by the Mayor's Office of Business Opportunity.

City of Houston



Administration & Regulatory Affairs

# CITY OF HOUSTON

Administration & Regulatory Affairs Department  
Strategic Purchasing Division

Correspondence

## Interoffice

To: Office of Business Opportunity

From: Conley Jackson

Date: 5-17-2012

Subject: MWBE Participation Form

I am requesting a waiver of the MWBE Goal: Yes  No  Type of Solicitation: ITB Bid  Proposal

I am requesting a MWBE goal below 11% Yes  No  7%

I am requesting a revision of the MWBE Goal: Yes  No  Original Goal: 0% New Goal: \_\_\_\_\_

If requesting a revision, how many solicitations were received: N/A

Solicitation Number(s): T23910 Dollar Amount: \$6,195,400.00

Anticipated Advertisement Date: 4/29/2011 Solicitation Due Date: 7/15/2011

Goal On Last Solicitation: N/A Was Goal met: Yes  No

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

Name and Intent of this Solicitation: .

Contract will be used for the routine maintenance, inspection and monitoring of fire and security located at various City of Houston locations, including the three major airports

### Rationale for requesting a Waiver or Revision:

The amount of MWBE participating as a sub-contractor for fire and security alarm maintenance, inspection, testing and monitoring services is limited to alarm monitoring only. The divisible percentage is approximately 7.4%. The prime contractor has made a good faith effort to achieve the required 11% but was not successful because the majority of the required services are self performed by the contractors licensed technicians. Therefore we are requesting that the Office of Business Opportunity approve a reduction to the MWBE participation goal. Please refer to the attached vendor provided documents that substantiate their efforts.

Concurrence:

Conley Jackson  
SPD Initiator

Donna Moore  
Division Manager/SPD

Marsha Murray

Marsha Murray, Assistant Director  
Office of Business Opportunity

\* Signature is required, if the request is for zero percent MWBE participation, or to revise the MWBE goal.



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

<b>SUBJECT:</b> Petition for the City's consent to the addition of nine (9) tracts of land totaling 74.1056 acres to Northampton Municipal Utility District (Key Map No. 290-C,D, G & H)	Page 1 of 1	Agenda Item #  29
------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	----------------	-------------------------

<b>FROM (Department or other point of origin):</b>  Department of Public Works and Engineering	<b>Origination Date</b>	<b>Agenda Date</b> AUG 08 2012
------------------------------------------------------------------------------------------------------	-------------------------	-----------------------------------

<b>DIRECTOR'S SIGNATURE</b>  <i>Handwritten signature: Daniel W. Krueger, P.E.</i> Daniel W. Krueger, P.E.	<b>Council District affected:</b> "ETJ"
---------------------------------------------------------------------------------------------------------------------	--------------------------------------------

<b>For additional information contact:</b> <i>Handwritten signature: Mark L. Loethen</i> Mark L. Loethen, P.E., CFM, PTOE Deputy Director (832) 395-2705	<b>Date and identification of prior authorizing Council action:</b>
-------------------------------------------------------------------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------

**RECOMMENDATION: (Summary)**

The petition for the addition of 74.1056 acres of land to Northampton Municipal Utility District be approved.

**Amount and Source of Funding:**

NONE REQUIRED

**SPECIFIC EXPLANATION:**

Northampton Municipal Utility District has petitioned the City of Houston for consent to add 74.1056 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 Root Road, Gosling Road, West Rayford Road and Spring Creek. The district desires to add 74.1056 acres, thus yielding a total of 1,525.7410 acres. The district is served by the Northampton Municipal Utility District Wastewater Treatment Plant. The other districts served by this plant are Oakmont Public Utility District and the Klein Independent School District. The nearest major drainage facility for Northampton Municipal Utility District is Spring Creek which flows to the San Jacinto River and finally into Lake Houston.

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

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

**Attachments**

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

**REQUIRED AUTHORIZATION**

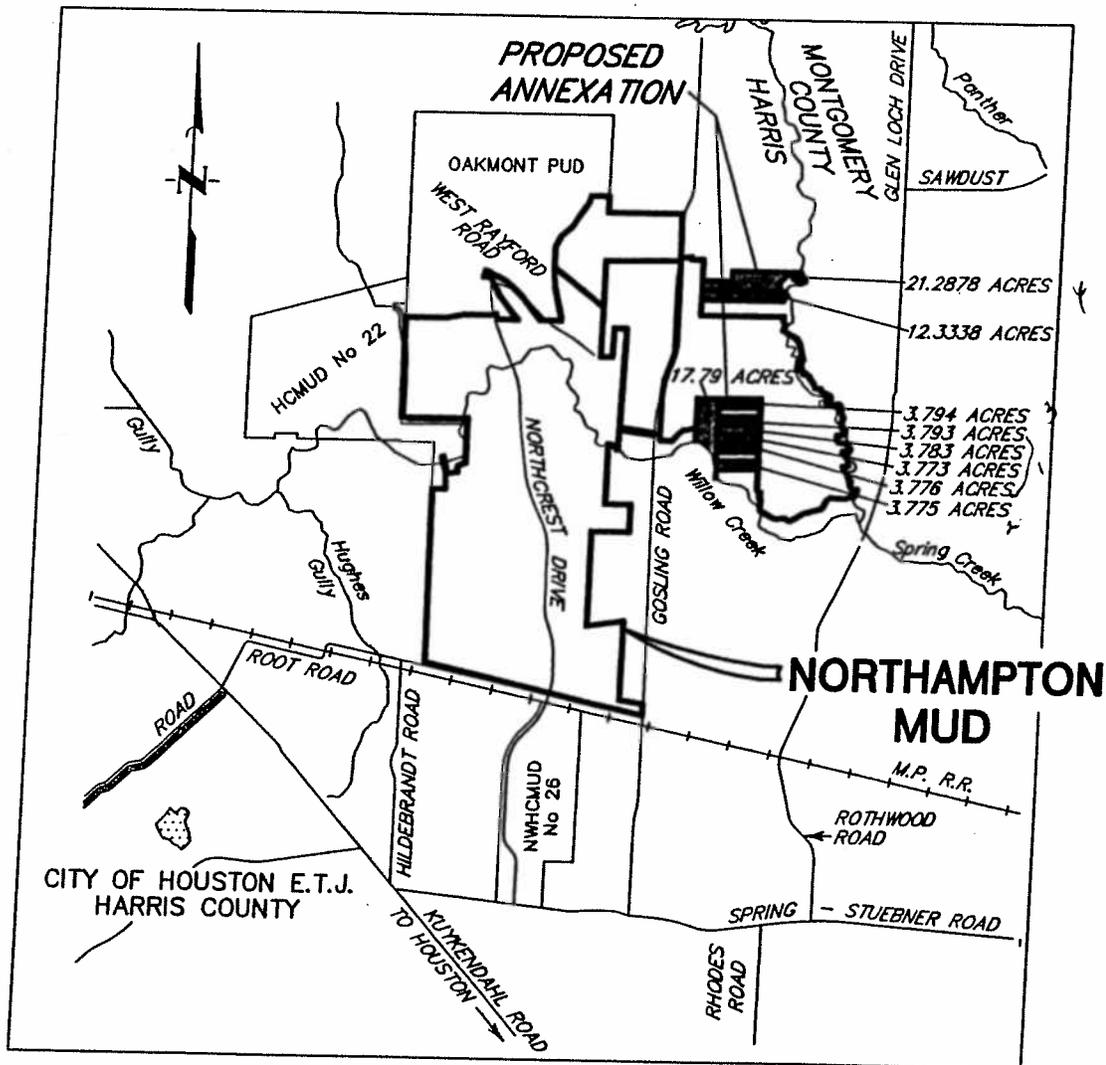
20UPA165

Finance Department

**Other Authorization:**  
*Handwritten signature: Mark L. Loethen*  
 Mark L. Loethen, P.E., CFM, PTOE  
 Deputy Director  
 Planning & Development Services Div.

**Other Authorization:**

VICINITY MAP  
 FOR ANNEXATION OF  
**74.1056 ACRES OF LAND**  
 INTO  
 NORTHAMPTON MUNICIPAL UTILITY DISTRICT  
 IN  
 HARRIS COUNTY, TEXAS



APRIL 2012

**JC JONES & CARTER, INC.**  
 ENGINEERS • PLANNERS • SURVEYORS  
 Texas Board of Professional Engineers Registration No. F-439  
 8701 New Trails Drive, Suite 200 The Woodlands, Texas 77381  
 (281) 363-4039

*2.D UPA 165*

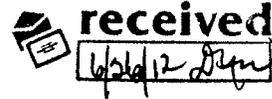
HARRIS COUNTY KEY MAP: 250-V,Y,&Z, 290-C,D,G,&H



# 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 74.1056 acres to Northampton MUD under the provisions of Chapters 49 and 54 Texas Water Code.

*John R. Wallace*  
Attorney for the District

**Attorney: Bacon & Wallace, LLP (John R. Wallace)**

Address: 6363 Woodway, Suite 800, Houston, TX Zip: 77057 Phone: 713-739-1060

**Engineer: Jones & Carter, Inc. (Erich M. Peterson, P.E.)**

Address: 8701 New Trails Dr., Ste 200, The Woodlands, TX Zip: 77381 Phone: 281-363-4039

**Owners: Houston Gosling Woodlands, L.P.**

Address: 1601 Elm Street, Suite 3400, Dallas, TX Zip: 75201 Phone: 713-653-7360

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

### LOCATION

INSIDE CITY  OUTSIDE CITY  NAME OF COUNTY (S) Harris  
Survey James Cooper Abstract 189

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

North of: Root Road East of: Gosling Road  
South of: West Rayford Road West of: Spring Creek

### WATER DISTRICT DATA

Total Acreage of District: 1,451.6354 Existing Plus Proposed Land 1,525.741

**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: Northampton MUD Wastewater Treatment Facility

NPDES/TPDES Permit No: WQ001090001 TCEQ Permit No: TX0058548



# CITY OF HOUSTON



Department of Public Works and Engineering  
Water District Consent Application Form

Existing Capacity (MGD): 1.15

Ultimate Capacity (MGD): 1.15

Size of treatment plant site: 7.0223 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: 1.15

MGD of (Regional Plant).

Name of District: Northampton MUD

MGD Capacity Allocation 0.635

or property owner(s)

Name of District: Oakmont PUD

MGD Capacity Allocation 0.440

Water Treatment Plant Name: Northampton MUD Water Plant

Water Treatment Plant Address: Water Plant No. 1 6010, Root Road, Spring, TX

Well Permit No: 1553, 1554, 4243

**Existing Capacity:**

Well(s): 2,800

GPM

Booster Pump(s): 7,550

GPM

Tank(s): 1.7

MG

**Ultimate Capacity:**

Well(s): 2,800

GPM

Booster Pump(s): 7,550

GPM

Tank(s): 1.7

MG

Size of Treatment Plant Site: 4.48

square feet/acres.

Comments or Additional Information: The District has two Water Plant sites

The Northampton MUD Treatment Facility also serves Klein Independent School District with a MGD Capacity Allocation of 0.075.

The District's Water Plant No. 2 is located at 24400 Northcrest Drive, Spring, Texas.

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

**SUBJECT:** First Amendment to Professional Engineering Services Contract between the City and Brown & Gay Engineers, Inc. for Pre-Engineering of Storm Water Drainage Improvements.  
WBS. No. M-000100-0010-3

Page  
1 of 2

Agenda Item #

30

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

**Origination Date**

**Agenda Date**

Department of Public Works and Engineering

8/2/12

AUG 08 2012

**Director's Signature:**

**Council District affected:**

*Handwritten signature*  
Daniel W. Krueger, P.E., Director

All <sup>UKC</sup>

**For additional information contact:**

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

*Handwritten signature*  
Carol Ellinger Haddock, P.E. Phone: (832) 395-2686  
Senior Assistant Director

Ordinance #: 2011-0505 <sup>UKC</sup>  
Dated: 06/22/2011

**Recommendation: (Summary)**

Approve First Amendment to the Professional Engineering Services Contract with Brown & Gay Engineers, Inc.

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

(Original (previous) appropriation \$1,150,000.00 from Drainage Improvement Commercial Paper Series F Fund No. 4030)

**PROJECT NOTICE/JUSTIFICATION:** This contract is to perform pre-engineering of storm water drainage improvements. Developing specific detailed projects to address the identified highest needs will provide candidate projects with both costs and benefits defined for citywide comparison and ranking for implementation.

**DESCRIPTION/SCOPE:** This project is part of the Storm Drainage Capital Improvement Plan (CIP) and is required to provide professional engineering services to support development of candidate projects for programming in future years. Pre-Engineering is performed either using professional engineering services or internal City staff, annually on candidate needs to define projects including detailed projects scopes, cost estimates, and implementation schedules.

**LOCATION:** The project location and limits will be established by the work order.

**PREVIOUS HISTORY AND SCOPE:** The original Contract was approved by Council on June 22, 2011 under Ordinance No. 2011-0505. The scope of services under the Original Contract consisted of execution of Pre-Engineering services, including development of a hydrodynamic storm water drainage model and preparation of an engineering report and investigation, verification and definition of reported drainage problems, structural flooding, and storm system capacity issues in the assessment area and determine if a project is warranted for inclusion in the storm water CIP. The Notice to Proceed was recently issued on May 3, 2012.

**REQUIRED AUTHORIZATION**

CUIC ID #20IPB031

NOT

**Finance Department:**

**Other Authorization:**

**Other Authorization:**

*Handwritten signature*

Mark L. Loethen, P.E., CFM, PTOE,  
Deputy Director

Planning & Development Services Division

**SUBJECT:** First Amendment to Professional Engineering Services Contract between the City and Brown & Gay Engineers, Inc. for Pre-Engineering of Storm Water Drainage Improvements.  
WBS. No. M-000100-0010-3

**Originator's  
Initials**

**Page  
2 of 2**

**AMENDMENT - SCOPE OF SERVICES:** Under this Amendment, Exhibit A of the Original Agreement, Scope of Services, as passed by Ordinance 2011-0505, is deleted in its entirety, and replaced with Exhibit A-1, Scope of Services, Pre-Engineering of Storm Water Drainage Improvements. The current Exhibit A limits the consultant's ability to develop alternative solutions other than storm sewer systems. In the revised Exhibit A-1, the engineer can develop and analyze several alternative solutions such as buyout, sheet flow, storm sewer pipe, storm water detention, open ditch, outfall size adequacy, and others. This is a work order contract; therefore, Exhibit B is not applicable. Under Exhibit A-1, the goal of pre-engineering is to develop alternative solutions to address highest needs areas. From these solutions, candidate project(s) will be defined with detailed scopes, cost estimates and benefits.

No additional funds are needed for this first amendment.

**M/WBE INFORMATION:** Due to limited opportunities to engage M/WBE firms in this project, the standard 24% M/WBE goal is not attainable. The M/WBE goal for the project is set at 15%. The Good Faith Efforts by Brown & Gay Engineers, Inc. were reviewed and approved by the Office of Business Opportunity Division in the Original (previous) Contract.

*CEH JAR UKC*  
MLL:CEH:JAR:UKC:eb

31

AUG 08 2012

MOTION NO. 2012 0610

MOTION by Council Member Gonzalez that an item be placed on the Agenda of August 8, 2012, to receive nominations for appointments from each Council Member for the Public Safety Advisory Committee Board of Directors, for staggered terms from the date of appointment.

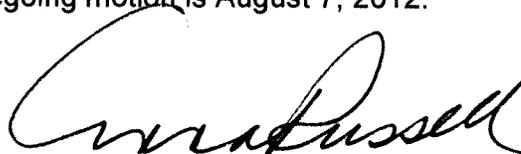
Seconded by Council Member Adams and carried.

Mayor Parker, Council Members Brown, Davis, Cohen, Adams, Sullivan, Hoang, Pennington, Gonzalez, Rodriguez, Laster, Green, Costello, Noriega, Bradford and Christie voting aye  
Nays none

Council Member Burks absent on personal business

PASSED AND ADOPTED this 1st day of August 2012.

Pursuant to Article VI, Section 6 of the City Charter, the effective date of the foregoing motion is August 7, 2012.

  
City Secretary