

AGENDA - COUNCIL MEETING - TUESDAY - APRIL 9, 2013 - 1:30 P. M.
COUNCIL CHAMBER - SECOND FLOOR - CITY HALL
901 BAGBY - HOUSTON, TEXAS

INVOCATION AND PLEDGE OF ALLEGIANCE - Council Member Rodriguez

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 - APRIL 10, 2013 - 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** on proposals for the City of Houston to enter into separate Strategic Partnership Agreements with the below named Districts in Harris County, Fort Bend County and Montgomery County; on separate proposals by the City of Houston to annex for limited purposes certain territory within said Districts; and on separate proposals by the City of Houston to annex for limited purposes certain territory in the vicinity of certain Districts:
 1. Harris County Municipal Utility District No. 120
 2. Fort Bend County Municipal Utility District No. 194
 3. White Oak Bend Municipal Utility District
 4. Cinco Municipal Utility District No. 12
 5. Harris County Municipal Utility District No. 345
 6. Cornerstones Municipal Utility District
 7. Harris County Water Control and Improvement District No. 109
 8. Northwest Harris County Municipal Utility District No. 5
 9. Dowdell Municipal Utility District
2. **PUBLIC HEARING** regarding the designation of a **TAX ABATEMENT REINVESTMENT ZONE** for **CYRUS ONE, LLP (CYRUS ONE ZONE) - DISTRICT A - BROWN**
3. **PUBLIC HEARING** to consider amendments to Chapter 42 of the Code of Ordinances, including portions of Article I, Article II (Divisions 1, 2 and 3) and Article III (Divisions 1, 2, 3, 4, 7 and 8)

MAYOR'S REPORT

CONSENT AGENDA NUMBERS 4 through 34

MISCELLANEOUS - NUMBER 4

4. REQUEST from Mayor for confirmation of the appointment or reappointment of the following individuals to the **REINVESTMENT ZONE NUMBER FIVE, CITY OF HOUSTON, TEXAS (MEMORIAL HEIGHTS ZONE) BOARD OF DIRECTORS:**
 - Position One - **J. ANDREW MACPHILLIMY**, appointment, for a term to expire 12/31/2014
 - Position Two - **ANN LENTS**, reappointment, for a term to expire 12/31/2013, and appointment to serve as Chair, for a term to expire 12/31/2013
 - Position Three - **BRYAN BROWN**, reappointment, for a term to expire 12/31/2014
 - Position Five - **ALEJANDRO COLOM**, reappointment, for a term to expire 12/31/2014

ACCEPT WORK - NUMBERS 5 through 8

5. RECOMMENDATION from Director General Services Department for approval of final contract amount of \$143,851.00 and acceptance of work on contract with **TRI-POINT CONSTRUCTION SERVICES INCORPORATED** for Edgewood Park Gym Demolition - 6.93% over the original contract amount and under the 10% contingency - **DISTRICT D - ADAMS**
6. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$765,370.70 and acceptance of work on contract with **TIKON GROUP, INC** for Safe Sidewalk Project - 1.58% over the original contract amount and under the 5% contingency - **DISTRICTS D - ADAMS and I - RODRIGUEZ**
7. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,364,709.50 and acceptance of work on contract with **INDUSTRIAL TX CORP.** for Bissonnet No. 2 and Belle Park No. 3 Lift Station Replacement - 7.68% under the original contract amount - **DISTRICTS F - HOANG and J - LASTER**
8. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$2,318,337.71 and acceptance of work on contract with **DCE CONSTRUCTION, INC** for Water Line Replacement in Janowski Area - 1.82% under the original contract amount - **DISTRICT H - GONZALEZ**

PROPERTY - NUMBER 9

9. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from David Hulsey, on behalf of Bulmaro Espinoza and L. McBride, declining the acceptance of, rejecting, and refusing the dedication of Charles Street, from Stabler Lane west to its terminus, located within the Mixon Place Subdivision, out of the H.&T.C.R.R. Survey, A-1016, Parcel SY13-004 - **DISTRICT H - GONZALEZ**

PURCHASING AND TABULATION OF BIDS - NUMBER 10

10. **CALDWELL AUTOMOTIVE PARTNERS, LLC d/b/a CALDWELL COUNTRY FORD** for Medium-Duty Cab & Chassis and Aerial Bucket Lift Truck Body for the Department of Public Works & Engineering - \$72,745.00 - Enterprise Fund

RESOLUTIONS AND ORDINANCES - NUMBERS 11 through 34

11. RESOLUTION declaring members of the Technical Advisory Group of Houston Forensic Science LGC, Inc, to be "covered persons" within the meaning of Chapter 2, Article X, of the Code of Ordinances, City of Houston, Texas
12. ORDINANCE **AMENDING SECTION 39-2 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to disturbing or removing contents of garbage containers; containing other provisions relating to the foregoing subject; providing for severability
13. ORDINANCE supplementing the City of Houston, Texas Combined Utility System Master Ordinance; providing for the issuance of Combined Utility System First Lien Revenue and Refunding Bonds, Series 2013B in one or more series or subseries as may be further designated; authorizing the Mayor and City Controller to approve the amounts, interest rates, prices, and terms thereof and certain other matters relating thereto; providing for the payment thereof; making other provisions regarding such bonds including the use of a Preliminary Official Statement and authorizing the preparation and distribution of an Official Statement and matters incident thereto; awarding the sale of the bonds; authorizing the defeasance, final payment, and discharge of Certain Outstanding Combined Utility System Commercial Paper Notes; authorizing the execution and delivery of an Escrow Agreement; authorizing the purchase of and subscription for Certain Escrowed Securities; authorizing Escrow Verification and engagement of an Escrow Agent; authorizing a Co-Bond Counsel Agreement and a Special Disclosure Co-Counsel Agreement; authorizing the execution and delivery of a Paying Agent/Registrar Agreement, and other related documents; making other provisions regarding such bonds; and declaring emergency
14. ORDINANCE continuing the City's Juvenile Curfew Ordinance; containing findings and other provisions relating to the foregoing subject; providing for severability
15. ORDINANCE approving and authorizing an agreement for Behavioral Surveillance Services between the City of Houston and **THE UNIVERSITY OF TEXAS HEALTH SCIENCE CENTER AT HOUSTON**; establishing a maximum contract amount - \$1,500,000.00 - Grant Fund
16. ORDINANCE approving and authorizing contract between the City and the **UNIVERSITY OF TEXAS HEALTH SCIENCE CENTER AT HOUSTON** for Tuberculosis Physician Services; providing a maximum contract amount - \$78,000.00 - Grant Fund
17. ORDINANCE approving and authorizing first amendment to contract between the City of Houston and **AIDS COALITION OF COASTAL TEXAS, INC**, to extend the original contract and provide an additional \$322,060.00 in Housing Opportunities for Persons With AIDS Funds for the continuing administration of a Tenant-Based Rental Assistance and Short-Term Rent, Mortgage, and Utility Assistance Program, and the provision of supportive services
18. ORDINANCE approving and authorizing agreement between the City of Houston and **BERING OMEGA COMMUNITY SERVICES** to provide a \$1,100,000.00 grant of Federal Community Development Block Grant Funds for costs associated with the acquisition of property located at 2920 Fannin Street, Houston, Texas, to be used as the site for a community facility which will serve low- and moderate-income persons - **DISTRICT D - ADAMS**
19. ORDINANCE appropriating \$1,140,640.00 out of Equipment Acquisition Consolidated Fund for the purchase of Capital Equipment for the Houston Fire Department
20. ORDINANCE appropriating \$150,000.00 out of Equipment Acquisition Consolidated Fund for the Active Directory and Exchange Program (Approved by Ordinance No. 2012-0608)

RESOLUTIONS AND ORDINANCES - continued

21. ORDINANCE approving and authorizing contract between the City of Houston and the **HOUSTON PARKS BOARD** for the provision and acceptance of Local Funds for the construction of projects funded by the US DOT Transportation Investment Generating Economic Recovery (TIGER) Grant (Approved by Ordinance No. 2011-912) - **DISTRICTS A - BROWN; C - COHEN; D - ADAMS; H - GONZALEZ and I - RODRIGUEZ**
22. ORDINANCE approving and authorizing contract between the City of Houston and **BUFFALO BAYOU PARTNERSHIP** for the provision and acceptance of Local Funds for the construction of projects funded by the US DOT Transportation Investment Generating Economic Recovery (TIGER) Grant (Approved by Ordinance No. 2011-912) - **DISTRICT I - RODRIGUEZ**
23. ORDINANCE approving and authorizing contract between the City of Houston and the **GREATER EAST END MANAGEMENT DISTRICT** for the provision and acceptance of Local Funds for the design and construction of projects funded by the US DOT Transportation Investment Generating Economic Recovery (TIGER) Grant (Approved by Ordinance No. 2011-912) - **DISTRICTS H - GONZALEZ and I - RODRIGUEZ**
24. ORDINANCE awarding contract to **SUPERIOR BUILDING SERVICES, INC** for Window and Building Surface Cleaning Services for the Houston Airport System; providing a maximum contract amount - 3 Years with two one-year options - \$1,060,664.45 - Enterprise Fund
25. ORDINANCE approving and authorizing the Concession Agreement between the City of Houston and **MARK LATIGUE dba MARK LATIGUE CATERING CO.** for Operation of the Concession Services at the Houston Permitting Center - (\$15,000.00 - Building Inspection Fund for build out) Revenue - **DISTRICT H - GONZALEZ**
26. ORDINANCE consenting to the addition of 3.60 acres of land to **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 230**, for inclusion in its district
27. ORDINANCE consenting to the addition of 8.8557 acres of land to **NORTHAMPTON MUNICIPAL UTILITY DISTRICT**, for inclusion in its district
28. ORDINANCE consenting to the addition of 12.949 acres of land to **REMINGTON MUNICIPAL UTILITY DISTRICT NO. 1, OF HARRIS COUNTY, TEXAS**, for inclusion in its district
29. MUNICIPAL Setting Designation Ordinance prohibiting the use of designated groundwater beneath a tract of land containing an aggregate of 2.2587 acres commonly known as 1600 / 1714 / 1716 / 1720 Memorial Drive and 1708 State Street, Houston, Harris County, Texas; and supporting issuance of a Municipal Setting Designation by the Texas Commission on Environmental Quality - **DISTRICT H - GONZALEZ**
30. MUNICIPAL Setting Designation Ordinance prohibiting the use of designated groundwater beneath a tract of land containing 1.931 acres commonly known as 8600 Commerce Park Drive, Houston, Harris County, Texas; and supporting issuance of a Municipal Setting Designation by the Texas Commission on Environmental Quality - **DISTRICT J - LASTER**
31. ORDINANCE appropriating \$347,303.00 out of Street & Traffic Control & Storm Drainage DDSRF and approving and authorizing Professional Engineering Services Contract between the City of Houston and **DANNENBAUM ENGINEERING CORPORATION** for Laura Koppe Road Paving & Drainage: Hirsch to Homestead; providing funding for contingencies relating to construction of facilities financed by the Street and Traffic Control & Storm Drainage DDSRF - **DISTRICT B - DAVIS**

RESOLUTIONS AND ORDINANCES - continued

32. ORDINANCE appropriating \$1,515,500.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **GUPTA & ASSOCIATES, INC** for Southwest Wastewater Treatment Plant Improvements (Package 3); providing funding for CIP Cost Recovery relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund **DISTRICT C - COHEN**
33. ORDINANCE appropriating \$345,000.00 out of Water & Sewer System Consolidated Construction Fund as an additional appropriation to Professional Engineering Services Contract between the City of Houston and **JONES & CARTER, INC** for the Design of On-Call Water Facility Projects (Approved by Ordinance No. 2009-0308); providing funding for CIP Cost Recovery relating to construction of facilities financed by Water & Sewer System Consolidated Construction Fund
34. ORDINANCE appropriating \$2,585,500.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **CDM SMITH, INC** for Engineering Services associated with the Replacement and Rehabilitation of Valves, Control Devices and Rapid Mixers at Plants 1, 2 & 3 at the East Water Purification Plant; providing funding for CIP Cost Recovery relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT E - MARTIN**

END OF CONSENT AGENDA

CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA

NON CONSENT AGENDA - NUMBER 35

MISCELLANEOUS

35. **SET A PUBLIC HEARING DATE** regarding the fourth amendment to the Project Plan and Reinvestment Zone Financing Plan for **REINVESTMENT ZONE NUMBER SIXTEEN (UPTOWN ZONE) - DISTRICTS C - COHEN; G - PENNINGTON and J - LASTER**
HEARING DATE - 9:00 A.M. - WEDNESDAY - APRIL 24, 2013

MATTERS HELD - NUMBERS 36 through 39

36. ORDINANCE **AMENDING CHAPTER 47 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to City water service and water service charges; containing other provisions relating to the foregoing subject; providing for severability
TAGGED BY COUNCIL MEMBERS COHEN and BRADFORD
This was Item 9 on Agenda of April 3, 2013

MATTERS HELD - continued

37. ORDINANCE authorizing the issuance of the City of Houston, Texas Qualified Energy Conservation Tax Notes (QECB Direct Pay to Issuer), Series 2013Q; authorizing the Mayor, City Controller and/or certain other designated City Officials to approve the sale, principal amount, interest rates, prices and terms thereof; authorizing and approving a Purchase Contract, Paying Agent/Registrar Agreement and other related Documents; approving the use of a Preliminary Official Statement and authorizing the preparation and distribution of an Official Statement in connection with such offerings; ratifying the designation of Bond Counsel and Special Disclosure Counsel; making certain findings and other provisions regarding such notes and matters incident thereto; and declaring an emergency - **TAGGED BY COUNCIL MEMBER PENNINGTON**
This was Item 12 on Agenda of April 3, 2013
38. ORDINANCE pursuant to and implementing the provisions of Ordinance No. 2012-685, appropriating \$1,800,000.00 of Section 108 HUD-Guaranteed Loan Funds; allocating \$5,550,000.00 of EDI Grant Funds; approving and authorizing the issuance of non-recourse City of Houston notes in the amount of \$1,800,000.00, a contract for loan guarantee assistance and related loan documents between the City of Houston and the **UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT** and a Loan Agreement and related documents between the City of Houston and **806 MAIN, LLC** to provide a \$7,350,000.00 Second Lien Loan to finance acquisition, furniture and equipment costs related to the redevelopment of the building located at 806 Main Street, Houston, Texas - **DISTRICT I - RODRIGUEZ** - **TAGGED BY COUNCIL MEMBER BROWN**
This was Item 14 on Agenda of April 3, 2013
39. ORDINANCE approving and authorizing Revenue Contract between the City of Houston and **ELEMENT MARKETS, LLC** for Emission Credit Brokerage Services for the Public Works & Engineering Department - **TAGGED BY COUNCIL MEMBER BROWN**
This was Item 17 on Agenda of April 3, 2013

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

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

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

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

**CITY COUNCIL CHAMBER - CITY HALL 2nd FLOOR - TUESDAY
APRIL 9, 2013 - 2:00PM**

AGENDA

3MIN 3MIN 3MIN

NON- AGENDA

2MIN 2MIN 2MIN

3MIN 3MIN 3MIN

MR. /COACH R. J. BOBBY TAYLOR - 3107 Sumpter - 77026 - FA34511 – Behavior Coward Conspiracy
my born little girl from birth

MS. APPLESS STEWART – 7450 Lakewood – 77016 – 713-885-3070 – Plan to protect our kids nationwide

MS. ANNIE LYLES – 5417 Crane - 77025 – 713-670-0448 – Harassment

MR. JOHN LEWIS – 9639 Hillcroft – 77096 – 713-816-1351 – Honoring minority contract

MR. ADDISU WALGA - 5740 Gulfton – 77081 – 713-367-7661 - Taxicab

MS. YOLANDA WILLIAMS – 7333 Easter St. – 77088 – 832-328-8878 – Police incident (HPD)

MR. PEDRO SOSA – 2011 Brown Holly – 77018 – 832-466-6406 – Health care cost increase

MS. DEBORAH ALLEN – Post Office Box 263252 – 3252 – 713-264-0127 – Street repair Anna Held at the
bridge

PREVIOUS

1MIN 1MIN 1MIN

PRESIDENT JOSEPH CHARLES - Post Office Box 524373 - 77052-4373 – 713-928-2871 – Mafia –
c/Government – HPD – Paid Mafia Terrorist Mobs Millions – Assassination Conspiracy

1
APR 10 2013

1. **PUBLIC HEARING** on proposals for the City of Houston to enter into separate Strategic Partnership Agreements with the below named Districts in Harris County, Fort Bend County and Montgomery County; on separate proposals by the City of Houston to annex for limited purposes certain territory within said Districts; and on separate proposals by the City of Houston to annex for limited purposes certain territory in the vicinity of certain Districts:

1. Harris County Municipal Utility District No. 120 (Amendment 3)
2. Fort Bend County Municipal Utility District No. 194 (Amendment 1)
3. White Oak Bend Municipal Utility District (Amendment 1)
4. Cinco Municipal Utility District No. 12 (Amendment 2)
5. Harris County Municipal Utility District No. 345
6. Cornerstones Municipal Utility District
7. Harris County Water Control and Improvement District No. 109 (Amendment 3)
8. Northwest Harris County Municipal Utility District No. 5 (Amendment 1)
9. Dowdell Municipal Utility District

3
APR 10 2013

MOTION NO. 2013 0174

MOTION by Council Member Laster that the recommendation of the Director of the Planning and Development Department, to set a hearing date to consider the amendments to Chapter 42 of the Code of Ordinances, including amending portions of Article I, Article II (Divisions 1, 2 and 3) and Article III (Divisions 1, 2, 3, 4, 7 and 8), be adopted, and a Public Hearing be set for 9:00 a.m., Wednesday, April 10, 2013 in the City Council Chamber, Second Floor, City Hall.

Seconded by Council Member Bradford and carried.

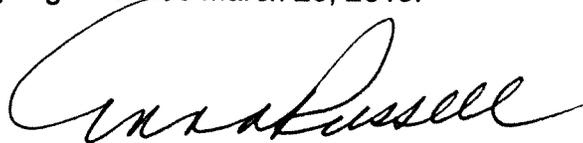
Mayor Parker, Council Members Brown, Davis, Cohen, Martin, Pennington, Rodriguez, Laster, Green, Costello, Burks, Noriega, Bradford and Christie voting aye
Nays none

Council Member Adams absent on personal business

Council Members Hoang and Gonzalez absent on City business

PASSED AND ADOPTED this 20th day of March 2013.

Pursuant to Article VI, Section 6 of the City Charter, the effective date of the foregoing motion is March 26, 2013.


City Secretary



ANNISE D. PARKER
MAYOR

OFFICE OF THE MAYOR
CITY OF HOUSTON
TEXAS

4

APR 10 2013

COPY TO EACH MEMBER OF COUNCIL:

CITY SECRETARY: 3-21-13
date

COUNCIL MEMBER: _____

March 15, 2013

The Honorable City Council
City of Houston, Texas

Dear Council Members:

Pursuant to Texas Tax Code, Chapter 311, and City of Houston, Texas Ordinance No. 96-1337, I am nominating the following individuals for appointment or reappointment to the Reinvestment Zone Number Five, City of Houston, Texas (Memorial Heights Zone) Board of Directors, subject to Council confirmation:

- J. Andrew MacPhillimy, appointment to Position One, for a term to expire December 31, 2014;
- Ann Lents, reappointment to Position Two, for a term to expire December 31, 2013 and appointment to serve as Chair, for a term to expire December 31, 2013;
- Bryan Brown, reappointment to Position Three, for a term to expire December 31, 2014;
- and
- Alejandro Colom, reappointment to Position Five, for a term to expire December 31, 2014.

Pursuant to the bylaws of the Memorial-Heights Redevelopment Authority, appointment of a member to the Board of Directors of this Zone will also constitute appointment of the appointee to the corresponding position on the Board of Directors of the Authority for the same term.

The résumés 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



4

TO: Mayor via City Secretary REQUEST FOR COUNCIL ACTION

SUBJECT: Accept Work
Tri-Point Construction Services Incorporated
Edgewood Park Gym Demolition
WBS No. F-000772-0001-4

Page
1 of 1

Agenda
Item
5

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

Origination Date
4/4/13

Agenda Date
APR 10 2013

DIRECTOR'S SIGNATURE:

Scott Minnix *Scott Minnix* 3/24/13

Council District(s) affected:
D

For additional information contact:
Jacquelyn L. Nisby Phone: 832-393-8023

Date and identification of prior authorizing
Council action:
Ordinance No. 2012-289, April 11, 2012

RECOMMENDATION: The General Services Department recommends approval of final contract amount of \$143,851.00 and acceptance of work on contract with Tri-Point Construction Services Incorporated for Edgewood Park Gym Demolition - 6.93% over the original contract amount and under the approved 10% contingency.

Amount and Source of Funding: No Additional Funding Required

Finance Budget:

Previous Funding:
\$ 156,722.50 Parks Consolidated Construction Fund (4502)

SPECIFIC EXPLANATION: The General Services Department recommends that City Council approve the final contract amount of \$143,851.00 or 6.93% over the original contract amount, accept the work and authorize final payment to Tri-Point Construction Services Incorporated for construction services in connection with Edgewood Park Gym Demolition for the Houston Parks and Recreation Department.

PROJECT LOCATION: 5803 Belfort (534X)

PROJECT DESCRIPTION: The project demolished the gymnasium, slab, and associated mechanical room; replaced a portion of the fence around the building; provided minor renovation to the existing restrooms, replaced sidewalk, graded site and installed new sod.

Clark Condon Associates was the design consultant and construction manager for the project.

CONTRACT COMPLETION AND COST: The contractor completed the project within 52 days: the original contract time of 45 days plus 7 days approved by Change Orders. The final cost of the project, including Change Orders is \$143,851.00, an increase of \$9,326.00 over the original contract amount.

PREVIOUS CHANGE ORDERS: Change Orders 1 and 2 installed a temporary wall and access gate at breezeway during demolition to secure the construction site and provide access to existing facilities; removed and replaced broken sidewalk along Belfort Street; and installed new soap dispensers in the restrooms.

SM:JLN:RAV:JJ:MS:ms

c: Marta Crinejo, Jacquelyn Nisby, Mark Ross, Luci Correa, Calvin Curtis, Morris Scott, Christopher Gonzales, Martha Leyva, Beatrice Ornelas, File 1008

REQUIRED AUTHORIZATION

CUIC ID # 25PARK197

General Services Department:

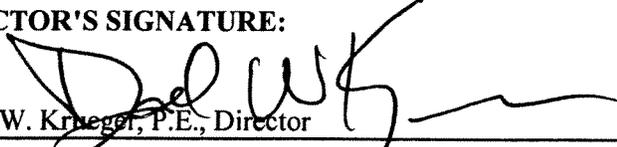
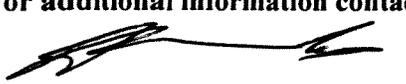
Houston Parks and Recreation Department:

Richard A. Vella
Richard A. Vella
Chief of Design & Construction Division

Joe Turner
Joe Turner
Director

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Accept Work for Safe Sidewalk Project; WBS No. N-00610A-00L3-4.	Page 1 of 1	Agenda Item # 6
FROM (Department or other point of origin): Department of Public Works and Engineering	Origination Date 4/4/13	Agenda Date APR 10 2013
DIRECTOR'S SIGNATURE:  Daniel W. Krueger, P.E., Director	Council District affected: D, I (D, I) 9	
For additional information contact:  Daniel R. Menendez, P.E. Deputy Director Phone: (832) 395-2201	Date and identification of prior authorizing Council action: Ord. # 2011-0456 dated: 06/08/2011	

RECOMMENDATION: (Summary) Pass a motion to approve the final Contract Amount of \$765,370.70 or 1.58% over the original Contract Amount and under 5% contingency amount, accept the Work and authorize final payment.

Amount and Source of Funding: No additional funding required. Total (original) appropriation of \$888,900.00 from Street and Bridge Consolidated Construction Fund No. 4506.

PROJECT NOTICE/JUSTIFICATION: This project was part of the continuing effort by the City to construct sidewalks throughout the City of Houston to meet the needs of its residents.

DESCRIPTION/SCOPE: This project provided for the construction of sidewalk improvements at numerous locations. United Engineers, Inc. designed the project with 105 calendar days allowed for construction. The project was awarded to Tikon Group, Inc., Inc. with original Contract amount of \$753,477.00.

LOCATION: This project is located in Council Districts D, and I. The project is located in various Key Map Grids.

CONTRACT COMPLETION AND COST: The Contractor, Tikon Group, Inc., has completed the work under the subject Contract. The project was completed within the Contract Time. The final cost of the project, including overrun and underrun of estimated bid quantities and previously approved Change Order No. 1 is \$765,370.70, an increase of \$11,893.70 or 1.58% over the original Contract Amount.

The increased cost is a result of the difference between planned and measured quantities. This increase is primarily the result of previously approved Change Order No. 1, which was necessary to complete the project.

M/SBE PARTICIPATION: The Contract was not a goal-oriented Contract per Art. V, Chapter 15.


DWK:DRM:PK.MZ:ha

H:\E&C Construction\East Sector\PROJECTS\N-00610A-00L3-4 SSP L3\Close Out\RCA\RCA - Closeout.doc

REQUIRED AUTHORIZATION

20HA219 **NA**

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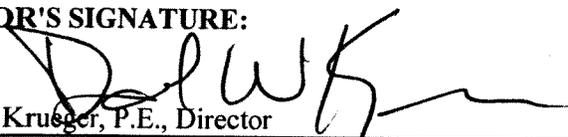
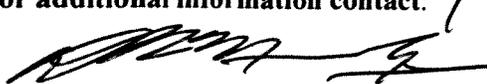


CITY OF HOUSTON
 Department of Public Works & Engineering
 Street and Bridge/Stormwater Engineering and Construction Branch

PROJECT STREET LIST

Project Name : Tikon Group, Inc. Project No. : N-00610A-00L3-4
 Contractor : Contract No. : 4600010994

Street	From Street	To Street	KEY MAP	Council District	Start Date	Comp Date	Status	Comments
Barberry	Rack	Dulcimer	573B	D			Complete	Added to Project WCD 1
Beachwood st	Ward St	Idaho St	533Q	D			Complete	
Bois D' Arc St	La Paseo St	Honeysuckle Dr	534V	D			Complete	
Cambridge St	Holly Hall St.	Naomi St.	533N	D			Complete	
Court Rd	Angel Island Ln	S Post Oak Rd.	611B,C	D			Complete	
Crestmont St	Bellfort St	S. Loop 610	534PT,X	D			Complete	
Driftwood St	Ward St	Idaho St	533Q	D			Complete	
Dulcimer	Barberry	Dawson	573B	D			Complete	Added to Project WCD 1
Ennis St	Ruth St	Blodgett St	533C	D			Complete	
Evergreen St	Arnim St.	Arnim St	535J	D			Complete	
Hiram Clarke Rd.	Wuthering Heights Rd	Tidewater Dr.	571M	D			Complete	
La Peseo St	Waltrip st	Bosi D' Arc St	534V	D			Complete	
Macgregor Way	Armore St	Tierwester St	533G	I			Complete	Eliminated North Side not Needed
Rack	Bloomfield	Barberry	573B	D			Complete	Added to Project WCD 1
Roxbury Rd	Plainview St	Waltrip St	534V	I			Complete	
S. Wayside Dr	Lazywood Ln	Glenmore Dr	534L	D			Complete	
Sherwood Dr	Yellowstone Blvd	Idaho St	533Q	I			Complete	
Tavenor Ln	Glenhollow Dr.	Dead-end	573M	I			Complete	
Ward St	Scott St	Sherwood Dr	533Q	I			Complete	
Yellowstone Blvd	Scott St	Sherwood St	533L	I			Complete	

SUBJECT: Accept Work for Bissonnet No.2 and Belle Park No.3 Lift Station Replacement; WBS No. R-000267-00E1-4 and R-000267-00E3-4.	Page 1 of 1	Agenda Item # 7
FROM (Department or other point of origin): Department of Public Works and Engineering	Origination Date 4/4/13	Agenda Date APR 10 2013
DIRECTOR'S SIGNATURE:  Daniel W. Krueger, P.E., Director	Council District affected: (F) J, F 	
For additional information contact:  Daniel R. Menendez, P.E. Deputy Director Phone: (832) 395-2201	Date and identification of prior authorizing Council action: Ord. # 2011-0787 dated: 09/14/2011	

RECOMMENDATION: (Summary) Pass a motion to approve the final Contract Amount of \$1,364,709.50 or 7.68% under the original Contract Amount, accept the Work, and authorize final payment.

Amount and Source of Funding: No additional funding required. Total (original) appropriation of \$1,896,500.00 from Water and Sewer System Consolidated Construction Fund No. 8500.

PROJECT NOTICE/JUSTIFICATION: This project was part of City's ongoing program to upgrade its wastewater facilities.

DESCRIPTION/SCOPE: This project consisted of the demolition of existing lift station and construction of replacement the lift stations, on site, including but not limited to: replacement pumps, valves, ventilation system, safety hatch, upgrade of electrical and instrumentation. Dannenbaum Engineering Corporation designed the project with 330 calendar days allowed for construction. The project was awarded to Industrial TX Corp., with an original Contract Amount of \$1,478,173.00.

LOCATION: The projects are located at 8730 Bissonnet, Key Map 530T and 8647 Belle Park Drive, Key Map 529P.

CONTRACT COMPLETION AND COST: The Contractor, Industrial TX Corp., has completed the work under the subject Contract. The project was completed within the Contract Time with an additional 11 days approved by Change Order No.1. The final cost of the project, including overrun and underrun of estimated bid quantities is \$1,364,709.50, a decrease of \$113,463.50 or 7.68% under the original Contract Amount.

The decreased cost is a result of the difference between planned and measured quantities. This decrease is primarily the result of an underrun in various bid items of Base Unit Price Items of Bissonnet #2 and Belle Park #3, Extra Unit Price Items, which were not necessary to complete the project.

M/W/SBE PARTICIPATION: The M/W/SBE goal established for this project was 18%. According to Mayor's Office of Business Opportunity, the participation was 18.04%. Contractor's M/W/SBE performance evaluation was rated Satisfactory.

DWK:DRM:SKF:RC:ha

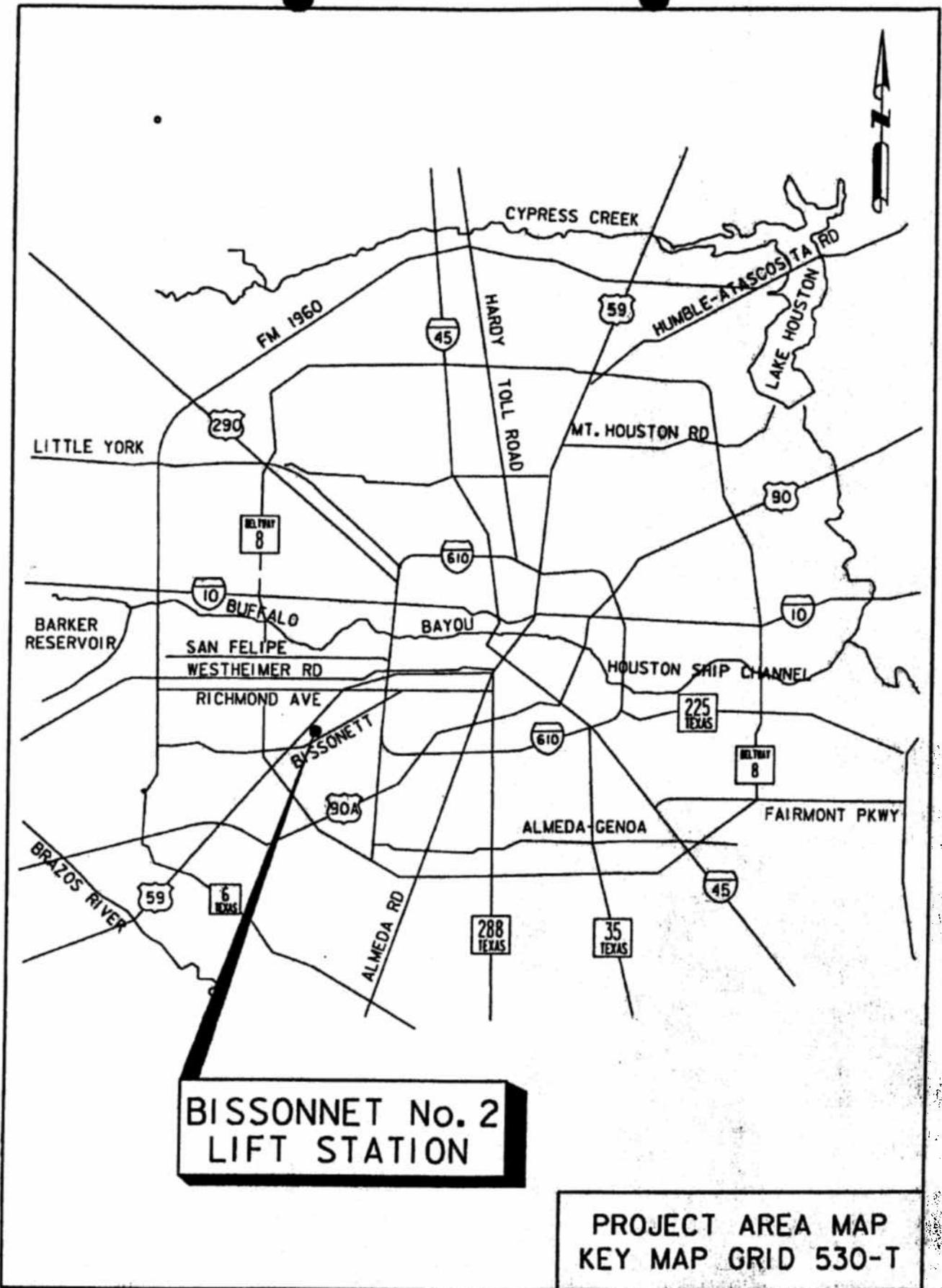
H:\E&C Construction\Facilities\Projects\R-000267-00E1-4 & R-000267-00E3-4 BISSONNET NUMBER 2 & BELLE PARK nO. 3 LIFT STATION\RCARCA - Closeout.doc

REQUIRED AUTHORIZATION

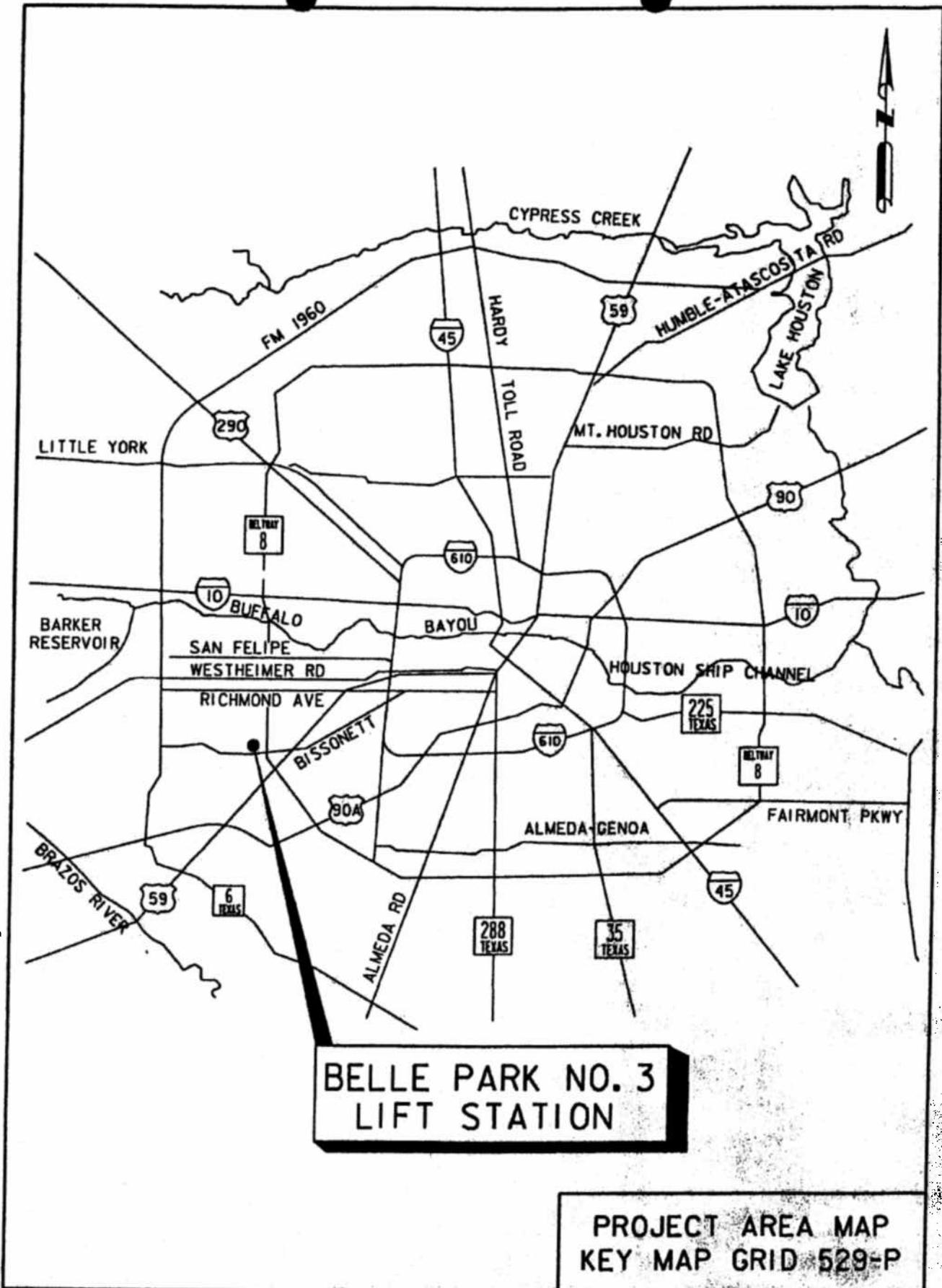
20HA215 **10**

Finance Department:	Other Authorization:	Other Authorization:  Daniel R. Menendez, P.E., Deputy Director Engineering and Construction Division
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DESIGN FILE: d:\HML\IFT_STA_EXHIBITS\BISSONNET.DGN



DESIGN FILE: d:\MPL\LIFT_STA_EXHIBITS\BELLEPARK.dgn

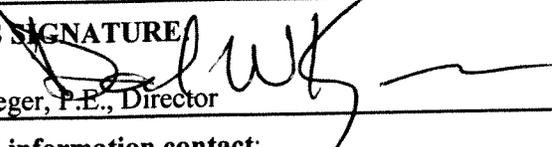


TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Accept Work for Water Line Replacement in Janowski Area; WBS No. S-000035-0102-4.	Page 1 of 2	Agenda Item # 8
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FROM (Department or other point of origin): Department of Public Works and Engineering	Origination Date 4/4/13	Agenda Date APR 10 2013
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DIRECTOR'S SIGNATURE  Daniel W. Krueger, P.E., Director	Council District affected: H (H)	
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For additional information contact:  Daniel R. Menendez, P.E. Deputy Director Phone: (832) 395-2201	Date and identification of prior authorizing Council action: Ord. # 2011-0790 dated: 09/14/2011	
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RECOMMENDATION: (Summary) Pass a motion to approve the final Contract Amount of \$2,318,337.71 or 1.82% under the original Contract Amount, accept the work, and authorize final payment.

Amount and Source of Funding: No additional funding required. Total (original) appropriation of \$2,798,100.00 from Water and Sewer System Consolidated Construction Fund No. 8500.

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

DESCRIPTION/SCOPE: This project consisted of approximately 76 linear feet of 4-inch diameter, 4,108 linear feet of 6-inch diameter, and 33,918 linear feet of 8-inch diameter water line including valves, fittings, connections, fire hydrants and appurtenances. Jaymark Engineering Corporation designed the project with 320 calendar days allowed for construction. The project was awarded to DCE Construction, Inc. with an original Contract Amount of \$2,361,353.60.

LOCATION: The project is located in four areas:

Areas	Bounded by	Key Map Grid	Council District
Area 1.	Innsdale Dr. on the north, E. Tidwell Rd. on the south, Goldcrest St. on the east, and MC Gallion Rd. on the west.	453C	H
Area 2.	Berry Rd. on the north, E. Crosstimbers St. on the south, Appleton St. on the east, and Fulton St. on the west.	453 F, G, K, L	H
Area 3.	Moody St. on the north, Weiss St. on the south, Elser St. on the east, and Moore St. on the east.	453 V, Z	H
Area 4.	Erin St. on the north, Fulton St. on the south, Edison St. on the east, and Beggs St. on the west.	453 Y	H

CONTRACT COMPLETION AND COST: The Contractor, DCE Construction, Inc., has completed the work under the subject Contract. The project was completed within the Contract Time. The final cost of the project, including overrun and underrun of estimated bid quantities, is \$2,318,337.71, a decrease of \$43,015.89 or 1.82% under the original Contract Amount.

REQUIRED AUTHORIZATION 20HA220

Finance Department:	Other Authorization:	Other Authorization:  Daniel R. Menendez, P.E., Deputy Director Engineering and Construction Division
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NOT

Date	SUBJECT:. Accept Work for Water Line Replacement in Janowski Area; WBS No. S-000035-0102-4.	Originator's Initials	Page 2 of 2
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The decreased cost is a result of the difference between planned and measured quantities. This decrease is primarily the result of an underrun in various Base Unit Price Item, and Extra Unit Price Items, which were not necessary to complete the project.

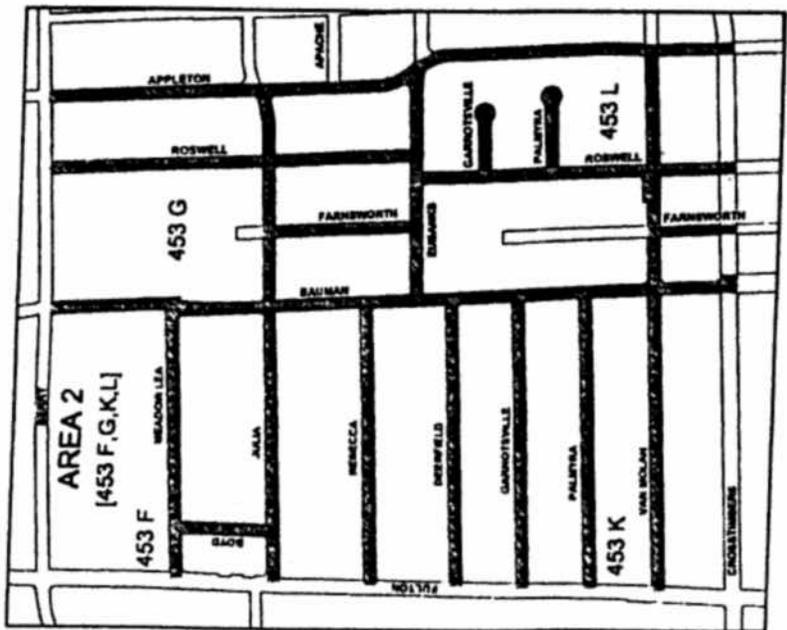
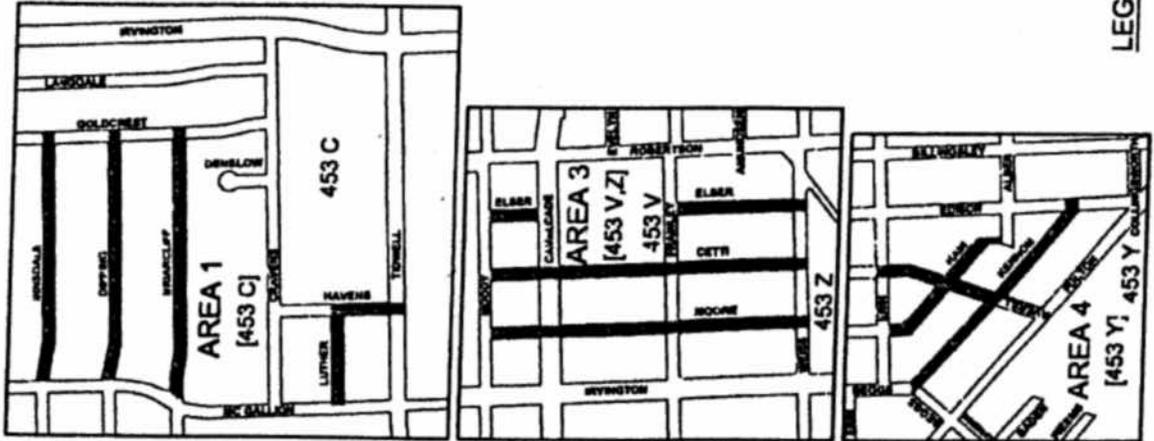
M/WBE PARTICIPATION: The M/WBE goal established for this project was 20%. According to Mayor's Office of Business Opportunity, the participation was 21.48%. Contractor's M/WBE performance evaluation was rated Outstanding.

RJM:JM

DWK:DRM:RJM:JM:ha

H:\E&C Construction\North Sector\PROJECT FOLDER\S-000035-0102-4 Janowski\RCA\CA - Closeout.doc

DEPARTMENT OF PUBLIC WORKS AND ENGINEERING
 ENGINEERING AND CONSTRUCTION DIVISION
 WATER LINE REPLACEMENT IN JANOWSKI AREA
 WBS No. S-000035-0102-4



KEY MAP No. 453 C,F,G,K,L,V,Y,Z
 COUNCIL DISTRICT H

LEGEND:



PROJECT SCOPE

PROJECT AREA MAP	
WATER LINE REPLACEMENT IN JANOWSKI AREA	
SCALE: 1" = 100'	DATE: 12/21/11

TO: Mayor via City Secretary REQUEST FOR COUNCIL ACTION

SUBJECT: Request for a motion declining the acceptance of, rejecting, and refusing the dedication of Charles Street, from Stabler Lane west to its terminus, located within the Mixon Place Subdivision, out of the H.&T.C.R.R. Survey, A-1016. Parcel SY13-004	Page <u>1</u> of <u>1</u>	Agenda Item # <div style="text-align: right; font-size: 2em; font-weight: bold;">9</div>
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FROM (Department or other point of origin): Department of Public Works and Engineering	Origination Date <div style="font-size: 1.5em;">4/4/13</div>	Agenda Date <div style="font-size: 1.2em;">APR 10 2013</div>
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DIRECTOR'S SIGNATURE: Daniel W. Krueger, P.E., Director	Council District affected: H <div style="text-align: center; font-size: 1.5em;">A</div> Key Map 413Y
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For additional information contact: Nancy P. Collins Phone: (832) 395-3130 Senior Assistant Director-Real Estate	Date and identification of prior authorizing Council Action:
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RECOMMENDATION: (Summary) It is recommended City Council approve a motion declining the acceptance of, rejecting, and refusing the dedication of Charles Street, from Stabler Lane west to its terminus, located within the Mixon Place Subdivision, out of the H.&T.C.R.R. Survey, A-1016. **Parcel SY13-004**

Amount and Source of Funding: Not Applicable

SPECIFIC EXPLANATION:
 David Hulsey, 4005 Irvington Boulevard, Houston, Texas 77009, on behalf of Bulmaro Espinoza and L. McBride, requested the non-acceptance of Charles Street, from Stabler Lane west to its terminus, located within the Mixon Place Subdivision, out of the H.&T.C.R.R. Survey, A-1016. The subject street was dedicated to the City by the Mixon Place Subdivision plat, recorded January 8, 1951. The subject street was never used as a public street or for public utility purposes. Further, the City has identified no future need for the subject street. Bulmaro Espinoza and L. McBride, the abutting property owners, plan to incorporate the subject street into their properties to use as green space. The Joint Referral Committee reviewed the request and determined the request could be processed as a non-acceptance.

Therefore, it is recommended Council approve a Motion declining the acceptance of, rejecting, and refusing the dedication Charles Street, from Stabler Lane west to its terminus, located within the Mixon Place Subdivision, out of the H.&T.C.R.R. Survey, A-1016.

NPC:WSB:agd

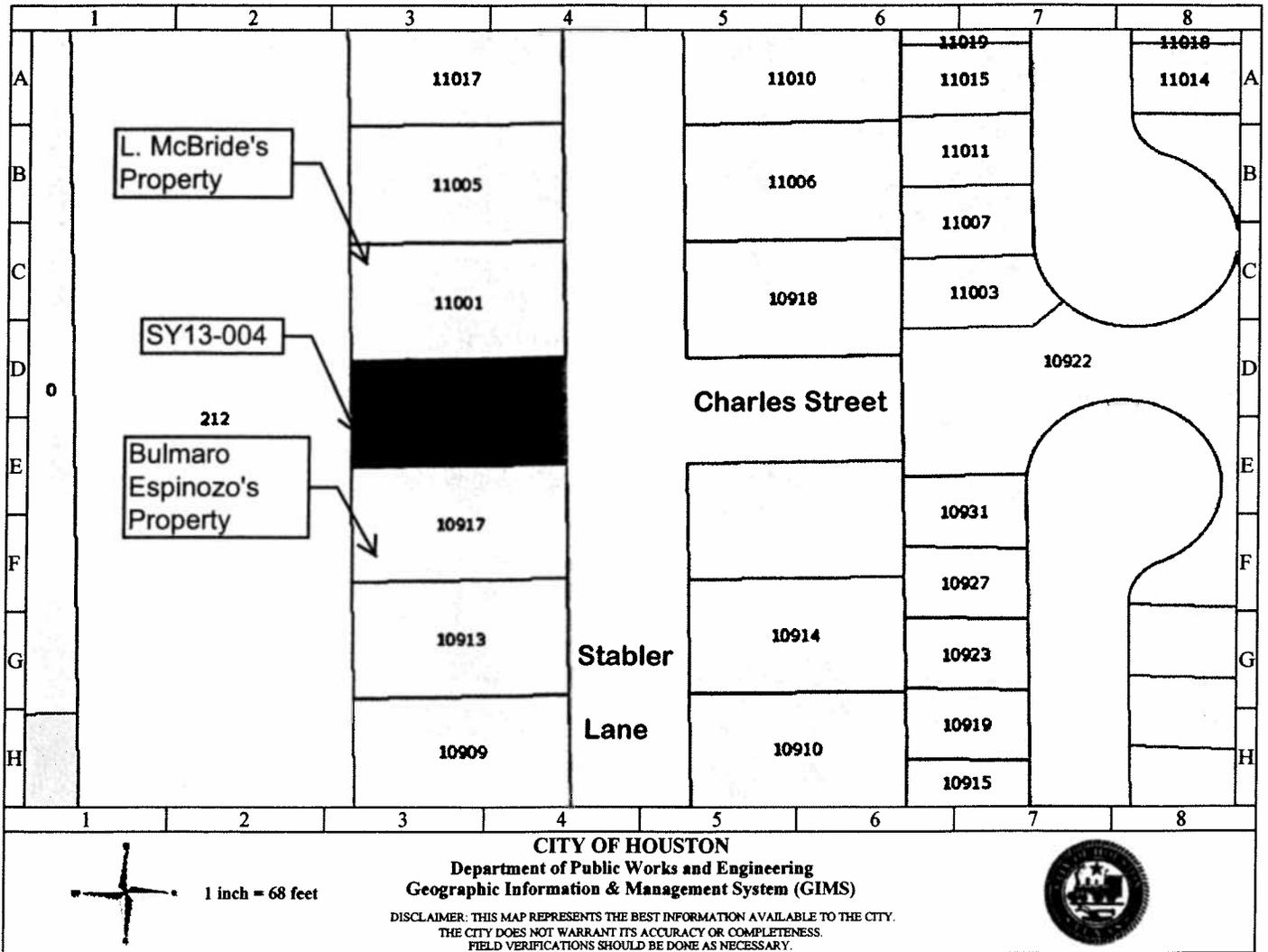
c: Marta Crinejo
 David M. Feldman
 Marlene Gafrick
 Terry A. Garrison
 Daniel Menendez, P.E.
 Jeffrey Weatherford, P.E., PTOE

agd\sy13-004.rc1.doc CUIC #20AGD9305

REQUIRED AUTHORIZATION

Finance Department:	Other Authorization:	Other Authorization: Mark L. Loethen, P.E., CFM, PTOE Deputy Director Planning and Development Services Division
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**Non-acceptance of Charles Street, from Stabler Lane west to its terminus, located within the
Mixon Place Subdivision, out of the H.&T.C.R.R. Survey, A-1016. Parcel SY13-004**



REQUEST FOR COUNCIL ACTION

RCA# 9599

TO: Mayor via City Secretary

Subject: Formal Bids Received for a Medium-Duty Cab & Chassis and Aerial Bucket Lift Truck Body for the Public Works & Engineering Department
S38-N24404

Category #
4

Page 1 of 1

Agenda Item

10

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

Origination Date
March 18, 2013

Agenda Date
APR 10 2013

DIRECTOR'S SIGNATURE
Calvin D. Wells

Council District(s) affected
All

For additional information contact:
Kenneth Hogleund Phone: (832) 393-6901
Ray DuRousseau Phone: (832) 393-8726

Date and Identification of prior authorizing Council Action:

RECOMMENDATION: (Summary)

Approve an award to Caldwell Automotive Partner, LLC d/b/a Caldwell Country Ford on its low bid in the amount of \$72,745.00 for a medium-duty cab & chassis with an aerial bucket lift truck body for the Public Works & Engineering Department.

Award Amount: \$72,745.00

Finance Budget

\$72,745.00 - Dedicated Drainage & Street Renewal Fund (Fund 2310)

SPECIFIC EXPLANATION:

The Director of the Fleet Management Department and the City Purchasing Agent recommend that City Council approve an award to Caldwell Automotive Partners, LLC d/b/a Caldwell Country Ford on its low bid in the amount of \$72,745.00 for a medium-duty cab & chassis mounted with an aerial bucket lift truck body for the Public Works & Engineering Department and that authorization be given to issue a purchase order. This truck will be used citywide by Department personnel to travel to sites to investigate, repair and/or replace traffic signals.

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

<u>Company</u>	<u>Amount</u>
1. Caldwell Automotive Partners, LLC d/b/a Caldwell Country Ford	\$ 72,745.00 (Item No. 2)
2. Grand Truck Center	\$ 75,507.00

This new truck will meet the EPA's current emission standards for trucks equipped with gasoline engines. It will come with full warranties of three years/36,000 miles on the cab & chassis and one year on the truck body and the life expectancy is seven years or 100,000 miles. This new truck will replace Shop No. 29414, a thirteen-year-old unit with 177,305 miles that has reached its life expectancy and will be sent to auction for disposition.

Item Nos. 1 and 3 – 7 will not be awarded.

Hire Houston First:

The proposed awards require 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 meets the requirements of Hire Houston First.

Buyer: Lena Farris / PR No. 10152669

REQUIRED AUTHORIZATION

NDT

Finance Department:

Other Authorization:

Other Authorization:

10/1

NDT

Reso

SUBJECT: Resolution declaring members of Houston Forensic Science LGC, Inc.'s "TAG" to be "covered persons" under Chapter 2, Art. X, of Code of Ordinances.		Page 1 of 1	Agenda Item # 11
FROM (Department or other point of origin): City Attorney		Origination Date 4/4/13	Agenda Date APR 10 2013
DIRECTOR'S SIGNATURE: <i>David Feldman</i>		Council District affected: ALL	
For additional information contact: David Feldman (832-393-6412)		Date and identification of prior authorizing Council action: Resolution No. 2012-17	
<p>RECOMMENDATION: Pass and adopt a Resolution declaring that members of the Technical Advisory Group (the "TAG", which advises the Board of Directors of Houston Forensic Science LGC, Inc., regarding the management of forensic science operations) are "covered persons" under Chapter 2, Art. X, of the Code of Ordinances.</p>			
Amount and Source of Funding: Not applicable.			
<p><u>SPECIFIC EXPLANATION:</u></p> <p>Section 2-301 of the Code of Ordinances provides that, under limited circumstances and subject to certain duties and responsibilities, the City will provide legal representation and indemnification to a "covered person" against whom a civil lawsuit is brought "alleging acts or omissions ... during the course and scope of [his or her] assigned duties with the city." Section 2-302 of the Code defines "covered person" to include several categories of persons, including a "member of a city board, commission, or committee created by Charter, ordinance, or resolution of the city."</p> <p>On June 6, 2012, City Council adopted Resolution No. 2012-17 authorizing the creation of Houston Forensic Science LGC, Inc. (the "Corporation"), a local government corporation, to "operate an independent center to provide the City with accurate and timely analysis of forensic evidence and related services." Resolution No. 2012-17 also approved the Corporation's Certificate of Formation, which provides in part that the Corporation's Board "may appoint persons to the Corporation's Technical Advisory Group (the 'TAG'), whose members shall advise the Board individually and collectively regarding best practices for the management and operation of a forensic science center."</p> <p>Since Council's adoption of Resolution No. 2012-17, the Corporation's Board has appointed nine experts to the TAG, in areas such as chemistry, firearms, laboratory security, statistics, and toxicology. All of the said experts have agreed to advise the Board at no cost to the Corporation (and, therefore, at no cost to the City) other than reimbursement of expenses. The Board requests that Council adopt the proposed Resolution declaring each member of the TAG to be a "covered person" within the meaning of the Code in the event a lawsuit is filed against a TAG member related to his or her professional advice to the Board.</p> <p><u>Note:</u> Each member of the Corporation's Board is a "covered person," as provided by Resolution No. 2012-17.</p>			
REQUIRED AUTHORIZATION			
Other Authorization:	Other Authorization:	Other Authorization:	

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

R

SUBJECT: Ordinance amending section 39-2 of the Code of Ordinances, which prohibits removing the contents of trash and recycling receptacles that have been placed for collection.		Page 1 of 1	Agenda Item # 12
FROM (Department or other point of origin): Legal Department		Origination Date March 27, 2013	Agenda Date APR 10 2013
DIRECTOR'S SIGNATURE: David M. Feldman, City Attorney 		Council District affected: All	
For additional information contact: David M. Feldman Phone: 832.393.6412		Date and identification of prior authorizing Council action: N/A	
RECOMMENDATION: (Summary) That Council adopt the proposed ordinance amending the Code of Ordinances, section 39-2, which prohibits removing the contents of trash and recycling receptacles that have been placed for collection.			
Amount and Source of Funding: N/A			
SPECIFIC EXPLANATION: Chapter 39 of the Code of Ordinances relates to Solid Waste and Litter Control. It prohibits littering in general, and also currently prohibits removing the contents of a trash or recycling receptacle. A person who violates this ordinance, section 39-2, may be cited with a criminal citation. Because Section 39-2 adversely impacts homeless persons and absorbs law enforcement time that could otherwise be spent preventing more significant criminal activity, the administration recommends amending section 39-2 to remove the prohibition against removing the contents of a public trash receptacle. The prohibition against moving item from private receptacles remains in place. Section 39-3, which prohibits littering generally, will remain intact, ensuring that the city remains free of trash. In addition, Article V of Chapter 39 contains extensive provisions regarding litter control by several city departments.			
REQUIRED AUTHORIZATION			
Other Authorization:			

CUG

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12

REDLINE of Sec. 39-2 presented to Committee.

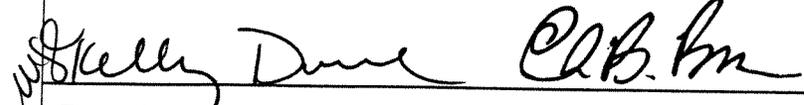
Sec. 39-2. Disturbing or removing contents of containers.

(a) It is unlawful for any person to intentionally, knowingly or recklessly handle, scavenge from, disturb, or remove any contents of any bin, bag, or other container that has been placed for collection of garbage, trash or recyclable materials at the designated location for pickup by the department, or for pickup by any other public or private collection service. This subsection does not apply to a public trash receptacle or a trash receptacle clearly intended for public use.

(b) It is a defense to prosecution under this section that the accused is the person who placed or caused the bin, bag or container to be placed for collection or that the accused is an agent or employee of the city.

SUBJECT: Approve an ordinance supplementing the City of Houston, Texas Master Ordinance authorizing the issuance of City of Houston, Texas Combined Utility System First Lien Revenue Refunding Bonds, Series 2013B.	Category #	Page 1 of <u>1</u>	Agenda Item# 13
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FROM (Department or other point of origin): Department of Finance and Office of the City Controller	Origination Date: 4/3/2013	Agenda Date APR 10 2013
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DIRECTOR'S SIGNATURE: 	Council District Affected: All
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For additional information contact: Jennifer Olenick Phone: 832-393-9112 Charisse Mosely Phone: 832-393-3529	Date and identification of prior authorizing Council action: April 21, 2004 - Ord. No. 2004-299
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RECOMMENDATION: (Summary) Approve an ordinance supplementing the City of Houston, Texas Master Ordinance authorizing the issuance of City of Houston, Texas Combined Utility System First Lien Revenue Refunding Bonds, Series 2013B in an aggregate amount not to exceed \$200 million, authorizing the Mayor and City Controller to approve the amounts, interest rates, prices, and terms thereof and certain other matters relating thereto.

Amount of Funding: Not Applicable	Finance Budget:
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Source of Funding: General Fund Grant Fund Other (Specify) Enterprise Fund

SPECIFIC EXPLANATION:

In 1993, City Council began authorizing various commercial paper programs to provide appropriation capacity and on-time funding for various needs of the City. The issuance of commercial paper has provided an expedient, cost-effective method of accessing cash and providing interim financing. The commercial paper notes are later refinanced to fixed rate bonds that match the useful life of the project or equipment being financed. This transaction represents the normal refunding of the commercial paper notes held by the Combined Utility System in an amount up to \$200 million.

The Finance Working Group recommends the Series 2013B Bonds be issued through a negotiated financing with Loop Capital Markets serving as book running manager along with Citigroup and Mesirow Financial as co-senior managers. Siebert Brandford Shank is recommended as co-manager. Andrews Kurth LLP and Bates & Coleman, P.C. are recommended as co-bond counsel along with Greenberg Traurig, LLP and Edgardo E. Colon, P.C. as co-disclosure counsel.

This transaction was presented to Budget & Fiscal Affairs Committee on April 2nd 2013.

Recommendation:

The Finance Working Group recommends the approval of this item.

REQUIRED AUTHORIZATION

Finance Director: 	Other Authorization:	Other Authorization:
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101

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

SUBJECT: Ordinance continuing the City's Juvenile Curfew Ordinance (Sections 28-171 – 28-175, City Code of Ordinances)	Page 1 of 1	Agenda Item # <i>14</i>
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FROM: (Department or other point of origin): Houston Police Department	Origination Date: March 28, 2013	Agenda Date: APR 10 2013
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DIRECTOR'S SIGNATURE: <i>Charles A. McClelland, Jr.</i> Charles A. McClelland, Jr., Chief of Police	Council District affected: All
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For additional information contact: Capt. L. A. Bender HPD Juvenile Division Phone: (713) 731- 5236	Date and identification of prior authorizing Council Action: Ord. No. 2010-286 , April 21, 2010
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RECOMMENDATION: Adopt ordinance continuing the Juvenile Curfew Ordinance

Amount and Source of Funding: N/A

SPECIFIC EXPLANATION:

State law requires cities that have adopted a juvenile curfew ordinance to conduct hearings and review the ordinance every three years to determine whether to abolish, continue or modify the curfew restrictions. City Council last acted to continue the current City of Houston Juvenile Curfew Ordinance in April 2010. Thus, the City's current Juvenile Curfew Ordinance must be continued prior to April 21, 2013 or it will expire as a matter of law.

On February 26, 2013, a report on this issue was presented to the Public Safety and Homeland Security Committee by the department's Juvenile Division. At that time, the Committee voted favorably to forward to full Council the scheduling of the Public Hearings and consideration of the ordinance to continue the Juvenile Curfew Ordinance.

Two public hearings were held before City Council on March 27 and April 3, 2013. The ordinance to continue the Juvenile Curfew Ordinance will be presented to the full Council for its consideration on April 10, 2013. No changes to the ordinance are being considered at this time.

REQUIRED AUTHORIZATION

Finance Budget:	Other Authorization:	Other Authorization:
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TO: Mayor via City Secretary **REQUEST FOR COUNCIL ACTION**

SUBJECT: An ordinance approving and authorizing an agreement with University of Texas Health Science Center at Houston for Behavioral Monitoring Services (Behavioral Surveillance Services Agreement).	Category # 9	Page 1 of 1	Agenda Item # 15
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FROM (Department or other point of origin): Stephen L. Williams, M.Ed., M.P.A. Director-Houston Department of Health and Human Services	Origination Date 4/4/13	Agenda Date APR 10 2013
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DIRECTOR'S SIGNATURE: <i>Clina Genza Ridge for SLW</i>	Council District affected: ALL
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For additional information contact: Kathy Barton Telephone: 832-393-5045; 713-826-5801	Date and identification of prior authorizing Council action: 02-25-09; 2009-0152; 02-22-12; 2012-0159
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RECOMMENDATION: An ordinance approving and authorizing an agreement with the University of Texas Health Science Center at Houston for Behavioral Monitoring Services (Behavioral Surveillance Services Agreement).

Amount of Funding: Maximum Contract Amount: \$1,500,000.00 Initial Allocation: \$308,084.00 Federal State and Local - Pass Through Fund (5030)	Finance Department:
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SOURCE OF FUNDING: [] General Fund [X] Grant Fund [] Enterprise Fund [] Other (Specify)

SPECIFIC EXPLANATION:

The Houston Department of Health and Human Services (HDHHS) requests City Council's approval of an agreement with University of Texas Health Science Center at Houston for behavioral monitoring services (Behavioral Surveillance Services Agreement). The term of the agreement is January 1, 2013 through December 31, 2013 and will automatically renew for two (2) successive one year terms. University of Texas Health Science Center will provide all services under the contract for a fee paid from HDHHS grant funds. The initial allocation of funds is \$308,084.00. The total maximum contract amount is \$1,500,000.00.

The purpose of this contract is to monitor trends in the HIV epidemic. This information provides data needed to determine populations and areas in which to focus prevention activities. The behavioral monitoring service is a qualitative study in which participants are recruited from three at-risk populations: 1) men who have sex with men (MSM); 2) injection drug users (IDU); and 3) high risk heterosexuals (HRH). Data is collected using a questionnaire developed by the Centers for Disease Control and Prevention (CDC).

UTHSC will provide a report that will: (1) specify sexual and drug-use behaviors known to be associated with HIV/STD infection; (2) estimate demographic, social and behavioral correlates of behavioral outcomes of interest; (3) estimate the prevalence and trends of HIV testing behaviors and exposure to and utilization of HIV/STD prevention services funded by CDC, state and local health departments; and (4) characterize prevention-service gaps and missed opportunities for prevention.

cc: Finance
Legal Department
Agenda Director

REQUIRED AUTHORIZATION

Finance Director	Other Authorization:	Other Authorization:
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TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: An ordinance approving a contract with the University of Texas Health Science Center at Houston for tuberculosis physician services	Category # 9	Page 1 of 1	Agenda Item # 16
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FROM (Department or other point of origin): Houston Department of Health and Human Services	Origination Date 03/19/2013	Agenda Date APR 10 2013
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DIRECTOR'S SIGNATURE: <i>Stephen Williams</i>	Council District affected: ALL
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For additional information contact: Kathy Barton Telephone: 832-393-5045 ; 713-826-5801	Date and identification of prior authorizing Council action: 11-17-04; 2004-1181; 02-18-09; 2009-0112
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RECOMMENDATION: (Summary)
An ordinance approving a contract with the University of Texas Health Science Center at Houston for tuberculosis physician services

Amount of Funding: Maximum Contract Amount: \$78,000.00 Initial Allocation: \$15,600.00 State Funds - (5010)	Finance Department:
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SOURCE OF FUNDING: [] General Fund [X] Grant Fund [] Enterprise Fund [] Other (Specify)

SPECIFIC EXPLANATION:

The Houston Department of Health and Human Services (HDHHS) requests City Council approval of an ordinance authorizing a contract for tuberculosis physician services with the University of Texas Health Science Center at Houston. The contract term is from the date of countersignature for one year, with four successive one-year renewal terms

The HDHHS, Bureau of Tuberculosis Control provides basic services for tuberculosis prevention and control and expanded outreach services to high-risk sub-groups who have TB or who are at high risk for developing tuberculosis in the City of Houston. Services are provided in compliance with the Texas Department of State Health Services' Standards of Performance, the American Thoracic Society, Center for Disease Control and Prevention and Infectious Diseases Society of America joint statement on diagnosis, treatment and control of tuberculosis.

The contractor will provide consultation services for patients with symptoms of TB and those with latent TB infection. The contractor will be responsible for the following services: a) history of tuberculosis infection; b) physical examination; c) initial and follow-up X-rays; d) laboratory services; e) treatment regimens and g) follow-up therapy. The first year of funding is \$15,600.00.

There were 195 cases (provisional data) of tuberculosis in Houston in 2012. Ninety four percent of TB cases were placed on directly observed therapy (DOT) to ensure the completion of their treatment and reduce the risk of developing a drug resistant form of TB.

cc: Finance Department
Legal Department
Agenda Director

REQUIRED AUTHORIZATION

Finance Department	Other Authorization:	Other Authorization:
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RS

SUBJECT: An Ordinance authorizing a first contract amendment between the City of Houston and AIDS Coalition of Coastal Texas, Inc., providing \$322,060 in HOPWA funds for the administration and operation of an emergency housing assistance program with supportive services for low-income persons living with HIV/AIDS.

Page
1 of 1

Agenda Item
#

17

FROM:
Neal Rackleff, Director
Housing and Community Development Department

Origination Date
3/26/2013

Agenda Date
APR 10 2013

DIRECTOR'S SIGNATURE:
Neal Rackleff

Council Districts affected:
N/A

For additional information contact: Melody Barr
Phone: 713-868-8329

Date and identification of prior authorizing Council action: Ord. No. 2012-0637

RECOMMENDATION: Approval of an Ordinance authorizing a first contract amendment between the City of Houston and AIDS Coalition of Coastal Texas, Inc., providing \$322,060 in HOPWA funds for the administration and operation of an emergency housing assistance program with supportive services for low-income persons living with HIV/AIDS.

Amount of Funding: \$322,060.00 **Finance Budget:**

SOURCE OF FUNDING [] General Fund [X] Grant Fund [] Enterprise Fund

Housing Opportunities for Persons With AIDS (HOPWA)

SPECIFIC EXPLANATION:

The Housing and Community Development Department (HCDD) recommends approval of a first contract amendment between the City of Houston and AIDS Coalition of Coastal Texas, Inc. (AIDS Coalition) to finance the operation of an emergency housing assistance HOPWA project, which provides Tenant-Based Rental Assistance (TBRA); Short-Term Rent, Mortgage, and Utilities Assistance (STRMU); and Supportive Services for low-income persons living with HIV/AIDS.

The City will grant AIDS Coalition up to \$322,060.00 to provide TBRA, STRMU, and supportive services to a minimum of 80 low-income households. Located in Galveston, AIDS Coalition will provide emergency housing assistance and supportive services as follows: (1) TBRA for 45 scattered-site units and (2) STRMU for 35 scattered-site units for persons living with HIV/AIDS and their family members. Supportive services include case management, nutritional services and client advocacy.

Category	First Amendment	Percent
Administrative	\$22,410	6.96%
Supportive Services	\$125,000	38.81%
TBRA	\$139,150	43.21%
STRMU	\$35,500	11.02%
Total	\$322,060	100.00%

HCDD conducted a Request for Proposals (RFP) for 2012 and 2013 HOPWA contracts. AIDS Coalition of Coastal Texas was one of the agencies selected. The RFP was for program year 2012, with an additional one-year renewal option for program year 2013. This Ordinance will grant the one-year renewal period. The amendment provides funding for a 12-month period from May 1, 2013 – April 30, 2014. AIDS Coalition began receiving HOPWA funds through the City in 2006. The City of Houston is the HOPWA Program administrator for a ten-county region, which consists of Austin, Brazoria, Chambers, Fort Bend, Galveston, Harris, Liberty, Montgomery, San Jacinto, and Waller counties.

The Housing, Sustainable Growth and Development Committee reviewed this item on February 19, 2013.

NR:BB:MNB:AB

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

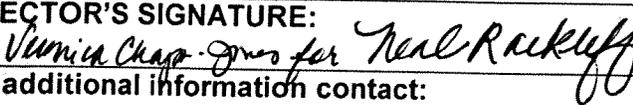
REQUIRED AUTHORIZATION

Finance Director: _____ Other Authorization: _____ Other Authorization: _____

TO: Mayor via City Secretary REQUEST FOR COUNCIL ACTION

HCD13-47

SUBJECT: An Ordinance authorizing a grant of Community Development Block Grant funds in the amount of \$1,100,000 to Bering Omega Community Services, a non-profit organization, for the acquisition of the property located at 2920 Fannin Street, Houston, Texas 77002, to be used as a community facility.	Category #	Page 1 of 1	Agenda Item # 18
	FROM (Department or other point of origin): Neal Rackleff, Director Housing and Community Development	Origination Date 2/4/2013	Agenda Date APR 10 2013

DIRECTOR'S SIGNATURE:  <i>Veronica Chapman Jones for Neal Rackleff</i>	Council District affected: District D
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For additional information contact: Marc Eichenbaum Phone: 713-865-4557	Date and identification of prior authorizing Council action: None
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RECOMMENDATION:
 An Ordinance authorizing a grant of Community Development Block Grant funds in the amount of \$1,100,000 to Bering Omega Community Services, a non-profit organization, for the acquisition of the property located at 2920 Fannin Street, Houston, Texas 77002, to be used as a community facility.

Amount of Funding: \$1,100,000.00	Finance Budget:
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SOURCE OF FUNDING General Fund Grant Fund Enterprise Fund
 Community Development Block Grant (CDBG) Fund 5000

SPECIFIC EXPLANATION:

The Housing and Community Development Department requests approval of an Ordinance to enter into a grant agreement with Bering Omega Community Services to provide \$1.1 million of Community Development Block Grant Funds for the acquisition of the land located at 2920 Fannin Street, which will provide the space needed to build a new community facility.

Bering Omega has provided services for the HIV/AIDS Community for the past 25 years including a Dental Program, Day Treatment Program, HIV/AIDS Education, and a Housing Assistance Program, which will all be moved to the new facility. Bering Omega's Dental Clinic and Day Treatment Program serve approximately 3,400 individuals per year, and their Housing Assistance Program serves 455 households.

The new community facility will provide Bering Omega with a permanent home that is ideally configured to their operations, and in a central location. The new facility will cost an estimated \$3 million to build, which will be funded by Bering Omega through donations from Houston Endowment, Bering Omega's Board of Directors, and others. Additionally, the new facility will eliminate lease and occupancy expenses for Bering Omega, savings that will be used to fund other program operations and/or services.

This item was presented to the Housing, Sustainable Growth and Development Committee on February 19, 2013.

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

REQUIRED AUTHORIZATION

Finance Department Director:	Other Authorization:	Other Authorization:
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REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 9633

Subject: Approve an Ordinance appropriating \$1,140,640.00 from the FY2013 Equipment Acquisition Consolidated Fund and authorization to purchase capital equipment to be used by the Houston Fire Department.

Category #
4

Page 1 of 2

Agenda Item

19

FROM (Department or other point of origin):

Terry Garrison
Fire Chief
Fire

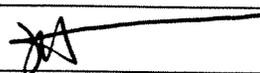
Origination Date

March 26, 2013

Agenda Date

APR 10 2013

DIRECTOR'S SIGNATURE



Council District(s) affected
All

For additional information contact:

Beda Kent **B** Phone: (832) 394-6748
Neil Depascal Phone: (832) 394-6755

Date and Identification of prior authorizing Council Action:

CM 2012-0560; June 27, 2012

RECOMMENDATION: (Summary)

The Houston Fire Department recommends that City Council adopt an ordinance appropriating \$1,140,640.00 from the FY2013 Equipment Acquisition Consolidated Fund (Fund 1800) and authorize the purchase of capital equipment to be used by the Houston Fire Department

\$1,140,640.00
FY2013 Equipment Acquisition Consolidated Fund (Fund 1800)

Finance Budget

SPECIFIC EXPLANATION:

The Fire Chief recommends that City Council adopt an Ordinance authorizing the appropriation of \$1,140,640.00 from the FY13 Equipment Acquisition Consolidated Fund for the purchase of capital equipment items for HFD as approved in the FY13 Equipment Acquisition Plan. The Appropriation Ordinance is required to provide the funding for the purchase of capital equipment by utilizing current City contract agreements or issue a purchase order for purchases under \$50,000.00.

Hydraulic Power Stretchers – The request is for the purchase of 13 hydraulic stretchers. These stretchers are used to transport patients in the back of EMS units. The purchase is for replacement of 13 power stretchers which have surpassed their life expectancy. The stretchers reduce the associated maintenance costs from manual stretchers and minimize the number of firefighter back injuries associated with lifting patients. The stretchers can lift up to 700 lbs. The life expectancy of a power stretcher is estimated at five to seven years. This purchase will be made utilizing our existing contract with Stryker Corporation. The total cost for this purchase is approximately \$156,000.00.

Extendo Beds – This request is for the purchase of 10 rollerized platforms which extend from the rear of vehicles providing access to command centers and emergency equipment. Rolling on steel bearings, the heavy-duty assembly provides 800 to 1800 lbs. at over 100% extension. The positions can be locked at 12" intervals. The back seat of the SUV is removed, and the Extendo Bed tray is added to allow needed additional storage space for emergency medical supplies and drugs. Each of the ten medical supervisor SUVs will have the modification added to their vehicle. This purchase will be made from the GSA contract. The total cost for this purchase is approximately \$44,000.00.

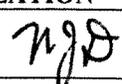
Safety Driving Simulators – This purchase consists of online web-based safety driving simulators for instructional tactical simulation training for unlimited access subscription of one year. This purchase includes two simulator training courses for the emergency response vehicle operators to improve and address the perishable knowledge in driving safety and skills that all drivers utilize. This purchase is a sole source bid. The total cost for this purchase is approximately \$55,000.00.

Gear Lockers – This purchase consists of 466 mobile storage lockers with doors for the storage of bunker gear. Each mobile locker unit has three storage cells made of open frame construction to allow air circulation so gear airs out and dries efficiently. The gear lockers are consistent with what is purchased for station use and are easy to secure with a

REQUIRED AUTHORIZATION

Finance Department:

Other Authorization:



Other Authorization:

Date: 3/26/2013	Subject: Approve an Ordinance appropriating \$1,140,640.00 from the FY2013 Equipment Acquisition Consolidated Fund and authorization to purchase capital equipment to be used by the Houston Fire Department.	Originator's Initials CC	Page 2 of 2
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lock. This will minimize the bunker gear from being lost, misplaced or stolen. Lockers have a one-year warranty on parts and construction and a 20 year life expectancy. This purchase will be made by purchase order. Total cost of this purchase is approximately \$634,700.00.

Fit Testing Machine (TSI) - This request is for the purchase of a replacement machine to conduct the annual face piece fit testing for the use of self-contained breathing apparatus (SCBA) which firefighters wear to provide breathable air in an Imminent Danger Life Hazard (IDLH) (e.g. 2200 to 4500 psi). Annual fit testing is required per NFPA standards. This purchase will be made by purchase order. The total cost for the purchase of the testing machine is approximately \$28,900.00.

Bullet Resistant Vests - This request is for the purchase of bullet resistant vests which HFD Arson personnel will wear responding to various incendiary fires, multiple fire alarms, fire deaths, bombings and criminal or terrorist activities associated with fires. This equipment also will increase the safety of personnel during investigations and undercover operations. This purchase will be made utilizing our existing contract with Safariland. The total cost for this purchase is approximately \$52,800.00.

K970 Saws - This request is for the purchase of 10 K-saws which are utilized primarily for forcible entry and extrication purposes. Of the 197 saws assigned to HFD apparatus, 10 are less than 2 years in age. There are 89 saws in the 2-5 year age range, and 98 are 5 or more years in age, up to 25 years in service. This purchase will be made by purchase order. The total cost for this purchase is approximately \$10,880.00.

Stihl 461 Saws - This request is for the purchase of 10 wood cutting chain saws, which are primarily used to conduct ventilation operations. Of the 197 saws assigned to HFD apparatus, 10 are less than 2 years in age. There are 89 saws in the 2-5 year age range, and 98 are 5 or more years in age, up to 25 years in service. This purchase will be made by purchase order. The total cost for this purchase is approximately \$9,000.00.

Storage Racks for Cylinders - This request is for the purchase of new racks for housing spare SCBA cylinders at district stations. By utilizing the racks, the amount of wear, tear, and travel time for mobile cascade units is minimized. In addition, the use of these racks will improve accountability for spare SCBA cylinders. This purchase will be made by purchase order. The total cost for this purchase is approximately \$25,600.00.

APX7500 Dual Band Radios - This request is for the purchase of 14 dual band main radios and related dual head mounting hardware to be installed in new fire apparatus for communicating with the Office of Emergency Communications (OEC) and other units on air in emergency situations. This purchase will be made utilizing our existing contract with Motorola Solutions. The total cost for this purchase is approximately \$50,960.00.

Mobile Data Computers - This request is for the purchase of 14 toughbook laptop computers, including a 3-year warranty on each and 14 docking stations for mounting the units in fire apparatus at approximately \$5,200.00 each. These laptops provide dispatch incident information and allow units to transmit unit status updates to OEC. This purchase will be made utilizing our existing contract with DIR. The total cost for this purchase is approximately \$72,800.00.

b

REQUEST FOR COUNCIL ACTION

RCA# 9646

TO: Mayor via City Secretary

Subject: Approve an Ordinance to Appropriate Funds from the Equipment Acquisition Consolidated Fund (Fund 1800) for the Active Directory and Exchange Program

Category #

Page 1 of 1

Agenda Item

20

FROM (Department or other point of origin):
Charles T. Thompson
Chief Information Officer
Houston Information Technology Services (HITS)

Origination Date
March 5, 2013

Agenda Date
APR 10 2013

DIRECTOR'S SIGNATURE

Charles Thompson 3-8-2013

Council District(s) affected
All

For additional information contact:
Daniel S. Steege

Phone: 832-393-0063

Date and Identification of prior authorizing Council Action:
Ordinances: 2012-0608: 6/26/12, 2011-0550: 06/29/11, 2009-1116: 11/18/09, 2008-1217: 12/29/08

RECOMMENDATION: (Summary)

Approve an ordinance authorizing the appropriation of \$150,000.00 from the FY13 Equipment Acquisition Consolidated Fund (Fund 1800) for the final migration of the City's Active Directory and Exchange environment through the Texas Department of Information Resources (DIR) agreement.

AMOUNT AND SOURCE OF FUNDING:

\$150,000.00 – FY13 Equipment Acquisition Consolidated Fund (Fund 1800)

Finance Budget

SPECIFIC EXPLANATION:

The Chief Information Officer recommends that City Council approve an ordinance authorizing the appropriation of \$150,000.00 from the Equipment Acquisition Fund (Fund 1800) for the final migration, support and upgrade of the City's Active Directory and Exchange Program. All services and purchases that are being utilized to complete the program will be made through the City's Master Agreement with the Texas Department of Information Resources (DIR).

BACKGROUND:

On November 18, 2009, City Council approved Houston IT Services to implement the Active Directory and Exchange system across the City's technology network infrastructure by Ordinance No. 2008-1217. The purpose of this project is to continue to provide secure, robust and an up-to-date computing environment capable of supporting external and internal user needs for the City of Houston employees, citizens and partners by migrating user accounts, workstations, and network resources (with the exception of Houston Police Department, Houston Airport System and the Controller's Office) to one centralized (HOUTX) forest.

The project is set up in three phases. Phase I is the migration of all users and workstations (with the exception of those departments mentioned earlier) to the new Active Directory and Exchange environment. Phase II is the migration for the servers and applications, and Phase III involves the cleanup of the old environment. To date the project team has successfully completed Phase I of the migration, and Phase II is currently underway and scheduled to be completed by the end of May 2013. With the appropriation that is being requested the final acceptance and closeout of Phase II is planned for the end of fiscal year 2013.

BENEFITS UPON COMPLETION:

- Better management of personnel information, computer resources and printers
- Provide common directory to ensure that the most accurate and relevant information is available to users
- Human resource and equipment consolidation and organizational scalability
- Increased ability to administer resources and provide additional levels of security

WBS: X-680001

REQUIRED AUTHORIZATION

Finance Department:

Other Authorization:

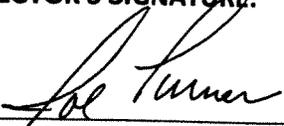
Other Authorization:

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

SUBJECT: Interlocal agreement between the City of Houston and the Houston Parks Board for the provision and acceptance of local matching funds for the construction of projects funded by the US DOT TIGER grant.	Category #	Page 1 of 1	Agenda Item <div style="text-align: right; font-size: 2em;">21</div>
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FROM (Department or other point of origin): Houston Parks and Recreation Department	Origination Date: April 2, 2013	Agenda Date <div style="text-align: center; font-size: 1.2em;">APR 10 2013</div>
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DIRECTOR'S SIGNATURE:  Joe Turner, Director	Council District(s) affected: <div style="text-align: center;">A, C, D, H & I</div>
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For additional information contact:	Luci Correa, 832-395-7057	Date and Identification of prior authorizing Council Action: Ordinance 2011-912, October 25, 2011
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RECOMMENDATION (Summary): The Houston Parks and Recreation Department recommends City Council approve an Ordinance authorizing an interlocal agreement between the City of Houston and the Houston Parks Board for the provision and acceptance of local matching funds required for the construction of four (4) of six (6) bike/ped projects which are part of the Houston Regional Bike/Ped Connections to Transit Project funded by the U.S. Department of Transportation Investment Generating Economic Recovery (TIGER) discretionary grant program.

Amount and Source of Funding: Not applicable	Finance Budget:
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SPECIFIC EXPLANATION:
On October 25, 2011, City Council approved Ordinance 2011-912 authorizing the submission of an application for funding assistance from the U.S. Department of Transportation Investment Generating Economic Recovery (TIGER) discretionary grant program. In June 2012, US DOT approved the application and awarded a \$15 million grant to the Houston Parks and Recreation Department (HPARD) for the project titled *Houston Regional Bike/Ped Connections to Transit*. A 20% match or \$3,991,700 is required.

- The *Houston Regional Bike/Ped Connections to Transit* project is made up of the following six projects:
1. **White Oak Bayou Path: Alabonson Rd/Antoine Dr Link**
 2. **White Oak Bayou Path: 11th Street/Heights Bike Trail/Stude Park Links**
 3. **White Oak Bayou Path: Connections to Residential Neighborhoods and Buffalo Bayou Path**
 4. **Buffalo Bayou Path: Smith St/Travis St Link**
 5. **East Downtown: Transit/Residential/Commercial Connections**
 6. **Brays Bayou Path: MLK Blvd/Old Spanish Trail Link**

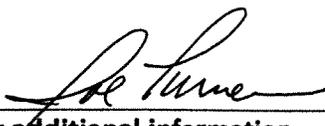
The purpose of the interlocal agreement is to commit funding the match and any cost overruns and to outline the roles of the City and the Houston Parks Board in the implementation of Projects #1, #2, #3 and #6 listed above. The Houston Parks Board shall make a total payment of \$3,535,542 towards construction of Projects #1, #2, #3 and #6 to assist in funding the required match. The remainder of the match will be provided by the Buffalo Bayou Partnership (\$156,158) and TIRZ #3 (\$300,000).

The Houston Parks and Recreation Department and General Services Department will manage the grant, design contract for Project #5 as well as the construction contracts for all six projects. GSD will return to Council to award the construction contracts which will be funded by the TIGER grant and matching funds from Houston Parks Board and Buffalo Bayou Partnership deposited with the City.

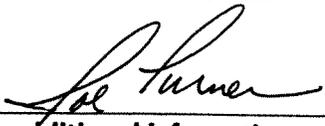
Council approval of the interlocal agreement is recommended.

Finance Director:	Other Authorization:	Other Authorization:
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REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary			
SUBJECT: Interlocal agreement between the City of Houston and the Buffalo Bayou Partnership for the provision and acceptance of local matching funds for the construction of projects funded by the US DOT TIGER grant.		Category #	Page 1 of 1
			Agenda Item 22
FROM (Department or other point of origin): Houston Parks and Recreation Department		Origination Date: April 2, 2013	Agenda Date APR 10 2013
DIRECTOR'S SIGNATURE:  Joe Turner, Director		Council District(s) affected: 1	
For additional information contact:	Luci Correa, 832-395-7057	Date and Identification of prior authorizing Council Action: Ordinance 2011-912, October 25, 2011	
RECOMMENDATION (Summary): The Houston Parks and Recreation Department recommends City Council approve an Ordinance authorizing an interlocal agreement between the City of Houston and the Buffalo Bayou Partnership for the provision and acceptance of local matching funds required for the construction of a bike/ped project which is part of the Houston Regional Bike/Ped Connections to Transit Project funded by the U.S. Department of Transportation Investment Generating Economic Recovery (TIGER) discretionary grant program.			
Amount and Source of Funding: Not applicable			Finance Budget:
SPECIFIC EXPLANATION: On October 25, 2011, City Council approved Ordinance 2011-912 authorizing the submission of an application for funding assistance from the U.S. Department of Transportation Investment Generating Economic Recovery (TIGER) discretionary grant program. In June 2012, US DOT approved the application and awarded a \$15 million grant to the Houston Parks and Recreation Department (HPARD) for the project titled <i>Houston Regional Bike/Ped Connections to Transit</i> . A 20% match or \$3,991,700 is required. The <i>Houston Regional Bike/Ped Connections to Transit</i> project is made up of the following projects: <ol style="list-style-type: none"> 1. White Oak Bayou Path: Alabonson Rd/Antoine Dr Link 2. White Oak Bayou Path: 11th Street/Heights Bike Trail/Stude Park Links 3. White Oak Bayou Path: Connections to Residential Neighborhoods and Buffalo Bayou Path 4. Buffalo Bayou Path: Smith St/Travis St Link 5. East Downtown: Transit/Residential/Commercial Connections 6. Brays Bayou Path: MLK Blvd/Old Spanish Trail Link <p>The purpose of the interlocal agreement is to commit funding the match and any cost overruns and to outline the roles of the City and the Buffalo Bayou Partnership in the implementation of Project #4 listed above. The Buffalo Bayou Partnership shall make a total payment of \$156,158 towards construction of Project #4 to assist in funding the required match. Buffalo Bayou Partnership will also be responsible for funding and managing the project design and project management for Project #4.</p> <p>The remainder of the match for all projects will be provided by the Houston Parks Board (\$3,535,542) and TIRZ #3 (\$300,000).</p> <p>The Houston Parks and Recreation Department and General Services Department will manage the grant and the construction contracts for all six projects. GSD will return to Council to award the construction contracts which will be funded by the TIGER grant and matching funds from Houston Parks Board and Buffalo Bayou Partnership deposited with the City.</p> <p>Council approval of the interlocal agreement is recommended.</p>			
Finance Director:		Other Authorization:	Other Authorization:

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary			
SUBJECT: Interlocal agreement between the City of Houston and the Greater East End Management District for design and construction of projects funded by the US DOT TIGER grant.		Category #	Page 1 of 1
			Agenda Item 23
FROM (Department or other point of origin): Houston Parks and Recreation Department		Origination Date: April 2, 2013	Agenda Date APR 10 2013
DIRECTOR'S SIGNATURE:  Joe Turner, Director		Council District(s) affected: H & I	
For additional information contact:	Luci Correa, 832-395-7057	Date and Identification of prior authorizing Council Action: Ordinance 2011-912, October 25, 2011	
RECOMMENDATION (Summary): The Houston Parks and Recreation Department recommends City Council approve an Ordinance authorizing an interlocal agreement between the City of Houston and the Greater East End Management District for the construction of a bike/ped project which is part of the Houston Regional Bike/Ped Connections to Transit Project funded by the U.S. Department of Transportation Investment Generating Economic Recovery (TIGER) discretionary grant program.			
Amount and Source of Funding: \$70,483.61 Federal Government Grant (Fund 5040)		Finance Budget:	
SPECIFIC EXPLANATION: On October 25, 2011, City Council approved Ordinance 2011-912 authorizing the submission of an application for funding assistance from the U.S. Department of Transportation Investment Generating Economic Recovery (TIGER) discretionary grant program. In June 2012, US DOT approved the application and awarded a \$15 million grant to the Houston Parks and Recreation Department (HPARD) for the project titled <i>Houston Regional Bike/Ped Connections to Transit</i> . A 20% match or \$3,991,700 is required. The <i>Houston Regional Bike/Ped Connections to Transit</i> project is made up of the following six trail segments: <ol style="list-style-type: none"> 1. White Oak Bayou Path: Alabonson Rd/Antoine Dr Link 2. White Oak Bayou Path: 11th Street/Heights Bike Trail/Stude Park Links 3. White Oak Bayou Path: Connections to Residential Neighborhoods and Buffalo Bayou Path 4. Buffalo Bayou Path: Smith St/Travis St Link 5. East Downtown: Transit/Residential/Commercial Connections 6. Brays Bayou Path: MLK Blvd/Old Spanish Trail Link The purpose of the interlocal agreement is to commit TIGER Grant funds and any cost overruns and to outline the roles of the City and the Greater East End Management District in the implementation of Project #5 listed above. The required match for the grant will be provided by the Houston Parks Board (\$3,535,542), Buffalo Bayou Partnership (\$156,158) and TIRZ #3 (\$300,000). The Houston Parks and Recreation Department and General Services Department will manage the grant and design contract for Project #5 as well as the construction contracts for all six projects. The City agrees to reimburse GEEMD for Project Management Services up to, but not to exceed, \$70,483.61 from TIGER grant funds. GSD will return to Council to award the design contract and construction contracts, which will be funded by the TIGER grant and matching funds from Houston Parks Board and Buffalo Bayou Partnership deposited with the City. Council approval of the interlocal agreement is recommended.			
Finance Director:	Other Authorization:	Other Authorization:	

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 9497

Subject: Approve an Ordinance Awarding a Contract for Window and Building Surface Cleaning Services for the Houston Airport System/S33-L24355

Category #
4

Page 1 of 2

Agenda Item

24

FROM (Department or other point of origin):

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

Origination Date

February 06, 2013

Agenda Date

APR 10 2013

DIRECTOR'S SIGNATURE

Calvin D. Wells

Council District(s) affected
B, E, I

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 Superior Building Services, Inc. on its low bid meeting specifications in an amount not to exceed \$1,060,664.45 for window and building surface cleaning services for the Houston Airport System.

Maximum Contract Amount: \$1,060,664.45

Finance Budget

\$1,060,664.45 - Airport Revenue Fund (8001)

SPECIFIC EXPLANATION:

The Director of the Houston Airport System and the City Purchasing Agent recommend that City Council approve an ordinance awarding a three-year contract, with two one-year options to Superior Building Services, Inc. on its low bid meeting specifications in an amount not to exceed \$1,060,664.45 for window and building surface cleaning services for the Houston Airport System (HAS). The City Purchasing Agent/Director may terminate this contract at any time upon 30-day written notice to the contractor.

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

<u>Company</u>	<u>Total Amount</u>
1. Delux Cleaning Concepts	\$1,048,337.04 (Does Not Meet Specifications)
2. Superior Building Services	\$1,060,664.45
3. United Maintenance	\$1,102,937.93
4. AAA National USA	\$1,310,421.30
5. McLemore Building Maintenance	\$1,593,472.30

The scope of work requires the contractor to provide all labor, materials, equipment, transportation and supervision necessary to perform window and glass surface cleaning services. Services include, but are not limited to, cleaning designated building surfaces including windows, glass panels, glass walls and glass doors. These services are performed on a routine basis at terminals and remote buildings located at Bush Intercontinental Airport (IAH), Houston Hobby Airport (HOU) and Ellington Airport.

M/WBE Subcontracting:

This invitation to bid was issued as a goal-oriented contract with a 20% M/WBE participation level; Superior Building Services, Inc. has designated the below-named companies as its certified M/WBE subcontractors.

REQUIRED AUTHORIZATION

Finance Department:

Other Authorization:

Other Authorization:

MCT

Date: 2/6/2013	Subject: Approve an Ordinance Awarding a Contract for Window and Building Surface Cleaning Services for the Houston Airport System/S33-L24355	Originator's Initials CJ	Page 2 of 2
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Subcontractor	Type of Work	Percentage	Amount
Flores Window Cleaning, Inc.	Window and Building Surface Cleaning	18%	\$190,919.60
La Mel Inc.	Accounting/Bookkeeping and Payroll	2%	\$21,213.29

The 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.

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; no Hire Houston First firms were within three percent.

Buyer: Conley Jackson

Estimated Spending Authority

Department	FY13	Out-Years	Total Amount
Houston Airport System	\$70,750.00	\$989,914.45	\$1,060,664.45

SUBJECT: Ordinance Approving the Concession Agreement between the City of Houston and Mark Latigue, dba Mark Latigue Catering Co. for operation of concession services at the Houston Permitting Center.

Page
1 of 1

Agenda Item #

25

FROM (Department or other point of origin):

Department of Public Works and Engineering

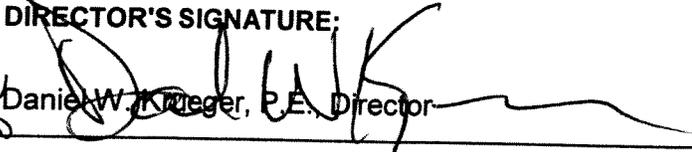
Origination Date

4/4/13

Agenda Date

APR 10 2013

DIRECTOR'S SIGNATURE:


Daniel W. Krieger, P.E., Director

Council District affected:

H

For additional information contact:

Mark McAvoy

Phone: 832-394-9400

Date and identification of prior authorizing Council action:

RECOMMENDATION: (Summary)

Adopt an ordinance approving the Concession Agreement between the City of Houston and Mark Latigue, dba Mark Latigue Catering Co.

FUNDING:

\$15,000.00 from Building Inspection Fund 2301 *PCR*

SPECIFIC EXPLANATION: On an average business day, the Houston Permitting Center (HPC) hosts 900 visitors and 475 full time employees. Considering the limited number of food service providers within reasonable walking distance of the HPC, the decision was made to provide concession services at the center.

In August 2012 the City of Houston solicited requests for qualifications to survey the landscape of qualified contractors interested in providing concession services at the HPC. The City received statements of qualifications from two contractors and deemed them both qualified to submit proposals. During the evaluation of proposals one of the two vendors withdrew from consideration. As a result, the City began negotiating a concession agreement with Mark Latigue, dba Mark Latigue Catering Co., which is a Houston-based small business. The City has reached agreeable terms with the contractor and recommends that City Council adopt an ordinance approving a concession agreement with Mark Latigue, dba Mark Latigue Catering Co. (a certified MWBE Program vendor). A brief summary of the agreement is below:

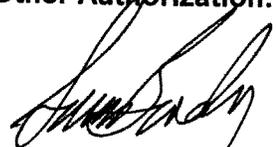
1. **Term:** The concession agreement is effective on the countersignature date. The initial term remains in effect for five years with an additional three successive optional two-year terms. The contract is cancellable by either party with 120 days written notice.
2. **Payment:** The contractor shall pay the City an annual rental rate of \$24.07 per square (\$700.00/month) for the concession area beginning six months from the countersignature date. The City may increase the rental rate based on increases in the Consumer Price Index during the optional terms.
3. **Scope of Services:** The contractor shall provide all labor, material and supervision necessary to deliver the concession services. Subject to the Director's approval, the City will reimburse the contractor for the design and build out of permanent improvements to the Concession Area for an amount not to exceed \$15,000.00.

REQUIRED AUTHORIZATION

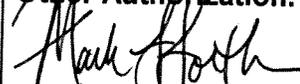
20HPC02

Finance Department:

Other Authorization:



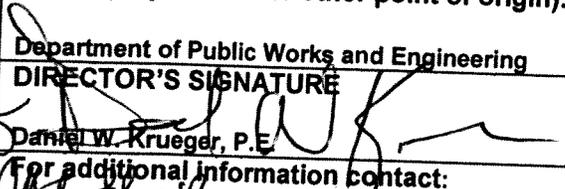
Other Authorization:

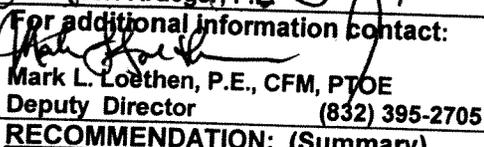

Mark L. Loethen P.E., CFM,
PTOE, Deputy Director

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

SUBJECT: Petition for the City's consent to the addition of 3.60 acres of land to Harris County Municipal Utility District No. 230 (Key Map No. 369-C, D) Page 1 of 1 Agenda Item # **26**

FROM (Department or other point of origin): Department of Public Works and Engineering Origination Date Agenda Date **APR 10 2013**

DIRECTOR'S SIGNATURE:  Daniel W. Krueger, P.E. **Council District affected:**
"ETJ"

For additional information contact:  Mark L. Loethen, P.E., CFM, PTOE
Deputy Director (832) 395-2705 **Date and identification of prior authorizing Council action:**

RECOMMENDATION: (Summary)
The petition for the addition of 3.60 acres of land to Harris County Municipal Utility District No. 230 be approved.

Amount and Source of Funding:
NONE REQUIRED

SPECIFIC EXPLANATION:

Harris County Municipal Utility District No. 230 has petitioned the City of Houston for consent to add 3.60 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.

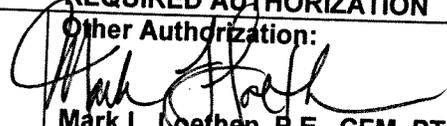
The district is located in the vicinity of Grant Road, Mandolin Drive, Cypresswood Drive and State Highway 249. The district desires to add 3.60 acres, thus yielding a total of 523.1276 acres. The district is served by the Harris County Municipal Utility District No. 230 Wastewater Treatment Plant. The nearest major drainage facility for Harris County Municipal Utility District No. 230 is Cypress Creek which flows into Spring Creek and then 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

REQUIRED AUTHORIZATION 20UPA218 - A
Finance Department **Other Authorization:**
 **Other Authorization:**
Mark L. Loethen, P.E., CFM, PTOE
Deputy Director
Planning & Development Services Div.



CITY OF HOUSTON



Department of Public Works and Engineering
Water District Consent Application Form

received
2/26/13 [Signature]

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 3.60 acres to Harris County MUD No. 230 under the provisions of Chapters 49 and 54 Texas Water Code.

[Signature]
Attorney for the District

Attorney: Allen Boone Humphries Robinson LLP

Address: 3200 Southwest Freeway, Suite 2600, Houston, TX Zip: 77027 Phone: 713-860-6400

Engineer: Dannenbaum Engineering Corp.

Address: 3100 West Alabama, Houston, TX Zip: 77098 Phone: 713-527-6418

Owners: SL 249, LP, Attn: John Kiltz

Address: 9600 North Mopac, Suite 250, Austin, TX Zip: 78759 Phone: 512-236-1083

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

LOCATION

INSIDE CITY
Survey James Winn

OUTSIDE CITY

NAME OF COUNTY (S) Harris
Abstract 833

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

North of: Grant Road

East of: Mandolin Drive

South of: Cypresswood Drive

West of: State Highway 249

WATER DISTRICT DATA

Total Acreage of District: 519.5276

Existing Plus Proposed Land 523.1276

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

Single Family Residential _____

Multi-Family Residential 100%

Commercial _____ Industrial _____

Institutional _____

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

Sewage Treatment Plant Name: Harris Co. M.U.D. No. 230

NPDES/TPDES Permit No: WQ0012877001

TCEQ Permit No: TX0094706



CITY OF HOUSTON



Department of Public Works and Engineering
Water District Consent Application Form

Existing Capacity (MGD): 0.76

Ultimate Capacity (MGD): 1.52

Size of treatment plant site: 3.0845 AC. square feet/acres.

If the treatment plant is to serve the District only, indicate the permitted capacity of the plant: 3.04 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: _____

MGD of (Regional Plant).

Name of District: _____

MGD Capacity Allocation _____

or property owner(s)

Name of District: _____

MGD Capacity Allocation _____

Water Treatment Plant Name: Harris Co MUD 230 Water Plant Facilities

Water Treatment Plant Address: 13811 Mandolin Drive, Houston, TX 77070

Well Permit No: 159939

Existing Capacity:

Well(s): 1500 GPM

Booster Pump(s): 4550 GPM

Tank(s): .505 MG

Ultimate Capacity:

Well(s): 1500 GPM

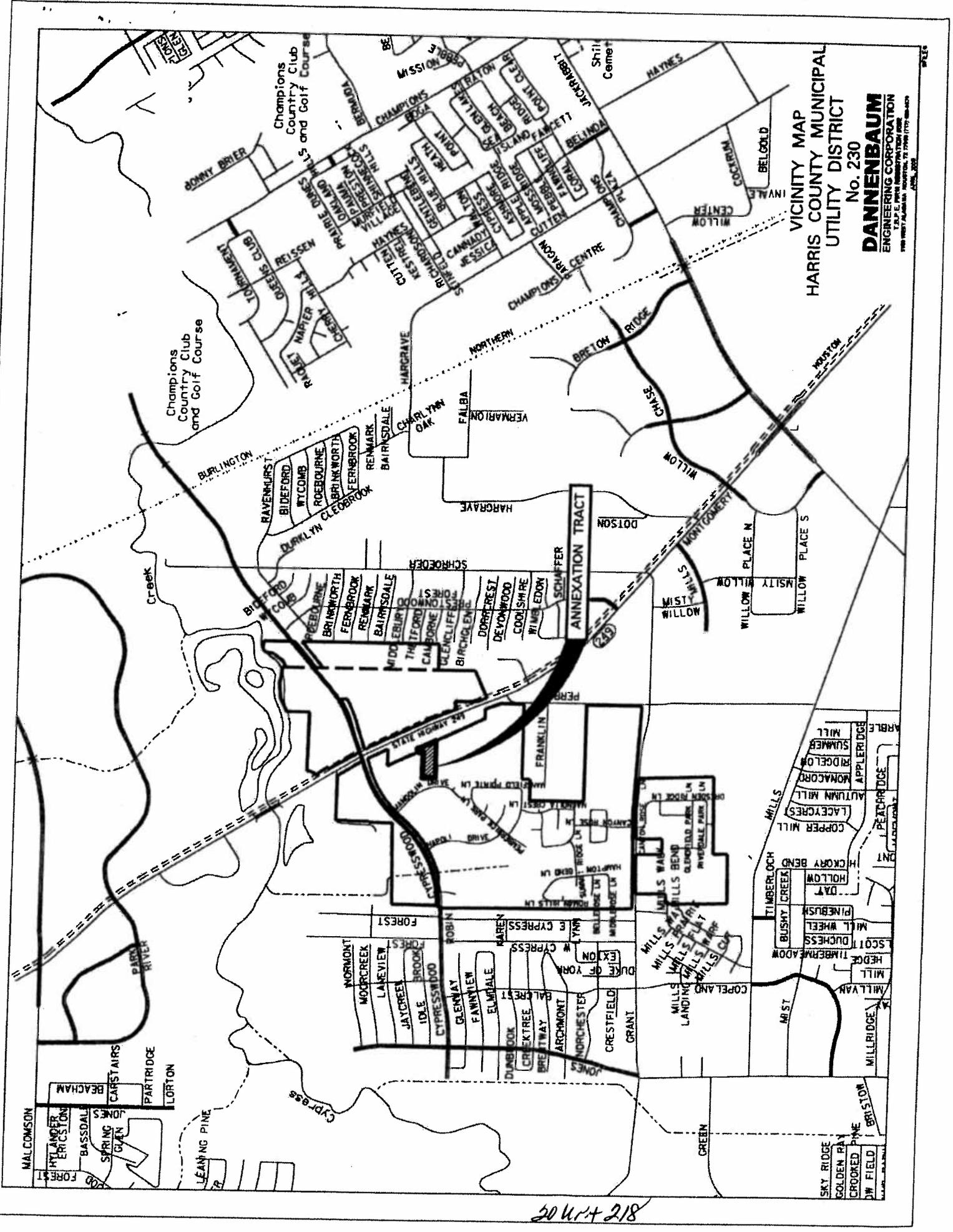
Booster Pump(s): 4550 GPM

Tank(s): .505 MG

Size of Treatment Plant Site: 2.88 AC.

square feet/acres.

Comments or Additional Information: _____



VICINITY MAP
 HARRIS COUNTY MUNICIPAL
 UTILITY DISTRICT
 No. 230

DANNENBAUM
 ENGINEERING CORPORATION
 1100 West 17th Street, Suite 100
 Houston, Texas 77058-1000
 Telephone: (713) 775-8000
 Fax: (713) 775-8001

50 W 4 218

TO: Mayor via City Secretary REQUEST FOR COUNCIL ACTION

SUBJECT: Petition for the City's consent to the addition of two (2) tracts of land totaling 8.8557 acres to Northampton Municipal Utility District (Key Map No. 290-C)	Page 1 of 1	Agenda Item # 27
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FROM (Department or other point of origin): Department of Public Works and Engineering	Origination Date	Agenda Date APR 10 2013
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DIRECTOR'S SIGNATURE <i>Daniel W. Krueger, P.E.</i>	Council District affected: "ETJ"
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For additional information contact: <i>Mark L. Loethen</i> Mark L. Loethen, P.E., CFM, PTOE Deputy Director (832) 395-2705	Date and identification of prior authorizing Council action:
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RECOMMENDATION: (Summary)

The petition for the addition of 8.8557 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 8.8557 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, Northcrest Drive, Willow Creek and Gosling Road. The district desires to add 8.8557 acres, thus yielding a total of 1,534.5967 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.

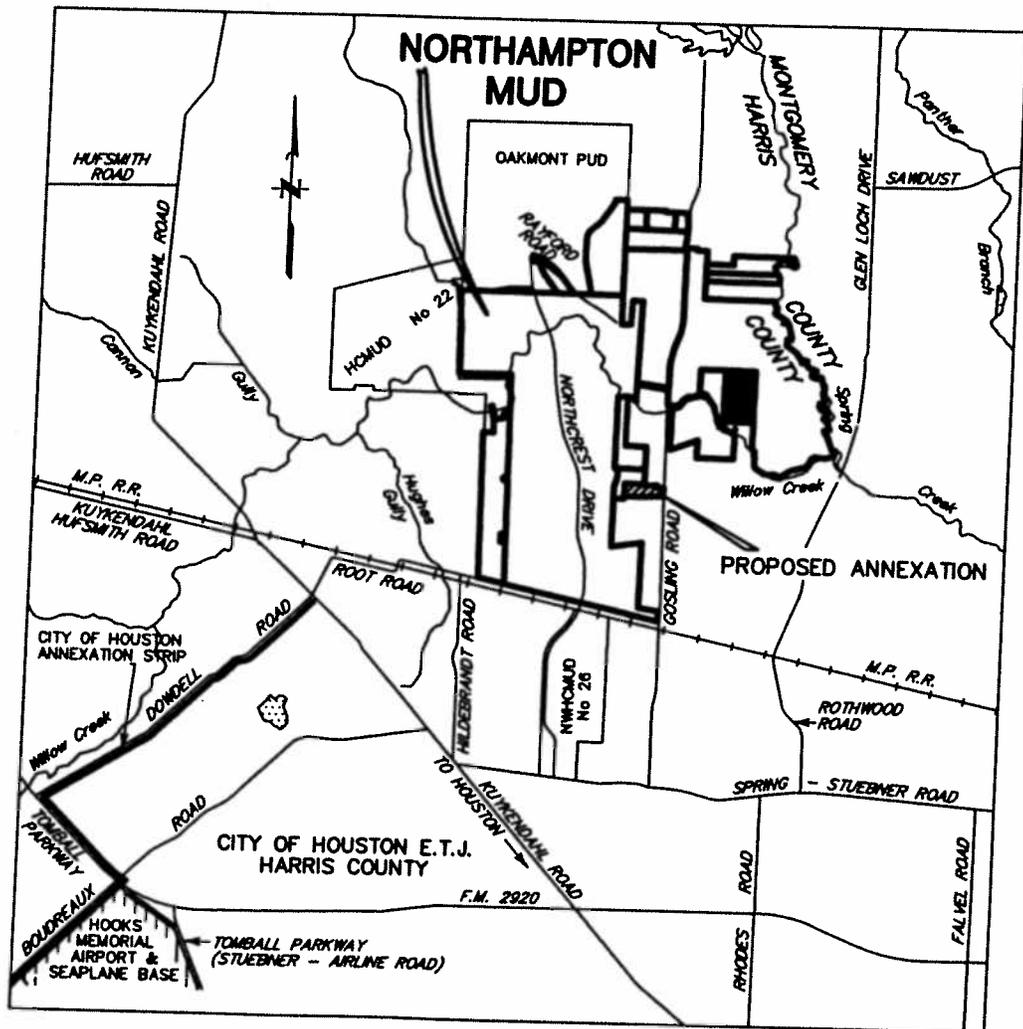
The Utility District Review Committee recommends that the subject petition be approved.

Attachments

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

REQUIRED AUTHORIZATION	20UPA220		
Finance Department	<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:60%;">Other Authorization: <i>Mark L. Loethen</i> Mark L. Loethen, P.E., CFM, PTOE Deputy Director Planning & Development Services Div.</td> <td style="width:40%;">Other Authorization:</td> </tr> </table>	Other Authorization: <i>Mark L. Loethen</i> Mark L. Loethen, P.E., CFM, PTOE Deputy Director Planning & Development Services Div.	Other Authorization:
Other Authorization: <i>Mark L. Loethen</i> Mark L. Loethen, P.E., CFM, PTOE Deputy Director Planning & Development Services Div.	Other Authorization:		

VICINITY MAP
 FOR ANNEXATION OF
8.8557 ACRES OF LAND
 INTO
 NORTHAMPTON MUNICIPAL UTILITY DISTRICT
 IN
 HARRIS COUNTY, TEXAS



NOVEMBER 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

HARRIS COUNTY KEY MAP: 290-C



CITY OF HOUSTON



Department of Public Works and Engineering
Water District Consent Application Form

received
1/27/13 2:40

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 8.8557 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, L.L.P. (John R. Wallace)

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

Engineer: Jones & Carter, Inc. (Joshua P. Lee, P.E.)

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

Owners: Partners in Building, LP (Ron Walkoviak)

Address: 4201 FM 1960 West, Ste 465, Houston, Texas Zip: 77068 Phone: 281-645-6780

(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 Levis Gosling Survey Abstract A-280

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

North of: Root Road East of: Northcrest Drive
South of: Willow Creek West of: Gosling Road

WATER DISTRICT DATA

Total Acreage of District: 1,525.741 Existing Plus Proposed Land 1534.5967

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.

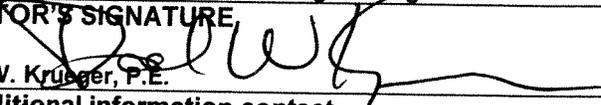
Comments or Additional Information: The District has two Water Plant sites. The Northampton MUD Treatment Facility also serves Klein ISD with a MGD Capacity Allocation of 0.075.

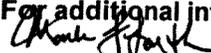
The District's Water Plant No. 2 is located at 244400 Northcrest Drive, Spring, Texas.

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

SUBJECT: Petition for the City's consent to the addition of 12.949 acres of land to Remington Municipal Utility District No. 1 (Key Map No. 407-B)	Page 1 of 1	Agenda Item # 28
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FROM (Department or other point of origin): Department of Public Works and Engineering	Origination Date	Agenda Date APR 10 2013
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DIRECTOR'S SIGNATURE  Daniel W. Krueger, P.E.	Council District affected: "ETJ"
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For additional information contact:  Mark L. Loethen, P.E., CFM, PTOE Deputy Director (832) 395-2705	Date and identification of prior authorizing Council action:
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RECOMMENDATION: (Summary)
The petition for the addition of 12.949 acres of land to Remington Municipal Utility District No. 1 be approved.

Amount and Source of Funding:
NONE REQUIRED

SPECIFIC EXPLANATION:

Remington Municipal Utility District No. 1 has petitioned the City of Houston for consent to add 12.949 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 West Road, Barker-Cypress Road, Tuckerton Road and Queenston Boulevard. The district desires to add 12.949 acres, thus yielding a total of 1,839.4990 acres. The district is served by the Remington Municipal Utility District No. 1 Wastewater Treatment Plant. The nearest major drainage facility for Remington Municipal Utility District No. 1 is Horsepen Creek which flows to Langham Creek then to South Mayde Creek then to Buffalo Bayou and finally into the Houston Ship Channel.

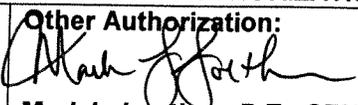
Potable water is provided by the district. By executing the Petition for Consent, the district has acknowledged that all plans for the construction of water conveyance, wastewater collection, and storm water collection systems within the district must be approved by the City of Houston prior to their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

REQUIRED AUTHORIZATION 20UPA219

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



Department of Public Works and Engineering
Water District Consent Application Form

received
2/26/13 [Signature]

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

Application is hereby made for consent of the City of Houston to the creation/ addition of 12.949 acres to Remington MUD No. 1 under the provisions of Chapter 49 Texas Water Code.

Mark Bersch
Attorney for the District

Attorney: Schwartz, Page & Harding, L.L.P.

Address: 1300 Post Oak Blvd., Suite 1400, Houston, Texas Zip: 77056 Phone: 713-623-4531

Engineer: Dennis Sander, P.E., Sander Engineering Corp.

Address: 1250 W. Sam Houston Pkwy South, Suite 400,
Houston, Texas Zip: 77042 Phone: 713-784-4830

Owners: See Attached

Address: _____ Zip: _____ Phone: _____

(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 Charles Bowman

Abstract A-142

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

North of: West Road

East of: Barker-Cypress Road

South of: Tuckerton Road

West of: Queenston Blvd.

WATER DISTRICT DATA

Total Acreage of District: 1826.55

Existing Plus Proposed Land 1839.499

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

Single Family Residential _____

Multi-Family Residential 58%

Commercial 42%

Industrial _____

Institutional _____

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

Sewage Treatment Plant Name: Remington M.U.D. No. 1 Wastewater Treatment Plant

NPDES/TPDES Permit No: WQ0013328001

TCEQ Permit No: N/A



CITY OF HOUSTON



Department of Public Works and Engineering
Water District Consent Application Form

Existing Capacity (MGD): 1.1

Ultimate Capacity (MGD): 1.1

Size of treatment plant site: 475,248/10.9102 square feet/acres.

If the treatment plant is to serve the District only, indicate the permitted capacity of the plant: 1.1 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: N/A

MGD of (Regional Plant).

Name of District: N/A

MGD Capacity Allocation _____

or property owner(s)

Name of District: N/A

MGD Capacity Allocation _____

Water Treatment Plant Name: Remington MUD No. 1 W.P. 1&2

Water Treatment Plant Address: 9804 Queenston Blvd. & 9302 1/2 Queenston Blvd.

Well Permit No: N/A (WHCRWA holds Permit)

Existing Capacity:

Well(s): 3000 GPM

Booster Pump(s): 8000 GPM

Tank(s): 1.68 MG

Ultimate Capacity:

Well(s): Sam as above GPM

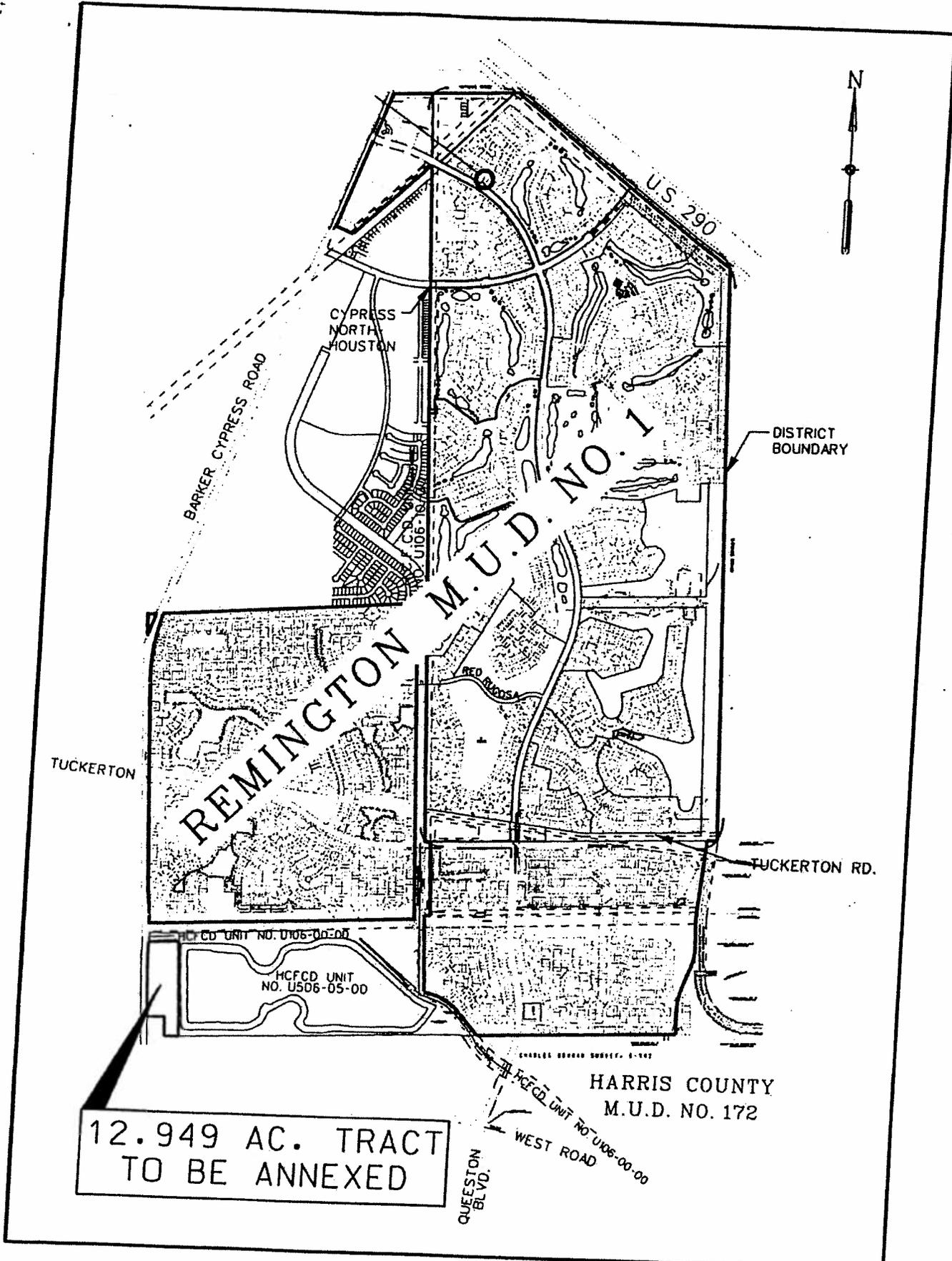
Booster Pump(s): Same as above GPM

Tank(s): Same as above MG

Size of Treatment Plant Site: 175,983/4.04

square feet/acres.

Comments or Additional Information: _____



VICINITY MAP

SCALE: 1" = 2000'
 KEY MAP NO. 407-B

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: An ordinance to adopt a Municipal Setting Designation prohibiting the use of designated groundwater for the Houston Police Federal Credit Union for the site located at 1600/1714/1716/1720 Memorial Drive, and 1708 State Street, Houston, TX 77007. (MSD # 2012-051-PCU)

Page 1 of 1

Agenda Item #

29

FROM (Department or other point of origin):

Department of Public Works and Engineering

Origination Date

4/4/13

Agenda Date

APR 10 2013

DIRECTOR'S SIGNATURE:

WJK
Daniel W. Krueger, P.E., Director

Council District affected:

H 36

For additional information contact:

Jedediah Greenfield, Administration Manager (832) 394-9005

Date and identification of prior authorizing Council action:

RECOMMENDATION: (Summary)

It is recommended that City Council adopt a Municipal Setting Designation (MSD) ordinance prohibiting the use of designated groundwater at the Houston Police Federal Credit Union site located at 1600/1714/1716/1720 Memorial Drive, and 1708 State Street, Houston, TX 77007, and support issuance of an MSD by the Texas Commission on Environmental Quality (TCEQ). (MSD # 2012-051-PCU)

Amount and Source of Funding: N/A

BACKGROUND: In 2003, the Texas Legislature authorized the creation of Municipal Setting Designations (MSD), which designates an area in which the use of contaminated groundwater is prohibited for use as potable water. The law is administered by the Texas Commission on Environmental Quality (TCEQ) and requires local City support to designate an MSD. The intent of the legislation is to encourage redevelopment of vacant or abandoned properties while protecting public health. On August 22, 2007, City Council approved an ordinance amending Chapter 47 of the Code of Ordinances by adding Article XIII relating to groundwater, which provides a process to support or not support an MSD application to the State (ordinance amended 7/14/2010).

HOUSTON POLICE FEDERAL CREDIT UNION APPLICATION: The Houston Police Federal Credit Union is seeking a Municipal Setting Designation (MSD) for approximately 2.26-acres of land located at 1600/1714/1716/1720 Memorial Drive, and 1708 State Street, Houston, TX 77007. The contamination consists of trichloroethene (TCE), cis-1,2-dichloroethene (cis-1,2-DCE), and 1,1-dichloroethene (1,1-DCE). The site was developed as commercial property in the 1920s, including a chemical laboratory utilizing chemical and hazardous materials on site. A licensed Professional Engineer has certified that the area of contamination has been thoroughly investigated, is fully defined and is stable.

The Houston Police Federal Credit Union is seeking an MSD for this property to restrict access to groundwater to protect the public against possible exposure to the contaminants. There is a public drinking water supply system that meets state requirements that supplies or is capable of supplying drinking water to the MSD property and all properties within one-half mile of the MSD property. A public meeting was held on February 7, 2013 at the Houston Permit Center, and a public hearing was held on March 21, 2013 during the Transportation, Technology, and Infrastructure Council Committee. Both meetings are necessary steps prior to City Council's consideration of support.

RECOMMENDATIONS: It is recommended that City Council adopt a Municipal Setting Designation (MSD) ordinance prohibiting the use of designated groundwater at the Houston Police Federal Credit Union site located at 1600/1714/1716/1720 Memorial Drive, and 1708 State Street, Houston, TX 77007, and support issuance of an MSD by the Texas Commission on Environmental Quality.

MLL:TJH:RM:jbg

P:\UTILITY ANALYSIS-DEVELOPER SERVICES\MSD\GENERIC INFO, LETTERS, MEMOS, ETC\GENERIC RCA - ORDINANCE SUPPORT.DOC

C: Marta Crinejo, Ceil Price

REQUIRED AUTHORIZATION

CUIC ID #20UPA227

Other Authorization:

Authorization:

Mark L. Loehner
Mark L. Loehner, P.E., CFM, PTOE
Deputy Director
Planning & Development Services Division

Other Authorization:

Municipal Setting Designation

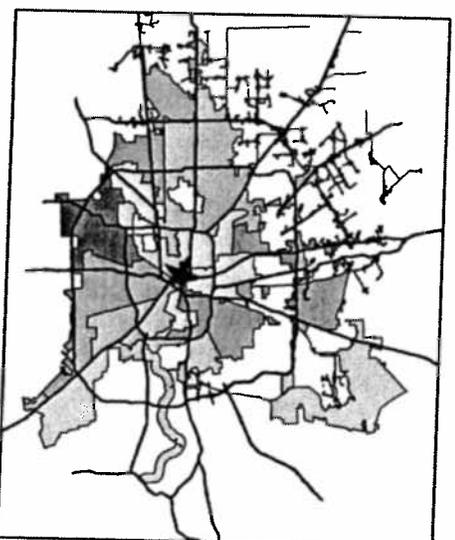
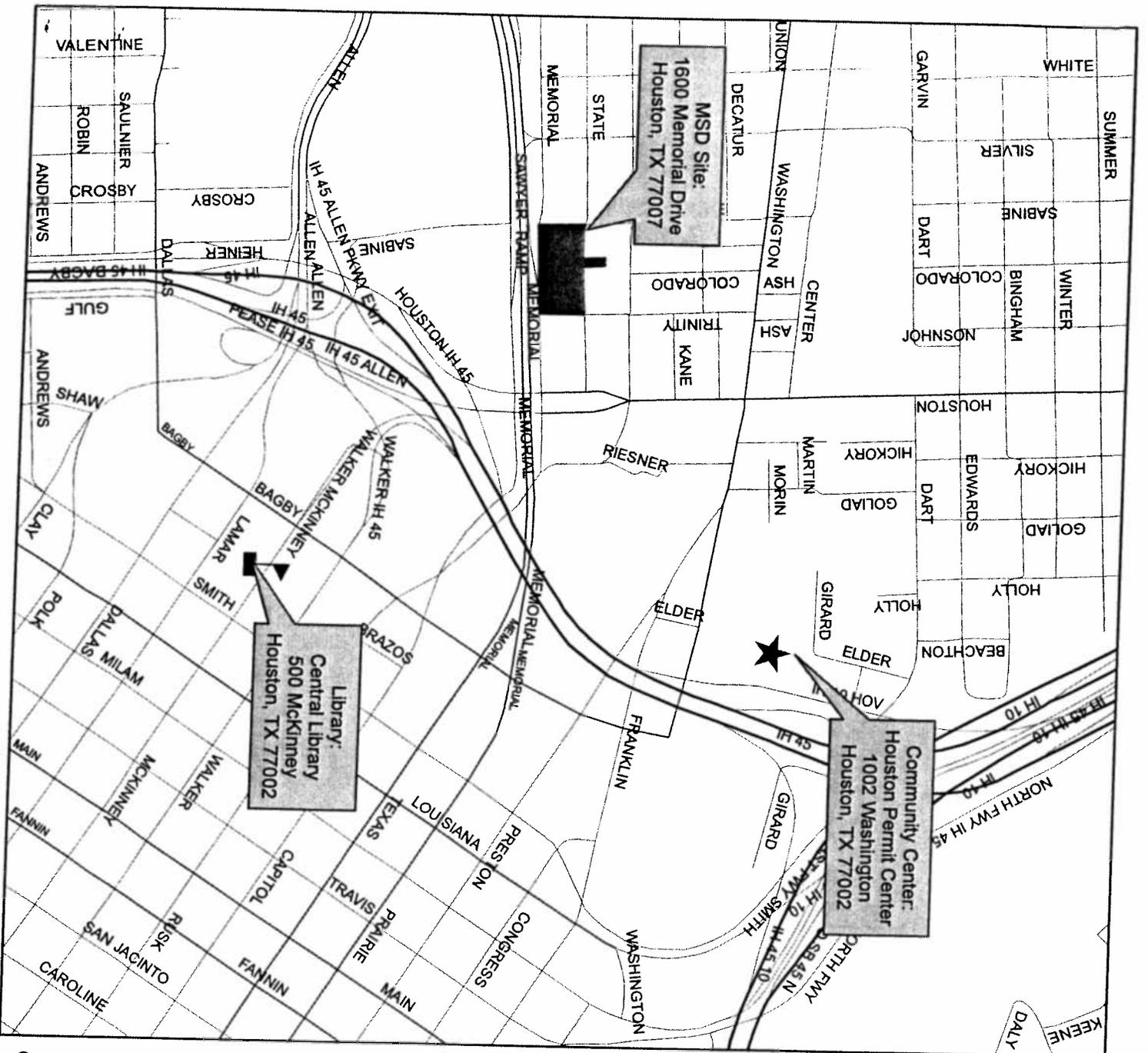
2012-051-PCU

Vicinity Map

Legend

-  MSD Site
-  Community Center
-  Library

0 0.0378,075 0.15 Miles



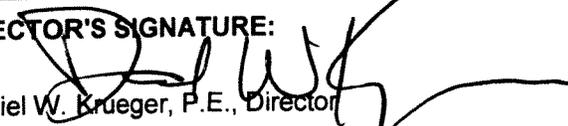
This map represents the best information available to the City. The City does not warrant its accuracy or completeness. Field verification should be performed as necessary.

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: An ordinance to adopt a Municipal Setting Designation prohibiting the use of designated groundwater for West Flex 20, L.P. for the site located at 8600 Commerce Park Drive, Houston, TX 77063. (MSD # 2012-052-COM)	Page 1 of 1	Agenda Item # 30
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FROM (Department or other point of origin): Department of Public Works and Engineering	Origination Date 4/4/13	Agenda Date APR 10 2013
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DIRECTOR'S SIGNATURE:  Daniel W. Krueger, P.E., Director	Council District affected: J 
--	---

For additional information contact: Jedediah Greenfield, Administration Manager (832) 394-9005	Date and identification of prior authorizing Council action:
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RECOMMENDATION: (Summary)
It is recommended that City Council adopt a Municipal Setting Designation (MSD) ordinance prohibiting the use of designated groundwater at the West Flex 20, L.P. site located at 8600 Commerce Park Dr., Houston, TX 77063, and support issuance of an MSD by the Texas Commission on Environmental Quality (TCEQ). (MSD # 2012-052-COM)

Amount and Source of Funding: N/A

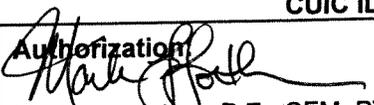
BACKGROUND: In 2003, the Texas Legislature authorized the creation of Municipal Setting Designations (MSD), which designates an area in which the use of contaminated groundwater is prohibited for use as potable water. The law is administered by the Texas Commission on Environmental Quality (TCEQ) and requires local City support to designate an MSD. The intent of the legislation is to encourage redevelopment of vacant or abandoned properties while protecting public health. On August 22, 2007, City Council approved an ordinance amending Chapter 47 of the Code of Ordinances by adding Article XIII relating to groundwater, which provides a process to support or not support an MSD application to the State (ordinance amended 7/14/2010).

WEST FLEX 20, L.P. APPLICATION: West Flex 20, L.P. is seeking a Municipal Setting Designation (MSD) for approximately 1.9-acres of land located at 8600 Commerce Park Drive, Houston, TX 77063. The contamination consists of 1,1-dichloroethene (1,1-DCE), and vinyl chloride (VC). A warehouse was built in the 1970s and occupied by Texas Instruments until 1990. Federal express then operated at the site from the 1990s to 2010. A licensed Professional Geologist has certified that the area of contamination has been thoroughly investigated, is fully defined and is stable.

West Flex 20, L.P. is seeking an MSD for this property to restrict access to groundwater to protect the public against possible exposure to the contaminants. There is a public drinking water supply system that meets state requirements that supplies or is capable of supplying drinking water to the MSD property and all properties within one-half mile of the MSD property. A public meeting was held on February 26, 2013 at the Sharpstown Community Center, and a public hearing was held on March 21, 2013 during the Transportation, Technology, and Infrastructure Council Committee. Both meetings are necessary steps prior to City Council's consideration of support.

RECOMMENDATIONS: It is recommended that City Council adopt a Municipal Setting Designation (MSD) ordinance prohibiting the use of designated groundwater at the West Flex 20, L.P. site located at 8600 Commerce Park Drive, Houston, TX 77063, and support issuance of an MSD by the Texas Commission on Environmental Quality.

MLL:TJH:RM:jbg
P:\UTILITY ANALYSIS-DEVELOPER SERVICES\MSD\GENERIC INFO, LETTERS, MEMOS, ETC\GENERIC RCA - ORDINANCE SUPPORT.DOC
C: Marta Crinejo, Ceil Price

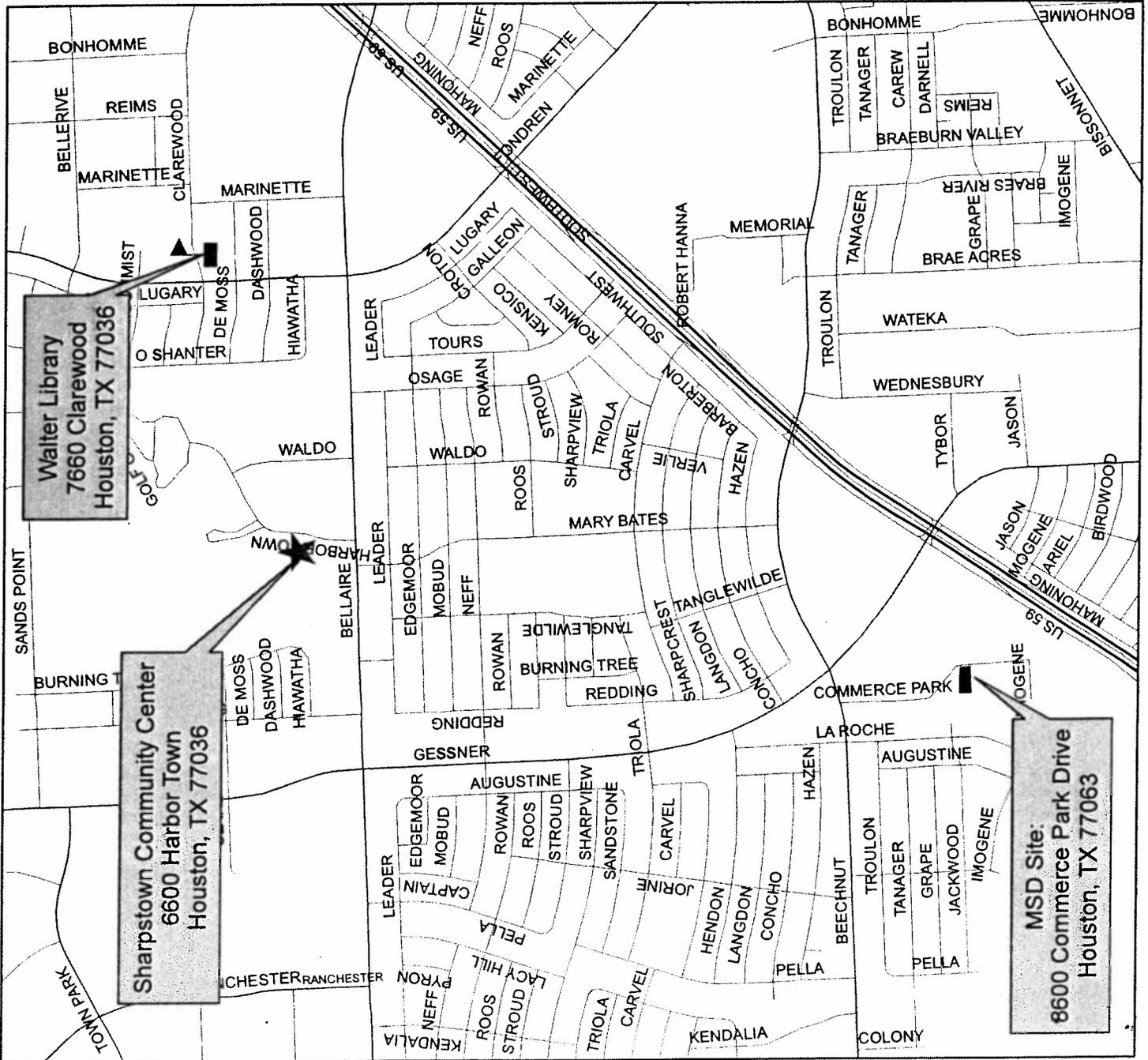
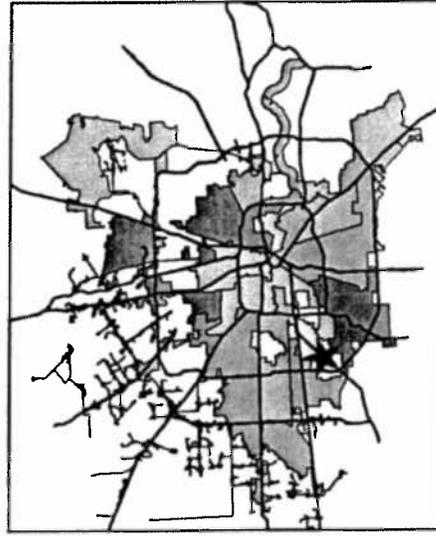
REQUIRED AUTHORIZATION		CUIC ID #20UPA228
Other Authorization:	Authorization:  Mark L. Loethen, P.E., CFM, PTOE Deputy Director Planning & Development Services Division	Other Authorization:

Municipal Setting Designation 2012-052-COM Map

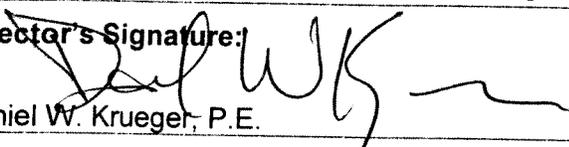
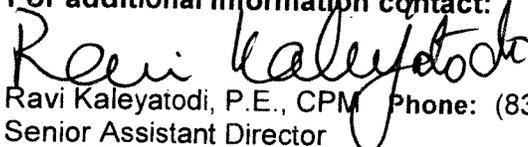
- Legend**
-  MSD Site
 -  Community Center
 -  Library



00.04609 0.18 Miles



This map represents the best information available to the City. The City does not warrant its accuracy or completeness. Field verification should be performed as necessary.

SUBJECT: Professional Engineering Services Contract between the City of Houston and Dannenbaum Engineering Corporation for Laura Koppe Road Paving & Drainage: Hirsch to Homestead. WBS No. N-000813-0001-3		Page 1 of 2	Agenda Item # 31
From: (Department or other point of origin): Department of Public Works and Engineering	Origination Date	Agenda Date APR 10 2013	
Director's Signature:  Daniel W. Krueger, P.E.	Council District affected: B JK		
For additional information contact:  2/18/13 Ravi Kaleyatodi, P.E., CPM Phone: (832) 395-2326 Senior Assistant Director	Date and identification of prior authorizing Council action:		
Recommendation: (Summary) Approve an Ordinance appropriating funds for Professional Engineering Services Contract with Dannenbaum Engineering Corporation.			
Amount and Source of Funding: \$347,303.00 from Fund 4042 – Street & Traffic Control & Storm Drainage DDSRF. <i>M.F. 2/22/2013</i>			
PROJECT NOTICE/JUSTIFICATION: This project is part of the Street & Traffic Capital Improvement Plan (CIP) and is necessary to meet City of Houston design and safety standards and improve traffic mobility and drainage in the service area.			
DESCRIPTION/SCOPE: This Project consists of the design of approximately 8,100 linear feet of roadway widening to Major Thoroughfare Freeway Plan (MTFP). The proposed project improvements include a four-lane undivided concrete roadway with curbs, an underground storm sewer system, new inlets, sidewalks, streetlights, signals and necessary underground utilities.			
LOCATION: The project area is generally bounded by Hirsch on the west and Homestead on the east. The project is located in Key Map Grids 454F, 454G and 454H.			
SCOPE OF THIS CONTRACT AND FEE: Under the scope of the Contract the Consultant will perform Phase I- Preliminary Design, Phase II- Final Design, Phase III -Construction Phase Services and Additional Services. Preliminary Engineering will focus on the evaluation and development of the existing and proposed right of way, drainage assessment and construction cost estimates and a report which will present findings and recommendations for Phase II Final Design. Basic Services fee for Phase I is based on cost of time and materials with a not to exceed agreed upon amount. The Basic Services fee for Phase II and Phase III will be negotiated on a lump sum amount after the completion of Phase I. The appropriation requested at this time is the negotiated amount for Phase I Basic Services of \$193,448.00. The contract also includes certain Additional Services to be paid either as lump sum or a reimbursable basis. These Additional Services include traffic study, drainage impact study, surveying and environmental site assessment. The total Additional Services appropriation for Phase I is \$108,555.00.			
NDT			
LTS # 4322		CUIC ID #20AZA14	
Finance Department:	Other Authorization:	Other Authorization:  Daniel R. Menendez, P.E., Deputy Director Engineering and Construction Division	

The total requested appropriation is \$347,303.00 to be appropriated as follows: \$302,003.00 for contract services and \$45,300.00 for CIP cost recovery.

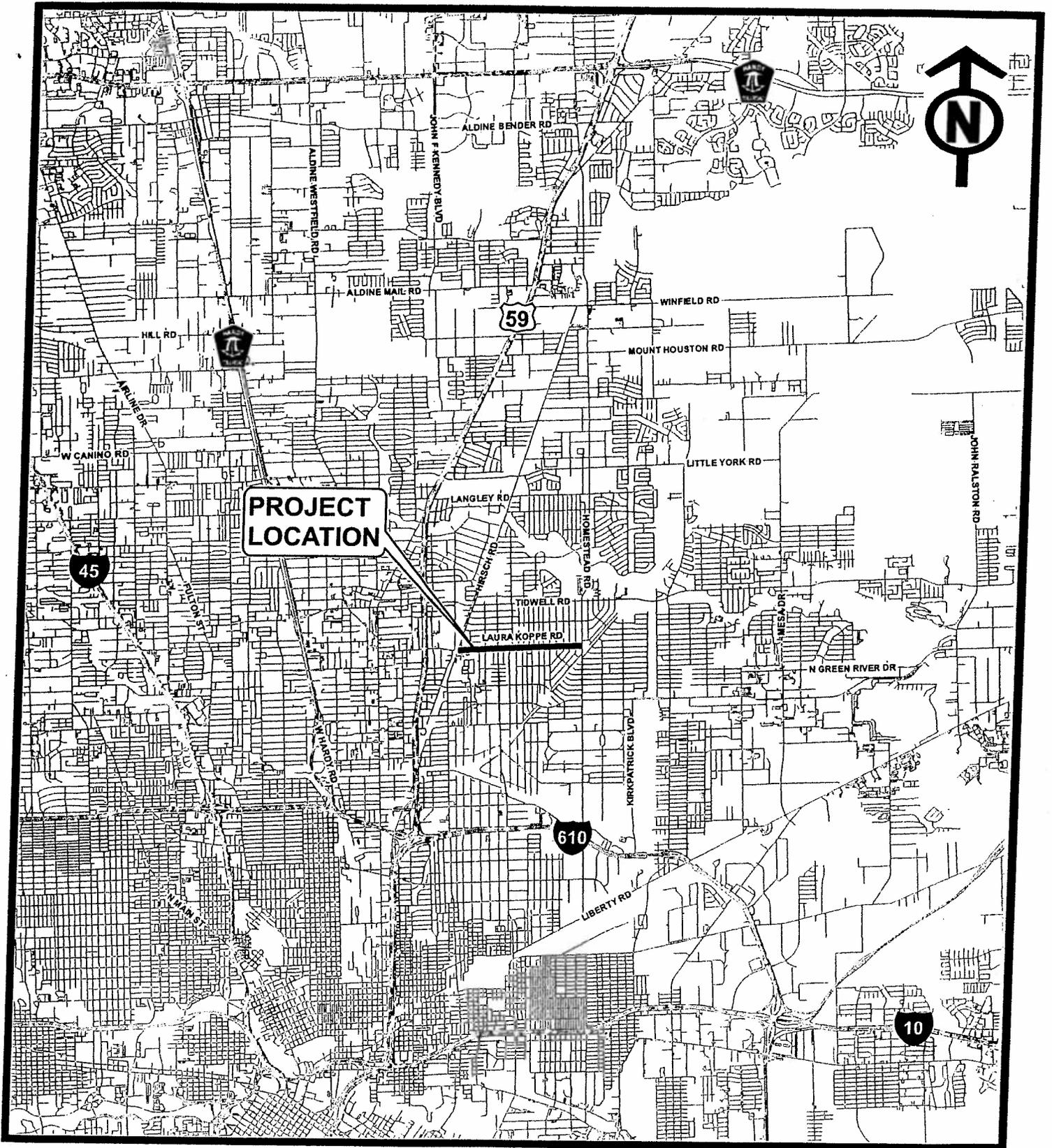
PAY OR PLAY PROGRAM: The proposed contract requires compliance with the City's 'Pay or Play' ordinance regarding health benefits for employees of City contractors. In this case, the contractor provides health benefits to eligible employees in compliance with City policy.

M/WBE INFORMATION: The M/WBE goal established for the project is 24%. The Consultant has proposed the following firms to achieve this goal.

<u>Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Total Contract</u>
1. Kuo & Associates, Inc.	Topographic Survey	\$ 94,415.00	31.26%
2. Crouch Environmental Services, Inc.	Environmental Site Assessment	\$ 5,118.00	1.69%
3. ISANI Consultants ,LLP	Traffic Study	\$ 7,872.00	2.61%
TOTAL		\$107,405.00	35.56%

RH JK SC
DWK:DRM:RK:JHK:SC:AA
H:\design\A-SB-DIV\PROJECTS\N-000813-0001-3 Laura Koppe Reconstruction\1-RCA 12-12-12.doc

ec: WBS No. N-000813-0001-3 (1.2 DSGN RCA)



Vicinity Map

Reconstruction of Laura Koppe Rd
from Hirsch Rd to Homestead Rd

Key Map 454 G and H

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Professional Engineering Services Contract between the City and Gupta & Associates, Inc. for Southwest Wastewater Treatment Plant Improvements (Package 3). WBS No. R-000265-0103-3.

Page 1 of 2

Agenda Item #

320

FROM (Department or other point of origin):

Department of Public Works and Engineering

Origination Date

4/4/13

Agenda Date

APR 10 2013

Director's Signature:

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

Council District affected: 1-2

C

For additional information contact:

Ravi Kaleyatodi 12/20/12
Ravi Kaleyatodi, P.E., CPM
Senior Assistant Director Phone: (832) 395-2326

Date and identification of prior authorizing Council action:

RECOMMENDATION: (Summary)

An ordinance approving a Professional Engineering Services Contract with Gupta & Associates, Inc. and appropriate funds.

Amount and Source of Funding: \$1,515,500.00 Water and Sewer System Consolidated Construction Fund No. 8500.

U.P. 2/12/2013

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

DESCRIPTION/SCOPE: This project consists of the design of electrical, instrumentation and various improvements at Southwest Wastewater Treatment Plant.

LOCATION: The project is located at 4211 Beechnut. The project is located in Key Map Grid 531R.

SCOPE OF CONTRACT AND FEE: Under the scope of the Contract, the Consultant will perform Phase I - Preliminary Design, Phase II - Final Design, Phase III - Construction Phase Services and Additional Services. Basic Services Fee for Phase I is based on cost of time and materials with not-to-exceed agreed upon amount. The Basic Services fees for Phase II and Phase III will be negotiated on a lump sum amount after the completion of Phase I. The negotiated maximum for Phase I Basic Services is \$325,911.00. The total Basic Services appropriation is \$1,200,000.00.

The Contract also includes certain Additional Services to be paid either as lump sum or on a reimbursable basis. The Additional Services include surveying, geotechnical, and reproduction. The total Additional Services appropriation is \$117,800.00.

LTS No. 4273

CUIC ID #20BZ100

Finance Department:

Other Authorization:

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

Other Authorization:

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

The total cost of this project is \$1,515,500.00 to be appropriated as follows: \$1,317,800.00 for Contract services and \$197,700.00 for CIP Cost Recovery.

PAY OR PLAY PROGRAM:

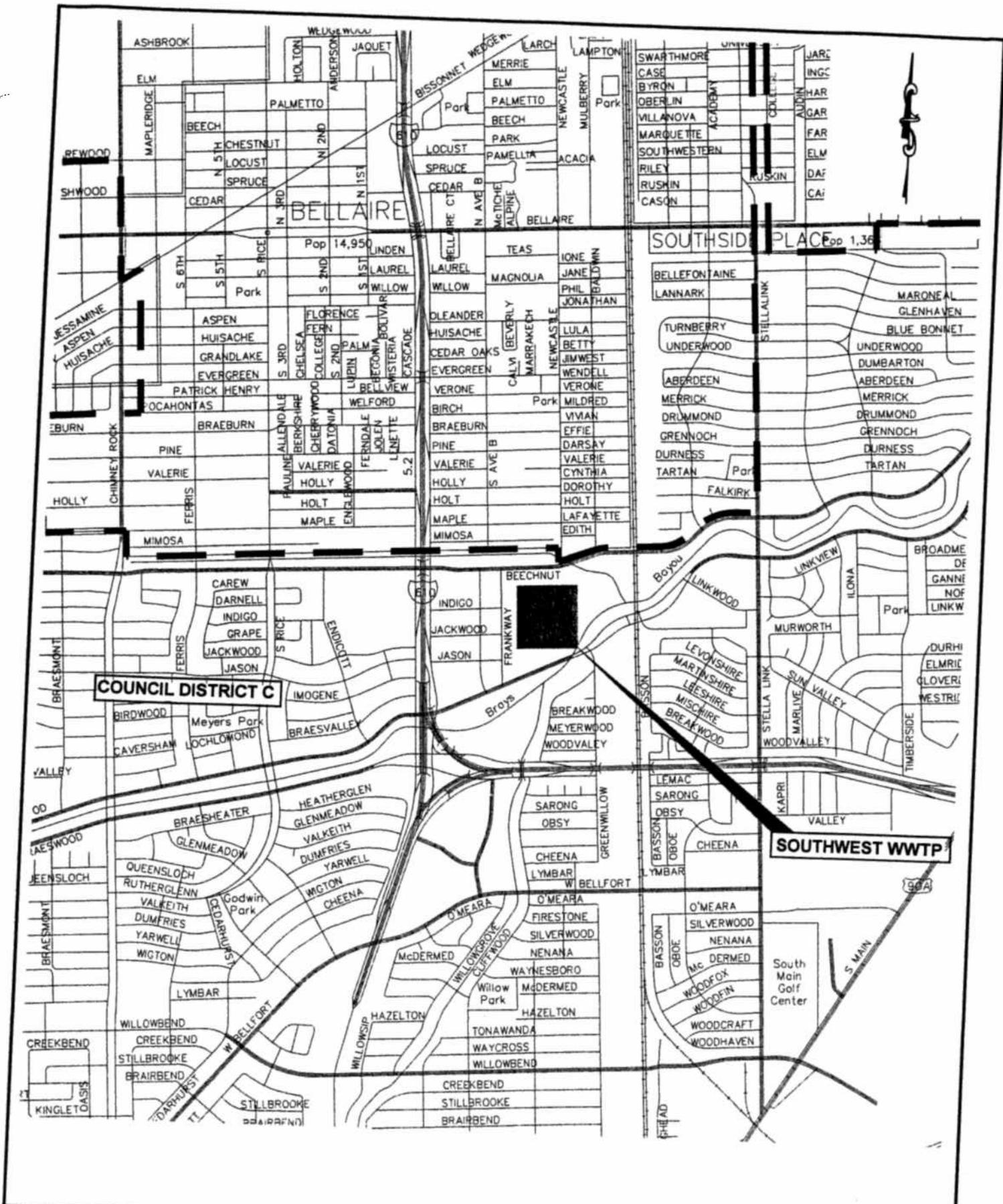
The proposed contract requires compliance with the City's 'Pay or Play' ordinance regarding health benefits for employees of City contractors. In this case, the Consultant provides health benefits to eligible employees in compliance with City policy.

M/WBE INFORMATION: The M/WBE goal for the project is set at 24%. The Consultant has proposed the following firms to achieve this goal.

<u>Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Total Contract</u>
1. KIT Professionals, Inc.	Engineering Services	\$290,000.00	22.00%
2. Associated Testing Laboratories, Inc.	Geotechnical Services	\$ 7,500.00	0.57%
3. Amani Engineering, Inc.	Surveying and Design Services	<u>\$ 25,000.00</u>	<u>1.90%</u>
TOTAL		\$322,500.00	24.47%

[Signature]
DWK:DRM:RK:EN:BZ:pa

c: File No. R-000265-0103-3 (1.2)



COUNCIL DISTRICT C

SOUTHWEST WWTP



SOUTHWEST WWTP IMPROVEMENTS
 WBS NO.: R-00265-0103-3

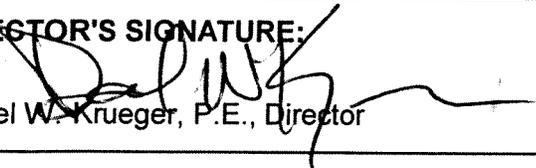
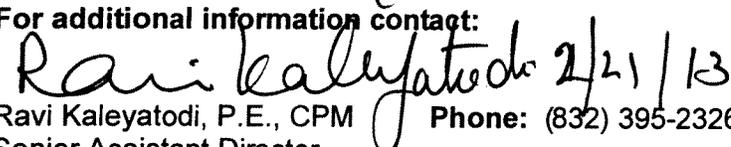
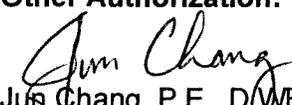
SOUTHWEST WWTP LOCATION MAP

NOT TO SCALE

GAI Gupta & Associates, Inc.
 consulting engineering

7302 Southwest Freeway, Suite 410 Houston, Texas 77054
 Phone: (713) 636-2828 Fax: (713) 636-2965
 TPEE Firm Registration No. F-2652

KEY MAP: 531R

SUBJECT: Additional Appropriation for Professional Engineering Services Contract between the City and Jones & Carter, Inc. for the Design of On-Call Water Facility Projects. WBS Number S-000019-0048-3		Page 1 of <u>2</u>	Agenda Item # 33
FROM (Department or other point of origin): Department of Public Works and Engineering		Origination Date 4/4/13	Agenda Date APR 10 2013
DIRECTOR'S SIGNATURE:  Daniel W. Krueger, P.E., Director		Council District affected: ALL 	
For additional information contact:  Ravi Kaleyatodi, P.E., CPM Senior Assistant Director Phone: (832) 395-2326		Date and identification of prior authorizing Council action: Ordinance No. 2009-0308 April 15, 2009	
RECOMMENDATION: (Summary) Approve Additional Appropriation for Professional Engineering Services Contract and appropriate additional funds.			
Amount and Source of Funding: \$345,000.00 from Water and Sewer System Consolidated Construction Fund No. 8500. <i>U.P. 2/28/2013</i> Original (previous) appropriation of \$330,000.00 from Water and Sewer System Consolidated Construction Fund No. 8500.			
PROJECT NOTICE/JUSTIFICATION: This project is to provide engineering services to the City's Drinking Water Operations for the design of water facilities on an as needed basis. It is required to ensure compliance with the Texas Commission on Environmental Quality regulations and to meet the current and future drinking water demands.			
DESCRIPTION/SCOPE: When requested by the director, the engineer will provide engineering services for the design of: <ul style="list-style-type: none"> • Engineering analysis of mechanical and electrical systems and • Minor designs and specifications for a construction work order contract generally related to repair or rehabilitation of plant components. 			
LOCATION: The project area is located throughout the City.			
PREVIOUS HISTORY AND SCOPE: City Council approved the original contract by Ordinance Number 2009-0308 on April 15, 2009. The scope of services under the original contract consisted of Phase II - Final Design, Phase III - Construction Phase Services and Additional Services. The consultant has been authorized \$298,426.87 (99.46%) out of the original contract appropriation to date. The requested \$300,000.00 will be expended to continue the On-Call services as described in the scope.			
LTS No. 3705		CUIC ID #20JWM68 <i>10</i>	
Finance Department:	Other Authorization:  Jun Chang, P.E., DWRE Deputy Director Public Utilities Division	 Daniel R. Menendez, P.E., Deputy Director Engineering and Construction Division	

SCOPE OF ADDITIONAL APPROPRIATION AND FEE: The requested additional appropriation will be utilized in the design and construction support services on water plant facilities. The engineer will be reimbursed on a time and material basis. Additional services such as surveying, geotechnical investigation and environmental design will be paid on a reimbursable basis subject to authorization by the Director.

The budgeted amount for this additional appropriation is \$345,000.00 to be appropriated as follows: \$300,000.00 for contract services and \$45,000.00 for CIP Cost Recovery.

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

M/WBE INFORMATION: The M/WBE goal for the contract is 24%. The engineer has been authorized \$298,426.87 (99.46%) of the original contract amount (\$300,000.00) to perform services and M/WBE sub-consultants have been authorized to perform services totaling \$41,887.24 (14.04%) of the authorized amount. The engineer has been paid \$296,019.40 (99.19%) to date. Of this amount, \$41,887.24 (14.15 %) has been paid to M/WBE sub-consultants.

Due to the highly specialized nature of this project, Jones & Carter, Inc., had submitted to the Office of Business Opportunity a M/WBE good-faith effort amounting to 13.5% of the original amount and has proposed to the Department of Public Works and Engineering a good-faith effort of 11.5% for the additional appropriation amount. The average good-faith effort requested for the contract is 12.5%. The Office of Business Opportunity has requested the consultant to document the M/WBE good-faith effort participation through the duration of the project and the goal will be evaluated at the end of the project. With services proposed to be performed with the original and additional appropriations, the Engineer plans the following MWBE participation.

<u>Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
1. Paid Prior M/WBE Commitment	Total prior Commitment	\$41,887.24	6.99%
2. Kalluri Group, Inc.	Engineering Services	<u>\$34,590.00</u>	<u>5.76%</u>
	TOTAL	\$76,477.24	12.75%


 DWK:DRM:RK:HH:SD:JM:kb
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 File S-000019-0048-3 (RCA - 1.2)

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Professional Engineering Services Contract between the City and CDM Smith, Inc. for Engineering Services associated with the Replacement and Rehabilitation of Valves, Control Devices and Rapid Mixers at Plants 1, 2 & 3 at the East Water Purification Plant. WBS No. S-000056-0069-3

Page 1 of 2

Agenda Item # 34

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

Origination Date
4/4/13

Agenda Date
APR 10 2013

DIRECTOR'S SIGNATURE:

DW
Daniel W. Krueger, P.E., Director

Council District affected:

E

JM

For additional information contact:

Ravi Kaleyatodi 2/6/13
Ravi Kaleyatodi, P.E., CPM
Senior Assistant Director
Phone: (832) 395-2326

Date and identification of prior authorizing Council action:

RECOMMENDATION: (Summary)

An ordinance approving a Professional Engineering Services Contract with CDM Smith, Inc. and appropriate funds.

Amount and Source of Funding:

\$2,585,500.00 from the Water and Sewer System Consolidated Construction Fund No. 8500. *W.P. 2/13/2013*

PROJECT NOTICE/JUSTIFICATION: This project is part of the City's Capital Improvement Program to improve operability, maintainability and reliability for the East Water Purification Plant to comply with the Texas Commission on Environmental Quality and Surface Water Treatment Rule mandated by the United States Environmental Protection Agency and to meet existing and future water demand requirements.

DESCRIPTION/SCOPE: This project consists of providing professional engineering and related services associated with the rehabilitation and replacement of various slide gates and sedimentation basin drain valves at plants 1, 2, and 3, replacement of 6 valve actuators at plant 1 & 2 high service pumping station, replacement of the rapid mixers at plant 3, and providing secondary power to the Coastal Water Authority control valves.

LOCATION: This project is located on 12555 Clinton Drive and 2300 Federal Road. The project is located in key map grids 496 U and Y.

SCOPE OF CONTRACT AND FEE: Under the scope of the contract, the consultant, CDM Smith, Inc., will perform phase I - preliminary design, phase II - final design and phase III - construction phase services and additional services. Basic services fee for phase I is based on the cost of time and materials with a not-to-exceed agreed upon amount. The basic services fees for phase II and phase III will be negotiated on a lump sum basis after the completion of phase I. The negotiated maximum for phase I basic services is \$448,500.00. The total basic services appropriation is \$1,683,600.00.

The contract also includes certain additional services to be paid either as lump sum or on a reimbursable basis. The additional services include surveying, geotechnical investigation, control system programming and SCADA integration, and lift gate underwater investigation. The total additional services appropriation is \$564,700.00.

LTS No. 4681

CUIC ID # 20JWM71

Finance Department:

Other Authorization:

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

Other Authorization:

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

NOX

Date

SUBJECT: Professional Engineering Services Contract between the City and CDM Smith, Inc. for Engineering Services associated with the Replacement and Rehabilitation of Valves, Control Devices and Rapid Mixers at Plants 1, 2 & 3 at the East Water Purification Plant.
WBS No. S-000056-0069-3

Originator's Initials

Page 2 of 2

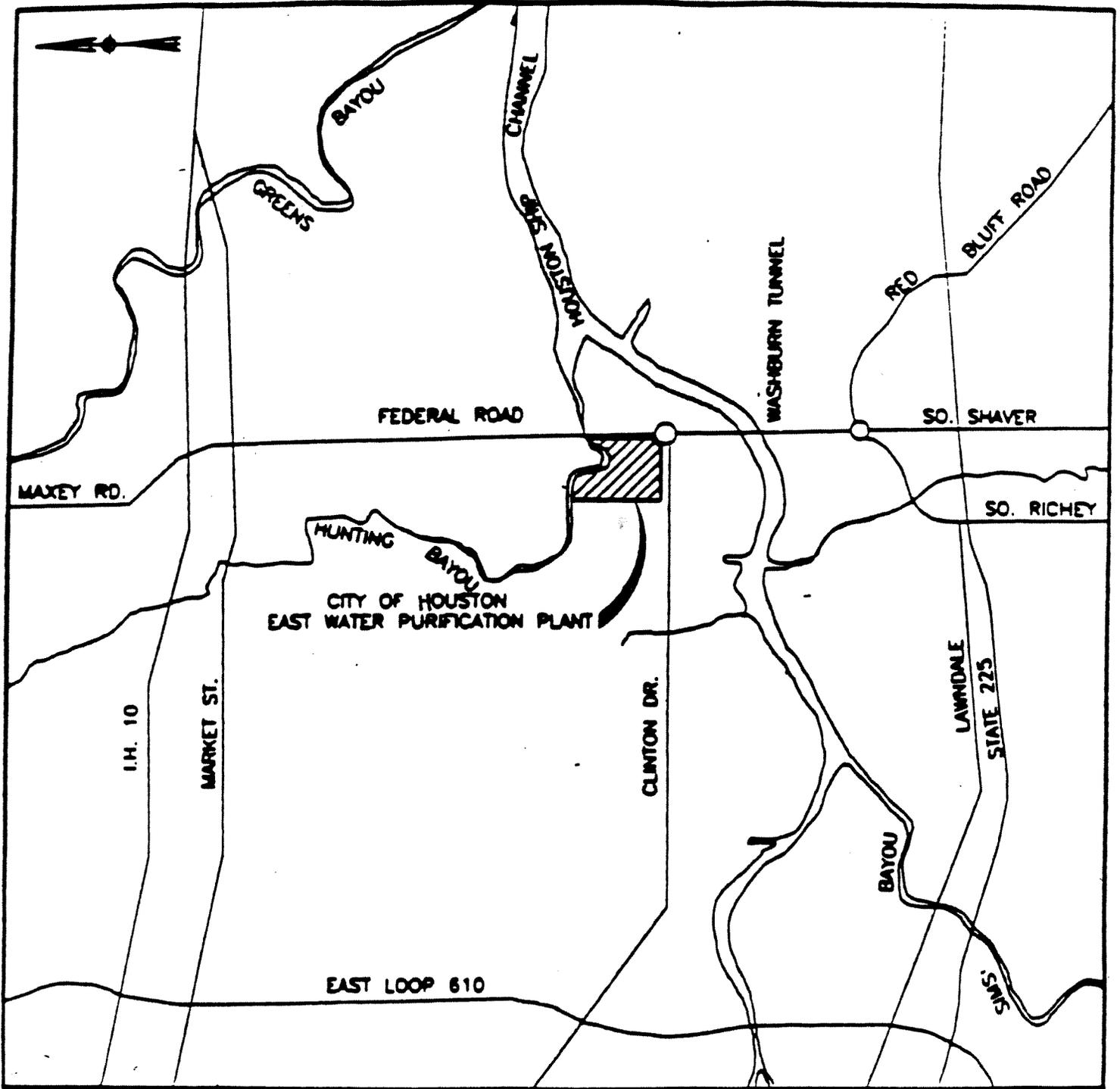
The total cost of this project is \$2,585,500.00 to be appropriated as follows: \$2,248,300.00 for contract services and \$337,200.00 for CIP Cost Recovery.

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

M/WBE INFORMATION: The M/WBE goal for the project is set at 24%. The Engineer has proposed the following firms to achieve this goal.

<u>Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Total Contract</u>
1. KIT Professionals, Inc., DBA KIT Professionals, Inc.	Engineering Services	\$146,800.00	6.53%
2. Kalluri Group, Inc.	Engineering Services	\$161,800.00	7.20%
3. Briones Consulting & Engineering, LTD	Land Surveying Services	\$179,000.00	7.96%
4. ISANI Consultants, LLP	Testing Laboratories	\$300,100.00	13.35%
5. DAE & Associates Ltd., DBA Geotech Engineering & Testing	Geotechnical Services	\$34,360.00	1.53%
6. Gurrola Reprographics, Inc.	Printing	\$7,500.00	0.33%
TOTAL		\$829,560.00	36.90%

DWK:DRM:RK:HH:SD:JM:kb
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c: File S-000056-0069-3



VICINITY MAP

N.T.S.

KEY MAP: 496 U, Y

REPLACEMENT AND REHABILITATION OF VALVES, CONTROL DEVICES AND RAPID MIXERS AT PLANTS 1, 2 & 3 AT THE EAST WATER PURIFICATION PLANT. WBS NO. S-0000-0069-3

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA #

SUBJECT: Motion setting a public hearing date for the fourth amendment to the Project Plan and Reinvestment Zone Financing Plan for Reinvestment Zone Number Sixteen (Uptown Zone).

Category #

Page
1 of 1

Agenda Item#

35

FROM: (Department or other point of origin):

Andrew F. Icken
Chief Development Officer

Origination Date

4/4/13

Agenda Date

APR 10 2013

DIRECTOR'S SIGNATURE:



Council Districts affected:

C, G, J

Aug

For additional information contact:

Ralph De Leon Phone: (832) 393-0985

Date and identification of prior authorizing Council Action:

Ord. No. 1999-0709, 07/07/99, Ord. No. 1999-0758, 07/20/99, Ord. No. 2003-0476, 05/21/03, Ord. No. 2008-0095, 02/06/08, Ord. No. 2008-1221, 12/30/08

RECOMMENDATION: (Summary)

Set a public hearing date for the fourth amendment to the Project Plan and Reinvestment Zone Financing Plan for Reinvestment Zone Number Sixteen (Uptown Zone).

Amount of Funding: No Funding Required

SOURCE OF FUNDING:

General Fund Grant Fund Enterprise Fund
 N/A

SPECIFIC EXPLANATION:

The Board of Directors of Tax Increment Reinvestment Zone Number Sixteen (Zone), approved the fourth amendment to the Project Plan and Financing Plan for the Zone on February 27, 2013 and has transmitted a proposed Fourth Amended Project Plan and Reinvestment Zone Financing Plan (the "Amended Plan") to the City for consideration.

Pursuant to Section 311 of the Texas Tax Code, a municipality must hold a public hearing when proposed amendments to a Project Plan include changes that either reduce or increase the geographical area of the Zone or increases the total estimated projects costs stated in a Project Plan.

As such, the Administration recommends setting a public hearing date for April 24, 2013.

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

REQUIRED AUTHORIZATION

Other Authorization:

Other Authorization:

Other Authorization:

33

TO: Mayor via City Secretary REQUEST FOR COUNCIL ACTION

SUBJECT: Ordinance amending Chapter 47 to create an Exceptional Circumstances Adjustment, a Water Adjustment Board, and clarifying other processes relating to water bills and adjustments.

Page 1 of 1	Agenda Item # 369
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FROM (Department or other point of origin):
Public Works and Engineering Department/Legal Department

Origination Date
3/21/13

Agenda Date
~~MAR 03 2013~~

DIRECTOR'S SIGNATURE:
Daniel W. Krueger, P.E. *[Signature]*
David M. Feldman, City Attorney *[Signature]*

Council District affected: APR 10 2013
All

For additional information contact:
Susan Bandy Phone: 832.395.2468

Date and identification of prior authorizing Council action:

RECOMMENDATION: (Summary)

That Council enact the proposed ordinance amending the Code of Ordinances to create an Exceptional Circumstances Adjustment for water bill customers and to create a Water Adjustment Board to review decisions regarding water bill disputes.

Amount and Source of Funding: N/A

SPECIFIC EXPLANATION:

The Combined Utility System (CUS) currently offers two types of bill adjustments: (1) a leak adjustment, which is available to all customers; and (2) one for unusually large bills that is available to single family residence customers and addresses an inexplicable, temporary increase by more than 200% in a customer's bills. In Fiscal Year 11, \$3.2 million in adjustments were made; in Fiscal Year 12, the amount was \$4.8 million. In an effort to address concerns of perceived fair treatment and one-time events that are inadvertent or unknown, a new adjustment is proposed.

The Exceptional Circumstances Adjustment would be intended for domestic use and available to residential customers (single-family and multifamily) and to nonprofit customers. The adjustment would be for one occurrence that does not exceed two months. Details are as follows:

1. The usage must be higher than five times the customer's monthly average;
2. Evidence of an investigation must show that the increased usage was not the result of the customer's failure to take action to address problem;
3. The adjustment would be for an amount that exceeds 500% of the customer's average usage, up to a maximum of \$4,000;
4. Only one such adjustment is available in a given 24-month period; and
5. This adjustment may not be combined with any other adjustment for a single incident.

In addition, the creation of a three-member Water Adjustment Board, appointed by the Mayor and approved by City Council, would hear appeals from customers who are dissatisfied with administrative decisions regarding any type of adjustments authorized by ordinance. The Board, one of whom must hold a master plumber's license:

1. Will hear appeals on the record of administrative hearings;
2. May uphold, reverse, or modify the decision of the hearing examiner in the administrative hearing in the manner authorized by Chapter 47.

Other revisions include:

1. Clarifying in section 47-40.1, regarding the administrative review, the department will consider the customer's situation and consider information submitted by the customer.
2. Clarifying that the independent hearing officer presiding over a water bill dispute has discretion to request additional evidence and to conduct additional investigation as deemed appropriate.
3. Clarifying that a customer may invite an independent expert, at the customer's expense, to observe the testing of a meter and allowing the utility official to offer an installment plan to customers who may need time to pay a large bill.
4. Reducing the amount a customer must pay for an unusually large bill from 200% to 150% of the customer's average monthly gross quantity.

The financial impact of the adjustment changes will be reviewed after one year.

Other Authorization:

REQUIRED AUTHORIZATION

20SB42A

MOTION NO. 2013 0209

WRITTEN Motion by Council Member Pennington to amend the proposed ordinance amending Chapter 47 of the Code of Ordinances relating to water service etc., to provide the following:

Written Amendment by Council Member Pennington:

I move to amend Section 47-75.1 to include commercial accounts. Thus, the language would state:

- (a) Under exceptional circumstances as identified in this section, any billed amount in excess of five times the average monthly bill of a commercial, residential or not-for-profit account....

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

Council Member Hoang absent on City business

Council Member Burks absent due to being ill

PASSED AND ADOPTED this 3rd day of April 2013.

Pursuant to Article VI, Section 6 of the City Charter, the effective date of the foregoing motion is April 9, 2013.

City Secretary

*See corrected
red lined
pages 10 r1
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address*

Sec. 47-5. Connections generally.

It shall be unlawful for any person other than the authorized employees of the department, persons authorized in writing by the utility official pursuant to the regulations promulgated pursuant to subsection (a) of section ~~47-17~~(b) of section 47-18 of this Code and persons authorized pursuant to a written contract or agreement therefor executed by the city to make any tap, or connection with or repair or attachment to the water mains or water distribution pipes of the city, or to pipes belonging to the water customers of the city situated on any city property, or to any pipes or mains not metered, or to any fixture connected to said pipes or mains.

* * *

Sec. 47-18.1. Tap and meter charges for certain acquired customers.

(a) *Definition.* In this section, "acquired customer" means:

- (1) Any customer occupying the same building or structure to which water service was actually provided by a private utility company at one time, but which utility has since been acquired by the city by purchase, condemnation or gift; or
- (2) Any applicant for water service occupying the same building or structure to which water service was actually provided at one time by a private utility company holding a certificate of convenience and necessity issued by the Public Utility Commission of the State of Texas (or other state agency) to serve the area in which the premises are located, but which utility's certificate of convenience and necessity has been revoked or amended to exclude the area in which the premises are located.

(b) *Applicability; conflicting provisions.* Water taps and water meters installed to serve acquired customers shall be governed by sections ~~47-17~~ and 47-18 of this Code, except as provided below. This section controls over any conflicting provision of section ~~47-17~~ or section 47-18.

(c) *Existing meters.* Any acquired customer whose premises in the six months preceding acquisition or decertification of the private utility company were served by a meter formerly owned by a private utility company shall be entitled to a \$50.00 reduction in the amount of any meter charge otherwise applicable. An acquired customer occupying the same building or structure to which water service was actually provided at one time by a private utility company which has been acquired by the city, and whose premises are currently served by a meter formerly owned by a private utility company, may exchange such meter for a meter of like size with no meter charge.

(d) *Installment payments—When due.* When an acquired customer is required to pay a meter charge or tap charge, or both, such payment may be made either in cash or in equal installments. Each such installment shall be 1/18 of the total payment. The first

installment is due at the time that application for the work is made, and the remaining 17 installments come due on the last day of each even-numbered month thereafter.

(e) *Same—Delinquent; subsequent customers.* When an acquired customer begins making any such installment payments but fails to pay all installments, and if another acquired customer desires to make application for water service to the same premises, then the subsequent acquired customer shall be required to pay the full tap and meter charges applicable to the acquired customer who first elected to pay in installments, less any payments or installments made by the first customer and any intervening customers. The subsequent customer may pay such charges in cash or in installments, each of which shall be equal to the installments begun by the first customer. The first such installment shall be due when the subsequent customer makes application, and the installments come due on the last day of each even-numbered month thereafter until the full charges applicable to the subsequent customer are paid.

* * *

Sec. 47-70.1. Disputing water bills; administrative review and hearing.

(a) Customers have the right to request an administrative review and/or administrative hearing. The policies governing such review and hearing are prescribed by the utility official and will be available to any person upon request; provided, however, the field investigator for the city shall be authorized to conduct such inquiry or investigation as the investigator or reviewing official shall deem appropriate, including, but not limited to, personal inspection of the customer location and water connection. The reviewing official may also receive and consider information submitted by the customer, to include: Reports from plumbers, engineers, or other relevant sources; and relevant photographs and other tangible information, whether provided by the city or the customer. The customer has 90 days from the date of the first bill that is disputed to request an administrative review or hearing.

(b) An administrative review is an investigation by the department of the customer's account and relevant facts in order to resolve the dispute.

(c) A customer may request an administrative hearing ~~may be held for to review~~ disputes related to article I, division 1 of article II, and article III of this chapter 47. The hearing shall be set at a reasonable time and place and shall be held before a hearing officer independent of the operation of the city's water and sewer system, designated by the utility official, with the power to correct or adjust water bills. Provided, however, the department shall not provide hearings for the following:

- (1) The terms or denial of a deferred pay agreement;
- (2) The amount, terms or denial of assistance from the W.A.T.E.R. Fund;
- (3) The customer's financial inability to pay for water services;

- (4) The rate schedule;
- (5) The amount of deposit;
- (6) The amount or application of late penalties;
- (7) Requests that are inconsistent with city ordinances;
- (8) The cost of administrative fees; or
- (9) A matter where the complainant is not the customer for the account; or
- (10) A decision by the utility official under subsection 47-73(c) of this Code as to whether or not a payment plan should be extended.

(d) The customer has the right to be represented by counsel or any other agent and shall notify the city at least two business days prior to the hearing of such representation. In the event the customer is represented by legal counsel, the city may likewise be represented by legal counsel. Failure of the customer to give advance notice of representation by legal counsel will result in the hearing being postponed unless the city fails to object to such lack of notice. In addition to the evidence presented by the customer and the department, the hearing officer may, at the hearing officer's discretion, request additional evidence from either party and may conduct such additional inquiry or investigation as the hearing officer deems appropriate. The hearing officer shall consider all credible evidence presented and shall, based on a preponderance of the evidence, render a ruling upholding the decision of the department, modifying the decision of the department, or reversing the decision of the department. A record shall be made of the hearing.

(e) Termination of service is suspended by a request for an administrative hearing unless the service was terminated prior to the customer's request for the hearing, the customer closes or transfers his account to a new address, the customer fails to pay charges not in dispute or the customer has prevented the city from obtaining meter readings within the last 60 days.

Sec. 47-70.2. Acceptance and disposition of donations to the W.A.T.E.R. Fund.

(a) The utility official is authorized to accept donations to the W.A.T.E.R. Fund, as established by section 36-61 of this Code. The utility official shall place such funds in the city's trust and agency account in trust for the W.A.T.E.R. Fund.

The utility official shall include the following statement on all water and sanitary sewer bills:

'Check if \$1 added as gift to W.A.T.E.R.'

Whenever a customer's water or sanitary sewer payment shall exceed the amount then due by the exact sum of \$1.00 and such customer has checked the box provided on the bill for contributions to the W.A.T.E.R. Fund, the utility official shall deem the excess a contribution in the amount of \$1.00 to the W.A.T.E.R. Fund.

(b) Upon the written approval of the utility official, the department shall apply W.A.T.E.R. funds as a credit to a customer's water and sanitary sewer bill in the same proportion, which the water and sanitary sewer charges bear to the customer's total bill. Such donated and transferred W.A.T.E.R. funds shall be under the general direction and control of the utility official for all purposes and shall under no circumstances be commingled with water, sanitary sewer or other public funds.

Sec. 47-71. Meter reading not to be combined for billing purposes; exception for umbrella account.

(a) As used in this section, the following terms shall have the meanings set out below, unless the context clearly indicates another meaning is intended:

Contiguous: An establishment is contiguous if all included buildings lie on a continuous tract of land, except for division by a street, alley, sidewalk, right-of-way, natural or man-made waterway, or preserved green area.

Umbrella account shall mean a multifamily residential customer account established pursuant to this section.

(b) Except as provided in this section for umbrella accounts, the meter readings of two or more water meters, even though serving a single building or establishment, shall not be combined for billing purposes, but separate billing shall be made for the water metered through each individual meter based on the sliding scale of charges provided by this division, with the charge computed the same as if there were only one meter serving such customer building or establishment.

(c) A multifamily residential customer whose establishment is served by more than one meter may elect to establish an umbrella account under which all meter readings from its establishment are combined for billing purposes. In order to be eligible to establish an umbrella account the following criteria must be met:

- (1) The establishment must be contiguous, and all included buildings must be under the same ownership; and
- (2) The owner of the establishment must complete the application for the umbrella account and agree to the conditions required by this article.

(d) The following types of meters may not be included in an umbrella account:

- (1) Submeters maintained by the customer;
- (2) Meters for which the city bills for water service only, such as outdoor customer meters;
- (3) Meters that measure wastewater discharge only; and
- (4) Meters that determine the usage for a single unit only of the establishment.

(e) The utility official shall promulgate the application form for establishment of the umbrella account. The application shall include information regarding the address or addresses of the multifamily residential establishment, the nature of any factor that may determine whether the buildings or structures are contiguous, the name of the owner, the number of units in the establishment, the number of meters covered by the proposed account, and any other information deemed relevant by the utility official. The application must be signed by the owner or duly authorized agent thereof, and must be notarized.

(f) The utility official shall grant the owner an umbrella account if the utility official is satisfied that all criteria of this section are met, and the owner or his agent has completed the application for an umbrella account. The umbrella account shall be effective for the next billing period after approval by the utility official.

(g) The following events will terminate the umbrella account:

- (1) A transfer of ownership of the establishment in whole or in part; or
- (2) An election in writing by the owner of the establishment to terminate the umbrella account. Any such election to terminate shall not be effective until the end of the billing period during which the owner's notice is received by the department. An umbrella account that is delinquent may not be terminated by owner election.

~~(h) The provisions of this section relating to the establishment of umbrella accounts shall be effective July 1, 1993.~~

Sec. 47-72. Scaling or reduction of bill generally.

Any scaling or reduction of a water bill as shown by a meter is unlawful and is prohibited, unless such reduction is made in accordance with specific provisions of this division. Any officer or employee of the city scaling or reducing any meter bill, except in accordance with such provisions, shall be personally responsible for the reduction in the bill, and shall be dismissed from the city's service therefor.

Sec. 47-73. Testing meters; ~~adjustments to bills.~~

(a) In case any consumer of water questions the ~~correctness~~ accuracy of a city water meter, he may obtain a test thereof upon written request therefor to the department. The customer may additionally request that he be permitted to be present at the removal and testing of the meter in person or by agent, and the customer may also invite an independent expert, at the customer's expense, to observe the removal and testing, provided the customer identifies in the written request the name of the expert and the expert's area of expertise.

(b) Upon the receipt of a written request therefor, the city shall cause the meter to be thoroughly and accurately tested. If the party complaining of the meter has requested that he be present for the removal and testing of the meter, he shall be given reasonable notice of the time thereof and be afforded the opportunity to be present and participate therein.

(c) All meters must meet the accuracy test guidelines of the American Water Works Association. The department shall ~~adjust~~ correct customer bills for up to 24 months on the basis of results of tests performed by the department. If the meter or register is defective, the department shall repair or replace it. If a meter is damaged so that it cannot be tested, the customer's ~~account~~ monthly water usage may be ~~adjusted~~ corrected for up to 24 months based on the average usage. Any correction of the charge associated with a water account may be payable by the customer prorated over future billings equal to the number of past billings for which the correction was accrued; provided, however, in an instance where the utility official finds that such a payment plan would constitute extreme economic hardship, based on a determination that the customer's monthly household income meets the criteria established in section 36-62(2)b of this Code, the utility official may extend the payment plan over additional billings as the official may deem appropriate. A decision by the utility official under this subsection as to whether or not a payment plan should be extended shall be final and not subject to appeal.

(d) When the department retests the meter at the request of the customer, the department shall bill the customer for the cost as follows:

- (1) If a customer requests that a meter be tested that is within the manufacturer's warranty period, and such meter when tested is accurate under the American Water Works Association guidelines; or
- (2) If the department has tested the meter within the previous 12 months, and such meter when retested at the request of the customer is accurate under the American Water Works Association guidelines, then the department shall charge the customer the fees stated for this provision in the city fee schedule for the following:
 - a. Field testing of meters less than three inches.

- b. Bench testing of meters less than three inches, plus cost of the new meter and related electronic devices.
- c. Bench testing three-inch and larger meters, plus cost of the new meter.

(e) If the department re-reads a meter at the customer's request, and the reading verifies that the department's original reading was correct (equal to or greater than the prior reading), the department shall charge the customer the fee stated for this provision in the city fee schedule. Provided, however, that exempt senior customers, disabled veterans and persons with disability are exempt from this fee.

Sec. 47-74. Adjustment of bill as result of defect in customer's line.

(a) Any residential, commercial, multifamily or outdoor customer of the city may request a ~~correction~~ an adjustment of any water bill showing excessive usage due to a loss of water through an excusable defect in the customer's water line for a period not to exceed three consecutive months. In order to apply for the ~~correction~~ adjustment the customer must file a sworn written application with the utility official within six months of the repair of the excusable defect. Customers may apply for no more than two such adjustments in any 12-month period for any one account. Such application shall contain the following matters and such other information as the utility official may require:

- (1) The name of the applicant, the address or description of the property or premises furnished water, the bill which is sought to be corrected, the date of the bill and the period of water usage covered thereby.
- (2) A statement of the date on which the excusable defect in the applicant's water line was discovered and the date on which it was repaired; and a statement that water was lost through the city water meter serving such property and that such water was not used in any manner by anyone.
- (3) A written acknowledgment that the applicant makes the statements shown on the application and swears to their veracity for the purpose of inducing the city to grant a reduction in the amount of the water bill for which a ~~correction~~ an adjustment is requested.
- (4) The application must clearly indicate ~~show whether or not there has been~~ any additional water consuming devices placed in use on the applicant's premises during the period covered by such bill.
- (5) Documentation shall be submitted detailing the exact nature and date of repairs to the applicant's water line.

- (6) A statement that the applicant is personally familiar with all of the matters of facts stated in the application and sworn to therein, that they are made on his personal knowledge and that they are each true and correct.
- (7) The customer shall execute a statement setting forth an understanding that the application is a government record subject to criminal prosecution for false statements under chapter 37 of the Texas Penal Code and shall state that the applicant certifies that the application contains no false statements.

As used in this section the term "*excusable defect*" shall mean a rupture or leakage of the customer's water lines as may be caused by freezing weather, settlement, corrosion, wear or accident. The term does not apply to defective or out-of-repair faucets.

(b) Applications under this section shall be made on forms prescribed by the director of public works and engineering.

(c) Upon receipt of a properly completed application, the utility official shall review such application, and if he approves the same as being in compliance with this section, the applicant's bill shall be corrected by applying to the amount of water consumption shown thereon in excess of the applicant's average water usage, a rate of charge equal to one-half of the normal rate of such water usage by a customer in the applicant's classification, which reduction in rate shall be accomplished in the following manner:

- (1) The applicant's average usage shall be determined as set out in subsection 47-61(b) of this Code. If the applicant has not been a customer for a sufficient length of time to make such determination, the department shall hold the adjustment for a sufficient period of time to calculate the average water usage.
- (2) From the total water consumption shown on the bill submitted for correction, the average usage will be deducted. The resulting figure will hereafter be referred to as "excess usage."
- (3) The excess usage will be considered consumption beyond the average usage, and $\frac{1}{2}$ of the regular rate for consumption beyond the average usage (for customers in the applicants' rate classification) will be applied to the excess usage and this will determine the amount the applicant must pay for the excess usage.
- (4) The regular rate for customers in the applicant's rate classification will be applied to the average usage and this amount will be added to the amount due for the excess usage and the total of those two amounts will be the

amount that the applicant must pay for water usage during the period covered by the corrected bill.

- (5) Provided, however, for multifamily residential customers that have established umbrella accounts, "average usage" and "excessive usage" under this section shall be determined with reference to each customer meter rather than the entire account as billed by the department.

(d) If the applicant has already paid the bill for which an adjustment is authorized under this section and the adjustment is no more than six times the applicant's average bill, the department shall credit the applicant's account the amount of the adjustment to be applied to the charges thereafter accruing. However, if the adjustment is more than six times the customer's average bill and the customer requests a refund, or the applicant can show extreme economic hardship to the utility official, the department shall refund the amount of the adjustment. The utility official shall determine whether extreme economic hardship exists.

If an applicant discontinues water service before subsequent charges have depleted the credit, the department shall refund to the applicant at the time of discontinuance the remaining credit balance minus any overdue debt the applicant owes the city.

(e) Except as provided by section 47-75.2 of this Code, a A-determination by the utility official of the amount of an adjustment ~~correction~~ to be made in an applicant's water bill in accordance with the provisions of this section shall be final.

Sec. 47-75. Adjustment of unusually large bill.

(a) Any single-family residential customer who receives a water bill for any given month that is greater than 200 percent of the average usage of the customer, the customer may request an adjustment of the bill in the manner provided in this section. Provided, that the customer must make an application within six months of receipt of such bill and only one such monthly bill out of any 12 consecutive monthly bills may be adjusted under this section. If the applicant has not been a customer for a sufficient length of time for the department to determine average usage, the department shall delay the adjustment until it can calculate the average usage. In order to request such an adjustment, the customer must file an application for the adjustment on a form furnished by the utility official. The application form shall contain a statement setting forth an understanding that the application is a government record subject to criminal prosecution for false statements under chapter 37 of the Texas Penal Code, and the customer must state that the application contains no false statements. The application shall identify the bill and briefly state:

- (1) The reasons for the request for the adjustment;

- (2) A description of the additional water consuming devices or fixtures, if any, that have been placed in use by the customer during the current month or the preceding 12 months;
- (3) That there have been no plumbing repairs or necessity therefor during the month for which an adjustment is sought or that the nature of any plumbing defects was not such as would explain the additional usage; and
- (4) Such other information as the utility official may require.

(b) Upon receiving such application, the utility official shall make an investigation to determine if an error was made, which investigation shall include inspection of the customer's water meter for accuracy and review of the customer's billing record. If the initial investigation reveals a billing or meter error, the utility official shall ~~make an adjustment to correct the error.~~ If the investigation does not reveal an error, the utility official may make such further investigation as the utility official deems advisable and shall give full consideration to the statements contained in the customer's application. If the utility official concludes that, in all reasonable probability, the customer consumed and was charged for more water ~~than has the customer consumed~~ during the month in question but is unable to actually account for such unusual quantity, the utility official shall recompute the bill using as the gross quantity 150 ~~200~~ percent of the average monthly gross quantity applicable to the customer. Except as provided by section 47-75.2 of this Code, a A determination by the utility official made in accordance with the provisions of this section shall be final.

(c) If the customer has already paid the bill for which an adjustment is authorized under this section and the adjustment is no more than six times the customer's average bill, the department shall credit the customer's account the amount of the adjustment to be applied to the charges thereafter accruing. However, if the adjustment is more than six times the customer's average bill and the customer requests a refund, or the customer can show extreme economic hardship, the department shall refund the amount of the adjustment. The utility official shall determine whether extreme economic hardship exists.

If an customer discontinues water service before subsequent charges have depleted the credit, the department shall refund to the customer at the time of discontinuance the remaining credit balance minus any overdue debt the customer owes the city.

~~(d) The provisions of this section shall be cumulative of the provisions of section 47-73 of this Code.~~

Sec 47-75.1. Exceptional circumstances adjustment.

(a) Under exceptional circumstances as identified in this section, any billed amount in excess of five times the average monthly bill of a commercial, residential or

not-for-profit account may be reduced by up to \$4000 for one occurrence that does not exceed a two month timeframe. To receive this credit, the following criteria will be used:

(1) The usage must exceed the customer's average monthly usage by at least five times; and

(2) Based on an investigation conducted by the department as described in section 47-75 of this Code, the evidence clearly establishes that such increased usage was not the result of the customer's failure to take action reasonably calculated to address the problem.

(b) A customer may receive no more than one exceptional circumstances adjustment in a twenty-four month period.

(c) The adjustment may not be combined with any other adjustment granted pursuant to this chapter for a single incident.

(d) In order to request such an adjustment, the customer must file an application for the adjustment on a form furnished by the utility official. The application form shall contain a statement setting forth an understanding that the application is a government record subject to criminal prosecution for false statements under Chapter 37 of the Texas Penal Code, and the customer must state that the application contains no false statements. The application shall identify the bill(s) and briefly state:

(1) The reasons for the request for the adjustment;

(2) A description of the additional water consuming devices or fixtures, if any, that have been placed in use by the customer during the current month or the preceding 12 months;

(3) Information on any plumbing repairs or necessity therefor during the month(s) for which an adjustment is sought; and

(4) Such other information as the utility official may require.

(e) A customer may request a hearing regarding this section following the process set forth in section 47-70.1 of this Code.

(f) Except as provided by section 47-75.2 of this Code, a determination by the utility official made in accordance with the provisions of this section shall be final.

Sec. 47-75.2. Water adjustment board.

(a) There is hereby created a water adjustment board. The water adjustment board shall consist of three members appointed by the mayor and approved by city

council, each to serve a term of three years unless removed earlier by the mayor. At least one member of the board shall hold or have held a master plumber's license.

(b) The board's jurisdiction shall be limited to reviewing decisions of hearing officers relating to matters eligible for hearings arising under sections 47-73, 47-74, 47-75, and 47-75.1 of this Code.

(c) Not later than ten days following the decision of the hearing officer under section 47-70.1 of this Code the customer may request that the decision be reviewed by the water adjustment board. The review will be based exclusively on the record of the hearing; no additional evidence or information shall be considered. The board may uphold, reverse or modify the decision of the hearing officer in conformance with the provisions of this Code but may not make any adjustment greater than allowed by section 47-73, 47-74, 47-75, or 47-75.1, as applicable, of this Code. The board may be assisted by a member of the legal department in order to ensure proper interpretation of this Code.

- (2) A description of the additional water consuming devices or fixtures, if any, that have been placed in use by the customer during the current month or the preceding 12 months;
- (3) That there have been no plumbing repairs or necessity therefor during the month for which an adjustment is sought or that the nature of any plumbing defects was not such as would explain the additional usage; and
- (4) Such other information as the utility official may require.

(b) Upon receiving such application, the utility official shall make an investigation to determine if an error was made, which investigation shall include inspection of the customer's water meter for accuracy and review of the customer's billing record. If the initial investigation reveals a billing or meter error, the utility official shall ~~make an adjustment to correct the error.~~ If the investigation does not reveal an error, the utility official may make such further investigation as the utility official deems advisable and shall give full consideration to the statements contained in the customer's application. If the utility official concludes that, in all reasonable probability, the customer consumed and was charged for more water than has the customer consumed during the month in question but is unable to actually account for such unusual quantity, the utility official shall recompute the bill using as the gross quantity 150 ~~200~~ percent of the average monthly gross quantity applicable to the customer. Except as provided by section 47-75.2 of this Code, a A determination by the utility official made in accordance with the provisions of this section shall be final.

(c) If the customer has already paid the bill for which an adjustment is authorized under this section and the adjustment is no more than six times the customer's average bill, the department shall credit the customer's account the amount of the adjustment to be applied to the charges thereafter accruing. However, if the adjustment is more than six times the customer's average bill and the customer requests a refund, or the customer can show extreme economic hardship, the department shall refund the amount of the adjustment. The utility official shall determine whether extreme economic hardship exists.

If an customer discontinues water service before subsequent charges have depleted the credit, the department shall refund to the customer at the time of discontinuance the remaining credit balance minus any overdue debt the customer owes the city.

~~(d) The provisions of this section shall be cumulative of the provisions of section 47-73 of this Code.~~

Sec 47-75.1. Exceptional circumstances adjustment.

(a) Under exceptional circumstances as identified in this section an adjustment may be made to a residential or not-for profit account of up to a total of \$4,000 for one

occurrence that does not exceed a two month timeframe. To receive this credit, the following criteria will be used:

(1) The usage must exceed the customer's average monthly usage by at least five times; and

(2) Based on an investigation conducted by the department as described in section 47-75 of this Code, the evidence clearly establishes that such increased usage was not the result of the customer's failure to take action reasonably calculated to address the problem.

(b) To calculate the adjustment, the utility official shall recompute the bill using as the gross quantity 500 percent of the average monthly gross quantity applicable to the customer.

(c) A customer may receive no more than one exceptional circumstances adjustment in a twenty-four month period.

(d) The adjustment may not be combined with any other adjustment granted pursuant to this chapter for a single incident.

(e) In order to request such an adjustment, the customer must file an application for the adjustment on a form furnished by the utility official. The application form shall contain a statement setting forth an understanding that the application is a government record subject to criminal prosecution for false statements under Chapter 37 of the Texas Penal Code, and the customer must state that the application contains no false statements. The application shall identify the bill(s) and briefly state:

(1) The reasons for the request for the adjustment;

(2) A description of the additional water consuming devices or fixtures, if any, that have been placed in use by the customer during the current month or the preceding 12 months;

(3) Information on any plumbing repairs or necessity therefor during the month(s) for which an adjustment is sought; and

(4) Such other information as the utility official may require.

(f) A customer may request a hearing regarding this section following the process set forth in section 47-70.1 of this Code.

(g) Except as provided by section 47-75.2 of this Code, a determination by the utility official made in accordance with the provisions of this section shall be final.

Sec. 47-75.2. Water adjustment board.

(a) There is hereby created a water adjustment board. The water adjustment board shall consist of three members appointed by the mayor and approved by city council, each to serve a term of three years unless removed earlier by the mayor. At least one member of the board shall hold or have held a master plumber's license.

(b) The board's jurisdiction shall be limited to reviewing decisions of hearing officers relating to matters eligible for hearings arising under sections 47-73, 47-74, 47-75, and 47-75.1 of this Code.

(c) Not later than ten days following the decision of the hearing officer under section 47-70.1 of this Code the customer may request that the decision be reviewed by the water adjustment board. The review will be based exclusively on the record of the hearing; no additional evidence or information shall be considered. The board may uphold, reverse or modify the decision of the hearing officer in conformance with the provisions of this Code but may not make any adjustment greater than allowed by section 47-73, 47-74, 47-75, or 47-75.1, as applicable, of this Code. The board may be assisted by a member of the legal department in order to ensure proper interpretation of this Code.

TO: Mayor via City Secretary REQUEST FOR COUNCIL ACTION

SUBJECT: Ordinance authorizing the sale of the Qualified Energy Conservation Notes (QECCB – Direct Payment), Series 2013Q; authorizing a Preliminary Official Statement and related agreements pertaining to such Notes.

Category #

Page 1 of 2

Agenda Item #

37 # 12

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

Origination Date:
March 27, 2013

Agenda Date:
~~APR 03 2013~~

DIRECTOR'S SIGNATURE:

Handwritten signature: Kelly Dene Ronald P. Stewart

Council District Affected: APR 10 2013
All

For additional information contact:

Jennifer Olenick Phone: 832-393-9112
Charisse Mosely Phone: 832-393-3529

Date and identification of prior authorizing Council action: N/A

RECOMMENDATION: Approve an Ordinance authorizing the sale of the City of Houston, Texas Qualified Energy Conservation Notes (QECCB – Direct Payment), Series 2013Q in an aggregate principal amount not to exceed twenty-three million dollars (\$23,000,000); authorizing the Mayor and City Controller to approve the par amount, interest rates, prices, redemption provisions and terms thereof; execute the purchase contract, approve the distribution of a Preliminary Official Statement and other agreements related to the issuance of the Notes and making provisions regarding such Notes and matters incident thereto.

Amount of Funding: N/A Not Applicable

Finance Dept Budget:

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

SPECIFIC EXPLANATION:

Qualified Energy Conservation Bonds

Authorized by Congress through the Energy Improvement and Expansion Act of 2008, Qualified Energy Conservation Bonds (QECCBs) enable qualified state, tribal and local government issuers to borrow money at attractive rates to fund energy conservation projects. QECCBs are among the lowest-cost public financing tools with interest rates from approximately 0.25% to 1.25% to fund qualified projects.

The U.S. Congress authorized \$3.2 billion of QECCB issuance capacity, which has been allocated to states, local governments and tribal governments based upon population. The state of Texas was allocated approximately \$252 million, of which the City of Houston received an allotment of \$23 million.

The Finance Working Group (the "FWG") is recommending issuance of qualified energy tax notes to fund certain energy conservation projects for various city facilities.

REQUIRED AUTHORIZATION

Finance Department Director:

Other Authorization:

Other Authorization:

Date: March 27, 2013	Subject: Ordinance authorizing the sale of the Qualified Energy Conservation Notes (QECB – Direct Notes), Series 2013Q; authorizing a Preliminary Official Statement and related agreements pertaining to such Notes.	Originator's Initials	Page 2 of 2
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Summary

The FWG expects to issue, concurrently with the Qualified Energy Conservation Notes (QECB – Direct Notes) Series 2013Q, public improvement refunding bonds and certificates of obligation for the demolition program. The following table further summarizes the approximate allocation of the combined proposed transaction:

Public Improvement Refunding Bonds Series 2013A and Series 2013B, Certificates of Obligation (Demolition Program), Series 2013 and Qualified Energy Conservation Notes, Series 2013Q

Refunding Component		Up To	Use
A.	Refund CP Series G, H, J	\$75,000,000	CIP/Street & Traffic
	Refund CP Series E	\$50,000,000	Equipment
B.	Advance Refundings	\$325,000,000	
Total		<u>\$450,000,000</u>	
New Money Component			
C.	Certificate of Obligation Series 2013	\$10,000,000	Demolition Program
D.	Qualified Energy Conservation Bonds	\$23,000,000	QCEB
Total		<u>\$33,000,000</u>	
Grand Total		\$483,000,000	

Recommendation

This transaction was presented to the Budget and Fiscal Affairs Committee on January 29, 2013.

The Finance Working Group recommends the PIB Series 2013 be issued through a negotiated financing with Rice Financial Products Company serving as book running manager along with Barclays and Wells Fargo as co-senior managers. Backstrom McCarley Berry is recommended as co-manager. Bracewell & Giuliani LLP and Baker Williams & Matthiesen LLP are recommended as co-bond counsel along with Haynes and Boone, LLP and Bratton & Associates as co-disclosure counsel.

SUBJECT: An Ordinance authorizing the City of Houston to make a \$7,350,000 HUD approved loan, consisting of federal Economic Development Initiative grant funds and Section 108 loan funds, to 806 Main LLC for the renovation of the vacant building, located at 806 Main, into an operating JW Marriott hotel.

Category #	Page 1 of 1	Agenda Item #
		38 #4

FROM
Neal Rackleff, Director
Housing and Community Development



Origination Date
3/25/13

Agenda Date
~~APR 03 2013~~

DIRECTOR'S SIGNATURE:

Council District affected: District I **APR 10 2013**

For additional information contact: Eta Paransky
Phone: 713-868-8449

Date and identification of prior authorizing Council action: Ord. # 2012-685 and 2012-698

RECOMMENDATION: Approval of an Ordinance authorizing the City of Houston to make a \$7,350,000 HUD approved loan, consisting of federal Economic Development Initiative grant funds and Section 108 loan funds, to 806 Main LLC for the renovation of the vacant building, located at 806 Main, into an operating JW Marriott hotel.

Amount of Funding:
\$1,800,000 - Section 108 Loan Funds
\$5,550,000 - EDI Grant
\$7,350,000 - Total

Finance Budget:

SOURCES OF FUNDING: General Fund Grant Fund Enterprise Fund
Section 108 Loan Funds & Economic Development Initiative (EDI) Grant Funds

SPECIFIC EXPLANATION:

In July 2012, Council approved the City's submission of an application for federal economic development funds for the renovation of the historic Samuel F. Carter building (constructed in 1910) into an operating JW Marriott hotel. Subsequently, the U.S. Department of Housing and Urban Development (HUD) approved the application. Therefore, the Housing and Community Development Department (HCDD) now seeks approval to make the loan of federal funds per the aforementioned application.

HCDD recommends Council approval to fund a \$7,350,000 interest bearing, repayable loan of federal funds to 806 Main Hotel, LLC ("Borrower") for the \$80.8 million renovation. The loan will partially fund the building's acquisition and furnishings.

The renovation of this historic structure into an operating JW Marriott hotel will contribute to the continued revitalization of Houston's urban core. Besides construction jobs, the owner has indicated the operation of the hotel will create 177 jobs – the majority for low- to moderate-income citizens. This property is located at the corner of Main and Rusk, at the intersection of two light rail lines, which will provide excellent access to low cost transportation. Current market studies for the downtown Houston Central Business District indicate strong demand for a hotel of this caliber, as evidenced by increasing occupancies and significant growth in room revenue.

Pursuant to the HUD approved application, HCDD received approval to utilize \$5,550,000 in EDI grant funds and \$1,800,000 Section 108 loan funds for the redevelopment of the property as a special economic development activity. HUD specifically indicated the proposed 806 Main project meets the applicable Community Development Block Grant national objective of primarily benefiting low- and moderate-income persons through job creation.

Borrower will execute a \$7,350,000 note, repayable over 20 years. The loan represents approximately 9% of the estimated \$80.8 million total cost. Other sources include approximately \$31 million of owner equity and \$42.5 million in bank financing. As the pass through entity, the City and HUD will execute a repayable note pursuant to the Section 108 program. The loan will be secured by a subordinate mortgage on the property. Additionally, the developers will execute a personal guarantee for completion of the renovation and repayment of the note.

806 Main Hotel, LLC is an entity controlled by Pearl Hospitality, which owns and/or operates four (4) hotel properties in Texas. Pearl has renovated several historic properties and has been awarded the prestigious Connie award twice. Pearl Hospitality will be working with non-profits in the area to offer employment opportunities.

NR:EP:LC:RB

REQUIRED AUTHORIZATION

Finance Department:	Other Authorization:	Other Authorization:

REQUEST FOR COUNCIL ACTION

RCA# 9520

TO: Mayor via City Secretary

Subject: Approve an Ordinance Awarding a Contract to the Best Respondent for Emission Credit Brokerage Services for the Public Works and Engineering Department / S10-T24325

Category #
4

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39 #7

FROM (Department or other point of origin):

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

Origination Date

February 20, 2013

Agenda Date

APR 10 2013
~~APR 03 2013~~

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 revenue contract to Element Markets, LLC for emission credit brokerage services for the Public Works and Engineering Department.

None Required (Revenue)

Finance Budget

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 revenue contract to Element Markets, LLC, for emission credit brokerage services for the Public Works and Engineering Department (PWE) and other city departments that may need such services. The anticipated revenue generated from the initial sale is estimated at approximately \$4,000,000.00; however, the brokerage firm will retain 0.25 percent of the sale price as its brokerage fee. The City Purchasing Agent and/or PWE Director 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 labor, materials, and supervision necessary to develop the marketability of the existing emission credits (commodity) owned by PWE or other city departments for the sole purpose of marketing and negotiating the sale of Emission Reduction Credit (ERC), (initially Certificate Numbers 2558 and 2559), which are issued to the City in the amount of 12.4 tons of nitrogen oxides (NOx) and 14.3 tons of volatile organic compounds (VOC) ERCs, respectively. The sale price shall be negotiated by the brokerage firm to receive the most beneficial return for the City, under the current market conditions.

This Request for Proposal (RFP) was advertised in accordance with the requirements of the State of Texas bid laws. Thirty prospective proposers downloaded the solicitation document from SPD's e-bidding website and as a result, proposals were received from Element Markets, LLC, Amerex Brokers, LLC, and BGC Environmental Brokerage Services. The evaluation committee was comprised of staff from PWE's senior management team. The proposals were evaluated based upon the following criteria:

- Proposed Strategy and Operational Plan
- Cost
- Expertise, Experience, and Qualifications
- Financial Strength
- Conformance to RFP Requirements

Element Markets, LLC received the highest overall score.

REQUIRED AUTHORIZATION

Finance Department:

Other Authorization:

Other Authorization:

NOX

Date: 2/20/2013	Subject: Approve an Ordinance Awarding a Contract to the Best Respondent for Emission Credit Brokerage Services for the Public Works and Engineering Department / S10-T24325	Originator's Initials GB	Page 2 of 2
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M/WBE Subcontracting:

This RFP was issued with a 5% goal for M/WBE participation. Element Markets, LLC has designated the below-named company as its certified M/WBE subcontractor:

NAME	TYPE OF WORK	DOLLAR AMOUNT	PERCENTAGE
Tejas Office Products, Inc.	Administrative	\$500.00	5%

[The computation for the above-listed MWBE dollar amount is as follows: \$4,000,000.00 (sale amount) x .0025 (.25% brokerage fee) = \$10,000 (brokerage fee) x 0.05 (MWBE Goal) = \$500.00.]

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

Pay or Play Program:

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

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 meets the requirements of Hire Houston First.

Buyer: Greg Hubbard