

AGENDA - COUNCIL MEETING - WEDNESDAY - NOVEMBER 13, 2013 - 9:00 A. M.
COUNCIL CHAMBER - SECOND FLOOR - CITY HALL
901 BAGBY - HOUSTON, TEXAS

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

INVOCATION AND PLEDGE OF ALLEGIANCE - Council Member Bradford

9:00 A. M. - ROLL CALL

ADOPT MINUTES OF PREVIOUS MEETING

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

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

HEARINGS

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

MAYOR'S REPORT

CONSENT AGENDA NUMBERS 1 through 37

AGENDA - NOVEMBER 13, 2013 - PAGE 2

MISCELLANEOUS - NUMBER 1

1. REQUEST from Mayor for confirmation of the reappointment of **DENNIS J. STOREMSKI** for Position One to the **GREATER HARRIS COUNTY 911 EMERGENCY BOARD OF DIRECTORS** for a term to expire 9/30/2015

PROPERTY - NUMBER 2

2. RECOMMENDATION from City Attorney to deposit the amount of the Award of Special Commissioners in the amount of \$44,995.00 into the Registry of the Court, pay the costs of Court incurred; Cause No. 1032296; City of Houston v. Burger King Corporation, et al., for acquisition of Parcel AY12-160; for the **WEST LITTLE YORK PAVING & DRAINAGE PROJECT, (T. C. Jester - Alabonson/Deep Forest) - DISTRICT A - BROWN**

PURCHASING AND TABULATION OF BIDS - NUMBERS 3 through 5-1A

3. **CONTRACT RESOURCE GROUP, LLC** - \$48,380.28; **J. TYLER SERVICES, INC** - \$28,468.79 for purchase of Office Furniture from the State of Texas Procurement and Support Services Contract through the State Cooperative Purchasing Program for the Fleet Management Department - \$76,849.07 - Fleet Management Fund - **DISTRICT I - RODRIGUEZ**
4. **NEOS CONSULTING GROUP, LLC** for purchase of Professional and Consulting Services to enable SAP Human Capital Management module relating to Employee Self Services through the Texas Department of Information Resources for the Human Resources Department and Houston Information Technology Services - \$2,690,000.00 - Equipment Acquisition Fund
5. **RCC CONSULTANTS, INC** for Professional Services to update the Regional Interoperable Communications Plan for the Houston Urban Areas Security Initiative Program through the Interlocal Agreement for Cooperative Purchasing with Houston-Galveston Area Council for Houston Information Technology Services - \$122,144.00 - Grant Fund
- 5-1. ORDINANCE appropriating \$2,275,000.00 out of Water & Sewer Consolidated Construction Fund for the purchase of Professional Services for the Department of Public Works & Engineering
 - a. **CRYSTAL COMMUNICATIONS LTD** - \$1,075,010.05; **APEX SYSTEMS** - \$1,199,989.95 for purchase of Professional Services for final build out phase of the Advanced Metering Infrastructure System through the Texas Department of Information Resources for the Department of Public Works & Engineering - \$2,275,000.00 - Enterprise Fund

RESOLUTIONS AND ORDINANCES - NUMBERS 6 through 37

6. RESOLUTION approving and adopting the Investment Policy for the City of Houston, Texas
7. RESOLUTION approving and authorizing the nomination of **APACHE CORPORATION** to the Office of the Governor Economic Development & Tourism through the Economic Development Bank as a Texas State Enterprise Zone Project - **DISTRICT G - PENNINGTON**
8. RESOLUTION designating the **RANDOLPH AND VIRGINIA WEST HOUSE** located at 2245 Dryden Road within the City of Houston as a historic landmark - **DISTRICT C - COHEN**
9. RESOLUTION designating the **GLEN AND JUDY WOODSON HOUSE** located at 2023 Claremont Lane within the City of Houston as a historic landmark - **DISTRICT G - PENNINGTON**
10. RESOLUTION designating the **WILLIAM H. AND BOOG EYSSEN HOUSE** located at 3449 Overbrook Lane within the City of Houston as a historic landmark - **DISTRICT G - PENNINGTON**

RESOLUTIONS AND ORDINANCES - continued

11. ORDINANCE supplementing Ordinance No. 2009-1118 relating to the issuance of City of Houston, Texas, Combined Utility System Commercial Paper Notes, Series B-1; authorizing the Substitution of a Credit Facility, the Execution and Delivery of the Revolving Credit Agreement, Bank Fee Letter, a Co-Bond Counsel Agreement, and approving an updated offering memorandum in connection therewith; resolving other matters related thereto; and declaring an emergency
12. ORDINANCE **AMENDING CHAPTERS 1 AND 15 OF THE CODE OF ORDINANCES OF HOUSTON, TEXAS**, relating to wage theft; declaring the policy of the City regarding wage theft; defining certain terms; providing for the creation of a wage theft database and procedures relating to its use; providing sanctions relating to wage theft; containing findings other provisions relating to the foregoing subject; providing for severability; providing an effective date
13. ORDINANCE relating to the rescheduling or postponement of certain City Council Meetings
14. ORDINANCE approving and authorizing an agreement for Legal Services between the City of Houston and **CONNELLY BAKER WOTRING LLP** for Representation of the City in negotiations with the United States Environmental Protection Agency; providing a maximum contract amount \$350,000.00 – Enterprise Fund
15. ORDINANCE authorizing the sale of a 50-foot-wide Pipeline Easement across El Franco Lee Park to Seaway Crude Pipeline Company LLC for a price of \$168,393.60; authorizing and approving an easement agreement among **SEAWAY CRUDE PIPELINE COMPANY LLC**, Harris County, Texas, and the City of Houston, Texas - **DISTRICT D - ADAMS**
16. ORDINANCE approving and authorizing the first amendment to Operation and Maintenance Agreement between the City of Houston, Texas, as owner and **BRAEBURN GLEN CIVIC CLUB** as operator for approximately 24,998 square feet of real property located at 9505 Braeburn Glen Boulevard, Houston, Harris County, Texas, to be operated and maintained as a Neighborhood Community Events and Recreational Facility - **DISTRICT F - HOANG**
17. ORDINANCE appropriating \$7,299,998.00 out of Reimbursement of Equipment/Projects Fund as an additional appropriation to **J.E. DUNN CONSTRUCTION CO. (F/K/A J.E. DUNN SOUTH CENTRAL, INC)** for Fire Station No. 84 - **DISTRICT B - DAVIS**
18. ORDINANCE approving a Foreign Trade Zone Agreement for the payment of ad valorem taxes between the City of Houston and **MILLETT DUTY FREE, INC., A LOUISIANA CORPORATION**; authorizing the Mayor to execute a letter of non-opposition to the establishment of a Foreign Trade Zone - **DISTRICT H - GONZALEZ**
19. ORDINANCE awarding a contract to **HBS NATIONAL CORPORATION** for Janitorial Cleaning and Associated Services for the Houston Airport System; providing a maximum contract amount \$563,550.49 - 3 years with two one-year options - Enterprise Fund - **DISTRICTS B - DAVIS; E - MARTIN and I - RODRIGUEZ**
20. ORDINANCE approving and authorizing Lease Agreement between the City of Houston and **ATLANTIC AVIATION CORPORATION**, for certain premises at William P. Hobby Airport; terminating Lease Agreement No. 191809, as amended, by and between the City of Houston and Atlantic Aviation Corporation - Revenue - **DISTRICT I - RODRIGUEZ**
21. ORDINANCE approving and authorizing Amendment No. 1 to a Luggage Carts and Lockers Concession Agreement between the City of Houston and **SMARTE CARTE, INC** for George Bush Intercontinental Airport/Houston and William P. Hobby Airport - Revenue - **DISTRICTS B - DAVIS and I - RODRIGUEZ**

RESOLUTIONS AND ORDINANCES - continued

22. ORDINANCE approving the issuance of bonds and notes by the Southwest Houston Redevelopment Authority - **DISTRICTS F - HOANG and J - LASTER**
23. ORDINANCE appropriating \$7,224,348.92 out of Tax Increment Funds for Reinvestment Zone Number One, City of Houston, Texas (Lamar Terrace Zone), Reinvestment Zone Number Two, City of Houston, Texas (Midtown Zone), Reinvestment Zone Number Three, City of Houston, Texas (Main Street/Market Square Zone), Reinvestment Zone Number Five, City of Houston, Texas (Memorial Heights Zone), Reinvestment Zone Number Six, City of Houston, Texas (Eastside Zone), Reinvestment Zone Number Seven, City of Houston, Texas (Old Spanish Trail/Alameda Corridors Zone), Reinvestment Zone Number Eight, City of Houston, Texas (Gulfgate Zone), Reinvestment Zone Number Nine, City of Houston, Texas (South Post Oak Zone), Reinvestment Zone Number Ten, City of Houston, Texas (Lake Houston Zone), Reinvestment Zone Number Eleven, City of Houston, Texas (Greenspoint Zone), Reinvestment Zone Number Twelve, City of Houston, Texas (City Park Zone), Reinvestment Zone Number Thirteen, City of Houston, Texas (Old Sixth Ward Zone), Reinvestment Zone Number Fourteen, City of Houston, Texas (Fourth Ward Zone), Reinvestment Zone Number Fifteen, City of Houston, Texas (East Downtown Zone), Reinvestment Zone Number Sixteen, City of Houston, Texas (Uptown Zone), Reinvestment Zone Number Seventeen, City of Houston, Texas (Memorial City Zone), Reinvestment Zone Number Eighteen, City of Houston, Texas (Fifth Ward Zone), Reinvestment Zone Number Nineteen, City of Houston, Texas (Upper Kirby Zone), Reinvestment Zone Number Twenty, City of Houston, Texas (Southwest Houston Zone), Reinvestment Zone Number Twenty-One, City of Houston, Texas (Hardy/Near Northside Zone), Reinvestment Zone Number Twenty-Two, City of Houston, Texas (Leland Woods Zone), And Reinvestment Zone Number Twenty-Two, City of Houston, Texas (Harrisburg Zone) for affordable housing, payments to Houston Independent School District, payment of project costs and payments to certain redevelopment authorities as provided herein
24. ORDINANCE consenting to the addition of 0.8608 acre of land to **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 172**, for inclusion in its district
25. ORDINANCE consenting to the addition of 0.11 acre of land to **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 494**, for inclusion in its district
26. ORDINANCE approving and authorizing the Strategic Partnership Agreement between the City of Houston and **WEST HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 21**
 - a. ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within **WEST HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 21** ("the district"), in Harris County, Texas; containing findings and other provisions relating to the foregoing subject; imposing the sales and use tax of the City of Houston in the area within the district annexed for limited purposes; assigning annexed areas to the adjacent council district from which a district council member is elected until such time as district boundaries may be changed pursuant to the City of Houston Charter
27. ORDINANCE approving and authorizing the Strategic Partnership Agreement between the City of Houston and **MONTGOMERY COUNTY MUNICIPAL UTILITY DISTRICT NO. 98**
 - a. ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within **MONTGOMERY COUNTY MUNICIPAL UTILITY DISTRICT NO. 98** ("the district") and certain territory located in the vicinity of the district, in Montgomery County, Texas; containing findings and other provisions relating to the foregoing subject; adopting a regulatory plan for certain territory in the vicinity of the district; imposing the sales and use tax of the City of Houston in the area within the district annexed for limited purposes; assigning annexed areas to the adjacent council district from which a district council member is elected until such time as district boundaries may be changed pursuant to the City of Houston Charter

RESOLUTIONS AND ORDINANCES - continued

28. ORDINANCE approving and authorizing the Strategic Partnership Agreement between the City of Houston and **LOUETTA ROAD UTILITY DISTRICT**
 - a. ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within **LOUETTA ROAD UTILITY DISTRICT** (“the district”) and certain territory located in the vicinity of the district, in Harris County, Texas; containing findings and other provisions relating to the foregoing subject; adopting a regulatory plan for certain territory in the vicinity of the district; imposing the sales and use tax of the City of Houston in the area within the district annexed for limited purposes; assigning annexed areas to the adjacent council district from which a district council member is elected until such time as district boundaries may be changed pursuant to the City of Houston Charter

29. ORDINANCE approving and authorizing the second amended and restated Strategic Partnership Agreement between the City of Houston and **HARRIS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 36**
 - a. ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within **HARRIS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 36** (“the district”) in Harris County, Texas; containing findings and other provisions relating to the foregoing subject; imposing the sales and use tax of the City of Houston in the area within the district annexed for limited purposes; assigning annexed areas to the adjacent council district from which a district council member is elected until such time as district boundaries may be changed pursuant to the City of Houston Charter

30. ORDINANCE approving and authorizing the third amended and restated Strategic Partnership Agreement between the City of Houston and **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 191**
 - a. ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 191** (“the district”), in Harris County, Texas; containing findings and other provisions relating to the foregoing subject; imposing the sales and use tax of the City of Houston in the area within the district annexed for limited purposes; assigning annexed areas to the adjacent council district from which a district council member is elected until such time as district may be changed pursuant to the City of Houston Charter

31. ORDINANCE approving and authorizing the second amended and restated Strategic Partnership Agreement between the City of Houston and **MEMORIAL HILLS UTILITY DISTRICT**
 - a. ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within **MEMORIAL HILLS UTILITY DISTRICT** (“the district”), in Harris County, Texas; containing findings and other provisions relating to the foregoing subject; imposing the sales and use tax of the City of Houston in the area within the district annexed for limited purposes; assigning annexed areas to the adjacent council district from which district council member is elected until such time as district boundaries may be changed pursuant to the City of Houston Charter

32. ORDINANCE approving and authorizing the first amended and restated Strategic Partnership Agreement between the City of Houston and **WEST HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 2**
 - a. ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within **WEST HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 2** (“the district”), in Harris County, Texas; containing findings and other provisions relating to the foregoing subject; imposing the sales and use tax of the City of Houston in the area within the district annexed for limited purposes; assigning annexed areas to the adjacent council district from which a district council member is elected until such time as district boundaries may be changed pursuant to the City of Houston Charter

RESOLUTIONS AND ORDINANCES - continued

33. ORDINANCE approving and authorizing the first amended and restated Strategic Partnership Agreement between the City of Houston and **SPRING CREEK UTILITY DISTRICT**
 - a. ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within **SPRING CREEK UTILITY DISTRICT** ("the district") and certain territory located in the vicinity of the district in Montgomery County, Texas; containing findings and other provisions relating to the foregoing subject; adopting a regulatory plan for certain territory in the vicinity of the district; imposing the sales and use tax of the City of Houston in the area within the district annexed for limited purposes; assigning annexed areas to the adjacent council district from which a district council member is elected until such time as district boundaries may be changed pursuant to the City of Houston Charter

34. ORDINANCE approving and authorizing the second amended and restated Strategic Partnership Agreement between the City of Houston and **HARRIS COUNTY FRESH WATER SUPPLY DISTRICT NO. 61**
 - a. ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within **HARRIS COUNTY FRESH WATER SUPPLY DISTRICT NO. 61** ("the district") and certain territory located in the vicinity of the district in Harris County, Texas; containing findings and other provisions relating to the foregoing subject; adopting a regulatory plan for certain territory in the vicinity of the district; imposing the sales and use tax of the City of Houston in the area within the district annexed for limited purposes; assigning annexed areas to the adjacent council district from which a district council member is elected until such time as district boundaries may be changed pursuant to the City of Houston Charter

35. ORDINANCE approving and authorizing the first amended and restated Strategic Partnership Agreement between the City of Houston and **HARRIS-FORT BEND COUNTIES MUNICIPAL UTILITY DISTRICT NO. 5**
 - a. ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within **HARRIS-FORT BEND COUNTIES MUNICIPAL UTILITY DISTRICT NO. 5** ("the "district") and certain territory located in the vicinity of the district in Fort Bend and Harris Counties, Texas; containing findings and other provisions relating to the foregoing subject; adopting a regulatory plan for certain territory in the vicinity of the district; imposing the sales and use tax of the City of Houston in the area within the district annexed for limited purposes; assigning annexed areas to the adjacent council district from which a district council member is elected until such time as district boundaries may be changed pursuant to the City of Houston Charter

36. ORDINANCE approving and authorizing the first amended and restated Strategic Partnership Agreement between the City of Houston and **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 368**
 - a. ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 368** ("the district") and certain territory located in the vicinity of the district in Harris County, Texas; containing findings and other provisions relating to the foregoing subject; adopting a regulatory plan for certain territory in the vicinity of the district; imposing the sales and use tax of the City of Houston in the area within the district annexed for limited purposes; assigning annexed areas to the adjacent council district from which a district council member is elected until such time as district boundaries may be changed pursuant to the City of Houston Charter

RESOLUTIONS AND ORDINANCES - continued

37. ORDINANCES granting to the following listed as A through H, the right, privilege and franchise to collect, haul and transport solid waste and industrial waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions and making certain findings related thereto

FIRST READING

- A. **MIDSTATE ENVIRONMENTAL SERVICES**, a Texas Limited Partnership
- B. **GLOBAL WASTE SERVICES, LLC**, a Texas Limited Liability Company
- C. **TWISTER WASTE, INC.**, a Texas Corporation
- D. **NORTHSIDE GARBAGE SERVICE, INC**, a Texas Corporation
- E. **REPIPE CONSTRUCTION DBA IPR SOUTH CENTRAL, LLC**, a Texas Limited Liability Company
- F. **ASTRO WASTE, INC**, a Texas Corporation
- G. **AZTEC PORTACANS AND CONTAINERS LTD**, a Texas Limited Partnership
- H. **NATIONAL WORKS, INC**, a Texas Corporation

END OF CONSENT AGENDA

CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA

MATTERS HELD - NUMBERS 38 through 50

38. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$6,245,041.22 and acceptance of work on contract with **ALSAY INCORPORATED** for Rehabilitation of Existing Water Wells - 0.17% over the original contract amount and under 5% contingency amount - **DISTRICTS A - BROWN; B - DAVIS; E - MARTIN; F - HOANG; G - PENNINGTON and J - LASTER**

TAGGED BY COUNCIL MEMBER DAVIS

This was Item 6 on Agenda of November 6, 2013

39. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$2,186,410.00 and acceptance of work on contract with **LEM CONSTRUCTION CO., INC** for Northgate and Imperial Valley Wastewater Treatment Plant Improvements - 6.03% under the original contract amount **DISTRICT B - DAVIS**

TAGGED BY COUNCIL MEMBER DAVIS

This was Item 8 on Agenda of November 6, 2013

40. RECOMMENDATION from Purchasing Agent to award to **GCR, INC** for purchase of Automated Passport Control Kiosks and Support Services from the General Services Administration Schedule 70 Contract through the Cooperative Purchasing Program for the Houston Airport System - \$485,739.00 - 3 years - Enterprise Funds - **DISTRICT B - DAVIS**

TAGGED BY COUNCIL MEMBER DAVIS

This was Item 16 on Agenda of November 6, 2013

MATTERS HELD - continued

41. RECOMMENDATION from Purchasing Agent to award to **DOGGETT HEAVY MACHINERY SERVICES, LLC** - \$1,537,367.00; **MUSTANG MACHINERY COMPANY, LTD d/b/a MUSTANG CAT** - \$699,254.01; **ASSOCIATED SUPPLY COMPANY, INC** - \$656,512.00; **ONE SOURCE EQUIPMENT, LP** - \$140,610.00; **JOHN DEERE SHARED SERVICES, INC acting through JOHN DEERE CONSTRUCTION RETAIL SALES DIVISION** \$299,944.24 for purchase of Earth Moving Equipment, Boom Lifts and Trailers through the Interlocal Agreement for Cooperative Purchasing with Houston-Galveston Area Council for the Department of Public Works & Engineering - \$3,333,687.25 - Stormwater and Enterprise Funds
TAGGED BY COUNCIL MEMBER BROWN
This was Item 18 on Agenda of November 6, 2013

42. RECOMMENDATION from Purchasing Agent to award to **TEXAS CONCRETE ENTERPRISE READY MIX, INC** for Ready Mix Concrete 5-7 Sack Mix for Various Department - \$7,679,912.00 24-months with 3 one year options - General, Stormwater and Enterprise Funds
TAGGED BY COUNCIL MEMBER BROWN
This was Item 19 on Agenda of November 6, 2013

43. ORDINANCE relating to the Fiscal Affairs of the **CITY PARK REDEVELOPMENT AUTHORITY ON BEHALF OF REINVESTMENT ZONE NUMBER TWELVE, CITY OF HOUSTON, TEXAS (CITY PARK ZONE)**; approving the Fiscal Year 2014 Operating Budget for the Authority **DISTRICT C - COHEN** - **TAGGED BY COUNCIL MEMBER GONZALEZ**
This was Item 25 on Agenda of November 6, 2013

44. ORDINANCE relating to the Fiscal Affairs of **REINVESTMENT ZONE NUMBER TWENTY-THREE, CITY OF HOUSTON, TEXAS (HARRISBURG ZONE)**; approving the Fiscal Year 2014 Operating Budget for the Zone - **DISTRICTS B - DAVIS; H - GONZALEZ and I - RODRIGUEZ**
TAGGED BY COUNCIL MEMBER GONZALEZ
This was Item 29 on Agenda of November 6, 2013

45. ORDINANCE awarding contract to **MCLEMORE BUILDING MAINTENANCE, INC** for Janitorial Cleaning and Associated Services for Various Departments managed by the General Services Department; providing a maximum contract amount - \$11,254,426.83 - 3 years with two one-year options - General, Enterprise and Other Funds
TAGGED BY COUNCIL MEMBERS LASTER and BROWN
This was Item 31 on Agenda of November 6, 2013

46. ORDINANCE appropriating \$1,489,579.00 out of Airports Improvement Fund for Professional Materials Engineering Laboratory Agreements with **TOLUNAY-WONG ENGINEERS, INC** and **AVILES ENGINEERING CORPORATION** (approved by Ordinance No. 2013-0868) - **DISTRICT B - DAVIS** - **TAGGED BY COUNCIL MEMBER DAVIS**
This was Item 39 on Agenda of November 6, 2013

47. ORDINANCE approving and authorizing fourth amendment to the Interlocal Agreement (approved by Ordinance No. 2007-1144) between the City of Houston and **GEOTECHNOLOGY RESEARCH INSTITUTE** to extend the contract term for the implementation of a sustainable development program that will improve the Energy Efficiency of City Buildings and Residential Homes - **TAGGED BY COUNCIL MEMBER DAVIS**
This was Item 40 on Agenda of November 6, 2013

MATTERS HELD - continued

48. ORDINANCE appropriating \$3,266,295.00 out of General Improvement Consolidated Construction Fund and \$2,785,705.00 out of reimbursement of Equipment/Projects Fund; awarding Construction Management at Risk Contract to **TEAL CONSTRUCTION COMPANY** for the New Bureau of Animal Regulation and Care Adoption Center - **DISTRICT B - DAVIS**
TAGGED BY COUNCIL MEMBER DAVIS
This was Item 41 on Agenda of November 6, 2013
49. ORDINANCE appropriating \$1,531,000.00 out of General Improvement Consolidated Construction Fund, \$702,000.00 out of Public Library Consolidated Construction Fund, \$1,004,000.00 out of Parks Consolidated Construction Fund, \$1,488,000.00 out of Police Consolidated Construction Fund, \$955,000.00 out of Solid Waste Consolidated Construction Fund, \$496,500.00 out of Public Health Consolidated Construction Fund, and \$272,000.00 out of Water & Sewer System Consolidated Construction Fund for the **TASK ORDER AND JOB ORDER CONTRACTING PROGRAM** for FY2014 (originally approved by Ordinance No. 2008-0374 and 2009-1316 respectively) - **TAGGED BY COUNCIL MEMBER DAVIS**
This was Item 42 on Agenda of November 6, 2013
50. ORDINANCE appropriating \$114,000.00 out of General Improvement Consolidated Construction Fund, \$100,000.00 out of Parks Consolidated Construction Fund, \$118,000.00 out of Fire Consolidated Construction Fund, \$100,000.00 out of Police Consolidated Construction Fund, \$71,000.00 out of Solid Waste Consolidated Construction Fund, \$50,000.00 out of Library Consolidated Construction Fund, and \$50,000.00 out of Public Health Consolidated Construction Fund as an additional appropriation for the **ENVIRONMENTAL TASK ORDER PROGRAM** for FY2014 for Various City Departments (approved by Ordinance No. 2012-0900)
TAGGED BY COUNCIL MEMBER DAVIS
This was Item 43 on Agenda of November 6, 2013

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

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

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

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

**CITY COUNCIL CHAMBER – CITY HALL 2nd FLOOR – WEDNESDAY
NOVEMBER 13, 2013 - 9:30 A.M.**

AGENDA

2MIN 2MIN 2MIN

MS. HELEN DELEON – 18707 Kingstown – 77058 – 281-415-5855 – Wage theft - Item – Item 12

MS. LAURA PEREZ – 943 Woodland – 77009 – 832-755-7013 – Wage theft - Item – Item 12

AGENDA

3MIN 3MIN 3MIN

MR. CARLOS DUARTE – 1903 Brushy Creek – Sugarland – TX – 77478 – 832-746-1108 – Wage theft
Item 12

MR. PAUL PUENTE – 11403 Sagetown – 77089 – 832-473-2822 – Wage theft – Item 12

MR. JEROME WALD – 9600 Glenfield Ct., No. 113 – 713-291-5103 – Wage theft – Item 12

MS. MARGARET OSER – 50 Waugh Dr. – 77007 – 713-685-2788 – Wage theft – Item 12

MS. ASHLEY HERNANDEZ – 2350 Bagby, No. 16204 – 502-664-9406 – Wage theft – Item 12

MS. MARIA GARCIA – 8210 Bauman – 77022 – 832-306-5984 – Wage theft - Item 12

MS. ADALINDA GUAJARDA – 10131 Commanche Ln. – 70041 – 832-366-4431 – Wage theft – Item 12

MR. FRANCISCO ARGUELLES – 1353 Ramanda Dr. – 77062 – 832-212-2091 – Wage theft – Item 12

MS. TAMMY BETANCOURT – (private) – Wage theft – 12

MR. NOEY RAMIREZ – 9519 Summer Locivel – 281-7468554 – Employee wages – Item 12

MR. AMIN ALEHASHEM – 2006 Wheeler Ave. – 77004 – 801-577-5548 – Wage theft – Item 12

NON-AGENDA

3MIN 3MIN 3MIN

MR. ROBERT MCGINN – 1002 Wakefield – 77018 – 713-206-0852 – Bar across Street/Parking

MR. MICHAEL ABRAMOWITZ – 2119 Leeland, No. 2 – 77003 – 281-857-5370 – Easy overdone human vs.
Computer programs for transportation

MS. BETTIE BISHOP – 6647 Sylvan Rd. – 77023 – 502-664-9406 – Wortham Golf Course

MR. JORGE CORONA – 114 Estelle – 77003 – 281-684-8928 – City Employment

MR. KEN NICHNER – 1120 Westheimer, Ste. 740 – 77042 – 713-781-8892 ext. 214 – Kirkwood Dr.
Need road work

MR. ALBERTO FLORES – 12006 Meadow Green - 77076 – 281-684-5782 – Issues in Neighborhood

MR. JOSE ORTEGA – 409 Schwartz – 77020 – 713-884-9411 – New Construction

MR. JOSE PEREZ – Post Office Box 24006 - 77229 – 281-726-9363 – New Construction

MS. DEBORAH ELAINE ALLEN – 12000 MLK, No. 2059 – 77048 – 713-264-0127 – Street repairs –
Griggs, E. Orem and M.L.K.

PREVIOUS

1MIN. 1MIN. 1 MIN.

MS. BRIDGET ALEXANDER MCDANIEL – Post Office Box 53993 – 77052 – 713-987-3854vm – Search
HPD

PRESIDENT JOSEPH CHARLES - Post Office Box 524373 - 77052-4373 – C/Government w/Parker –
McClelland, D Feldman w/RC Green m/Lynch Mobs – Assassinate US JC



ANNISE D. PARKER
MAYOR

OFFICE OF THE MAYOR
CITY OF HOUSTON
TEXAS

NOV 13 2013

October 15, 2013

COPY TO EACH MEMBER OF COUNCIL:

CITY SECRETARY: 10-28-13
date

COUNCIL MEMBER: _____

The Honorable City Council
City of Houston

Dear Council Members:

Pursuant to Texas Health and Safety Code, Chapter 772, Subchapter B, I am nominating the following individual for reappointment to the Greater Harris County 911 Emergency Network Board of Directors, subject to Council confirmation:

Mr. Dennis J. Storemski, reappointment to Position One, for a term to expire September 30, 2015.

The resume is attached for your review.

Sincerely,

Annise D. Parker
Mayor

AP:JC:jsk

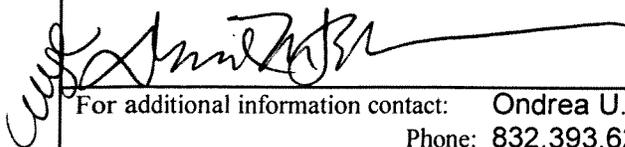
Attachment

cc: Ms. Lavergne Schwender, Executive Director, Greater Harris County 9-1-1
Emergency Network

RECEIVED
OCT 28 2013
CITY SECRETARY

<p>SUBJECT: Parcel AY12-160; City of Houston v. Burger King Corporation, et al., Cause No. 1032296; West Little York Paving & Drainage Project (T.C. Jester - Alabonson/Deep Forest) WBS/CIP No. N-000687-0003-2-01; Legal Department File No. 052-1300006-009.</p>	<p>Page 1 of 2</p>	<p>Agenda Item # <i>2</i></p>
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<p>FROM (Department or other point of origin): Legal Department - Real Estate Section David Feldman, City Attorney</p>	<p>Origination Date 10/14/13</p>	<p>Agenda Date NOV 13 2013</p>
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<p>DIRECTOR'S SIGNATURE: </p>	<p>Council District affected: "A" Helena Brown; Key Map# 411Y</p>
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<p>For additional information contact: Ondrea U. Taylor (OTJ) Phone: 832.393.6280 (alternatively Joseph N. Quintal 832.393.6286)</p>	<p>Date and identification of prior authorizing Council action: 2013-0171, psd. 2/27/13; 2012-0521, psd 5/30/12;</p>
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RECOMMENDATION: (Summary)
Authorize the City Attorney, by Motion, to deposit the amount of the Award of Special Commissioners into the registry of the Court and pay the costs of court incurred in this matter. Funding will be provided by a previously approved blanket Appropriation Ordinance.

Amount and Source of Funding:
\$52,257.00; No additional funding required. (Funds previously appropriated under Blanket Appropriation Ordinance No. 2012-0521).
M.P. 10/30/2013

SPECIFIC EXPLANATION:

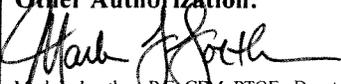
The West Little York Paving & Drainage Project, Sub-Project III, (T.C. Jester - Alabonson/Deep Forest) provides for right-of-way acquisition, design, and construction of a four-lane divided concrete roadway with storm drainage, curbs, sidewalks, driveways, street lighting, traffic control, and necessary underground utilities. The project will replace and widen a street that has deteriorated beyond economical repair and normal maintenance. The project will improve traffic circulation, mobility, and drainage in the service area. These improvements will upgrade the existing roadway to MTFP standards.

The City is acquiring, from Burger King Corporation, a 200 square feet permanent easement for street right-of-way to improve turnout radii between Antoine and West Little York. The property is located at 5698 West Little York Road. Within the taking are: a Burger King sign, asphalt paving, concrete curbing, an aerial light standard and shrubs.

The landowner rejected the City's final offer of \$43,602.00 and submitted a counter-offer in excess of \$300,000.00. The City rejected the counter-offer and pursued condemnation proceedings. The Special Commissioners returned an award amount of \$44,995.00. The fees associated with this matter resulted in a total amount of \$52,257.00. As with all amounts over \$50,000.00, the City filed objections to preserve the City's legal and procedural options.

City's Testimony Before the Special Commissioners: \$43,702.00
(i.e. \$13.00 psf for the land being acquired; \$37,047.00 for the depreciated value of the improvements located thereon and \$4,055.00 as damages to the remainder in the form of cost to cure.)

<p>h:\mark\burgerkingrca.wpd</p>	<p>REQUIRED AUTHORIZATION</p>	<p><i>90AH278</i></p>
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<p>Other Authorization:</p>	<p>Other Authorization:</p>	<p>Other Authorization:  Mark Loethen, DE, CPM, PTOE, Deputy Director Planning and Development Services Division, PWE</p>
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Date 10/14/13	SUBJECT: Parcel AY12-160; City v. Burger King Corporation, et al; West Little York Paving & Drainage Project; LD File No. 052-1300006-009;	Originator's Initials OUT/JNQ	Page 2 of 2
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Award of Special Commissioners: \$44,995.00.

The landowner's legal representative and the City filed objections to the Award of Special Commissioners, and the matter was placed on the Court's trial docket.

The "**Costs of Court**" are: \$187.00 filing fee; \$450.00 Service of process fee; \$1,650.00 Special Commissioners' fees (i.e. \$500.00 x 3 + \$150.00 x 1); \$4,975.00 Appraiser's fee; **Total:** \$7,262.00. These "costs of court" account for the monetary difference between the amount of the Award of Special Commissioners and the total amount of funds needed herein.

We recommend that the City Attorney be authorized, by Motion, to deposit the amount of the Award of Special Commissioners into the registry of the Court and pay the costs of court incurred in this matter. Funding will be provided by a previously approved blanket Appropriation Ordinance.

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 9904

Subject: Purchase of Office furniture from the State of Texas Procurement and Support Services Contract for the Fleet Management Department.
S54-E24815

Category #
4

Page 1 of 1

Agenda Item

3

FROM (Department or other point of origin):

Calvin D. Wells
City Purchasing Agent
Finance Department

Origination Date

November 04, 2013

Agenda Date

NOV 13 2013

DIRECTOR'S SIGNATURE

Calvin D. Wells

Council District(s) affected

1

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 the purchase of office furniture in the total amount of \$76,849.07 from the State of Texas Procurement and Support Services Contract for the Fleet Management Department.

Award Amount: \$76,849.07

Finance Budget

\$76,849.07 - Fleet Management Fund (Fund 1005)

SPECIFIC EXPLANATION:

The Director of the Fleet Management Department and the City Purchasing Agent recommend that City Council approve the purchase of office furniture in the total amount of \$76,849.07 from the State of Texas Procurement and Support Services Contract through the State Cooperative Purchasing Program for the Fleet Management Department and that authorization be given to issue purchase orders to the State contract suppliers as shown below. This office furniture will be used to furnish offices at City Hall Annex, Public Level.

Contract Resource Group, LLC: Approve the purchase of workstations in the amount of \$48,380.28.

J. Tyler Services, Inc.: Approve the purchase of chairs, desks, bookcases, filing cabinets, conference tables and credenzas in the amount of \$28,468.79.

Since July 2013, several less than \$50,000.00 purchase orders have been issued to Contract Resource Group, LLC and J. Tyler Services, Inc. With the issuance of these purchase orders, the aggregate total spend to Contract Resource Group, LLC and J. Tyler Services Inc. will be over \$50,000.00; thus, requiring City Council approval.

This purchase consists of sixteen modular workstations, seven desks, four credenzas, eleven lateral file cabinets, fifteen bookcases, fourteen guest chairs, eight task chairs and two conference tables. The furniture will come with the manufacturer's standard warranty and the life expectancy is 10 to 15 years.

Hire Houston First:

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

Buyer: Mabel Martinez
PRs: 10178060, 10178282 and 10178563

REQUIRED AUTHORIZATION

Finance Department:

Other Authorization:

Other Authorization:

MS
JD

R

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 9886

Subject: Approve the Purchase of Professional and Consulting Services through the Texas Department of Information Resources for the Human Resources Department and the Houston Information Technology Services S33/H24778

Category # 4

Page 1 of 1

Agenda Item

4

FROM (Department or other point of origin):

Calvin D. Wells, City Purchasing Agent
Finance Department

Origination Date

November 05, 2013

Agenda Date

NOV 18 2013

DIRECTOR'S SIGNATURE

Calvin D Wells

Council District(s) affected
All

For additional information contact:

Charles T. Thompson
Joyce Hays

Phone: (832) 393-0082
Phone: (832) 393-8723

Date and Identification of prior authorizing Council Action:

Ord. No. 2013-1000, passed 11-6-2013

RECOMMENDATION: (Summary)

Approve the purchase of professional and consulting services in the total amount of \$2,690,000.00 through the Texas Department of Information Resources for the Human Resources Department and the Houston Information Technology Services.

Award Amount: \$2,690,000.00

Finance Budget

\$2,690,000.00 - Equipment Acquisition Consolidated Fund (1800) (Appr. Ord. No. 2013-1000, passed 11-6-2013)

SPECIFIC EXPLANATION:

The Chief Information Officer of the Houston Information Technology Services and the City Purchasing Agent recommends that City Council approve the purchase of SAP Human Capital Management (HCM), Employee Self Service/Manager Self Service (ESS/MSS) professional and consulting services in the total amount of \$2,690,000.00 through the Texas Department of Information Resources (DIR) for the Human Resources Department and the Houston Information Technology Services and that authorization be given to issue purchase orders, as needed, to DIR's Go-Direct vendor, Neos Consulting Group, LLC.

The scope of work requires the contractor to enable SAP Human Capital Management (HCM) modules relating to Employee Self Service/Manager Self Service (ESS/MSS) for all City employees. The enhancements will improve business processes and allow City of Houston to establish and maintain best practice methodologies for the administration of benefits, organization management, employee demographic information, employee dependents, beneficiaries and employee compensation.

M/WBE Subcontracting:

Neos Consulting Group, LLC has designated the below-named company as its certified M/WBE subcontractors.

Subcontractor	Type of Work	Agreed Amount	Percentage
Access Data Supply, Inc.	Staffing	\$645,600.00	24%

The Office of Business Opportunity will monitor this contract.

Hire Houston First:

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

Estimated Spending Authority

Department	FY14	FY15	Total Amount
HITS	\$2,040,000.00	\$650,000.00	\$2,690,000.00

Buyer: Conley Jackson

REQUIRED AUTHORIZATION

Finance Department:

Other Authorization:

Other Authorization:

NOT

K

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 9880

Subject: Purchase of Professional Services through the Houston-Galveston Area Council for the Houston Information Technology Services
S19-E24790

Category #
4

Page 1 of 1

Agenda Item

5

FROM (Department or other point of origin):

Calvin D. Wells
City Purchasing Agent
Finance Department

Origination Date

November 05, 2013

Agenda Date

NOV 13 2013

DIRECTOR'S SIGNATURE



Council District(s) affected

All

For additional information contact:

Somaya Scott Phone: (832) 393-0082
Ray DuRousseau Phone: (832) 393-8726

Date and Identification of prior authorizing Council Action:

RECOMMENDATION: (Summary)

Approve the purchase of professional services through the Houston-Galveston Area Council (HGAC) in the total amount of \$122,144.00 for the Houston Information Technology Services.

Award Amount: \$122,144.00

Finance Budget

\$122,144.00 - Federal State Local Pass Through Fund (Fund 5030)

SPECIFIC EXPLANATION:

The Chief Information Officer of the Houston Information Technology Services and the City Purchasing Agent recommend that City Council approve the purchase of professional services to update the Regional Interoperable Communications Plan (RICP) for the Houston Urban Areas Security Initiative Program through the Interlocal Agreement for Cooperative Purchasing with H-GAC in the amount of \$122,144.00 for the Houston Information Technology Services, and that authorization be given to issue a purchase order to the H-GAC contractor, RCC Consultants, Inc.

Background:

The Urban Areas Security Initiative (UASI) Program dedicates funding support to select high-threat, high-density urban areas in order to address their unique multi-discipline planning, organization, equipment, training and exercise needs in building and sustaining capabilities to prevent, protect against, respond to and recover from threats or acts of terrorism.

The scope of work requires the contractor to develop a gap analysis highlighting the missing elements between UASI capabilities and what is currently needed to obtain reliable interoperable communications. The contractor will also be required to develop a gap analysis that highlights the missing elements between the remaining H-GAC county capabilities and what is required to obtain reliable interoperable communications.

Hire Houston First:

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

Buyer: Roy Korthals
Purchase Requisition: 10177796

REQUIRED AUTHORIZATION

Finance Department:

Other Authorization:

Other Authorization:

5

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 9883

Subject: Approve an Appropriating Ordinance and the Purchase of Professional Services through Texas Department of Information Resources TO Support the CUS Advanced Meter Reading Infrastructure Project (WBS-000956-0005-5-01-01)

Category #
4

Page 1 of 2

Agenda Item

5-1+A

FROM (Department or other point of origin):

Calvin D. Wells
City Purchasing Agent
Finance Department

Origination Date

November 01, 2013

Agenda Date

NOV 13 2013

DIRECTOR'S SIGNATURE

Calvin D. Wells

For additional information contact:

David Guernsey Phone: (832) 395-3640
Joyce Hays Phone: (832) 393-8723

Council District(s) affected
All

Date and Identification of prior authorizing Council Action:

RECOMMENDATION: (Summary)

Approve an ordinance authorizing the appropriation of \$2,275,000.00 out of the Water & Sewer System Consolidated Construction Fund (8500) and approve the purchase of professional services in the total amount not to exceed \$2,275,000.00 through the Texas Department of Information Resources for the completion of improvements to the Advanced Meter Reading Infrastructure project.

Award Amount - \$2,275,000.00

Finance Budget

[Signature]

\$2,275,000.00 - Water & Sewer System Consolidated Construction Fund (8500)

SPECIFIC EXPLANATION:

In 2008, the Public Works & Engineering Department began developing an innovative solution to economically leverage the mobile Automated Meter Reading investment into an Advanced Metering Infrastructure (AMI) system, whereby meter reads are transferred automatically to a central location hourly. The innovative approach was to build 90% of the network coverage using low cost radio repeaters vs. high cost collectors. This approach proved to be effective and efficient saving the Department approximately \$20 million dollars over the vendor proposed solution. The AMI system includes an advanced radio network, database software, and data analytics software designed to reliably collect hourly interval water consumption data and transform that data into valuable and actionable intelligence to improve PWE revenue collection, meter maintenance, and customer service. Today, approximately 70% of all accounts are connected to the AMI system.

The Scope of work included in the final build out phase of this project requires Crystal Communications, Ltd to provide professional services and parts necessary to complete the expansion of the AMI network by assembling 1,000 radio network devices that are designed to be compatible with both the existing Itron and Badger mobile systems. The scope of work also requires Apex Systems, Inc. to provide professional integration services necessary to develop network management and meter data management (MDM) software that continuously collects, stores, and analyzes over 8-billion hourly meter readings per year. The benefits of this award include increased account coverage, more efficient allocation of field operation personnel, improved revenue vigilance, and enhanced customer engagement services.

The Director of the Public Works & Engineering Department (PWE) and the City Purchasing Agent recommend that City Council approve an ordinance authorizing the appropriation of \$2,275,000.00 out of the Water & Sewer System Consolidated Construction Fund (8500) and approve the purchase of professional services in the total amount not to exceed \$2,275,000.00 through the Texas Department of Information Resources (DIR) for PWE and that authorization be given to issue purchase orders, as necessary, to the DIR contractors, Crystal Communications Ltd (\$1,075,010.05) and Apex Systems (\$1,199,989.95).

REQUIRED AUTHORIZATION

Finance Department:

Other Authorization:

Other Authorization:

NDT

Date: 11/1/2013	Subject: Approve an Appropriating Ordinance and the Purchase of Professional Services through Texas Department of Information Resources TO Support the CUS Advanced Meter Reading Infrastructure Project (WBS-000956-0005-5-01-01)	Originator's Initials MS	Page 2 of 2
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Hire Houston First:

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

MWBE Subcontracting

Crystal Communications Ltd. and Apex Systems has designated the below-named companies as their certified M/WBE subcontractors:

<u>Contractor</u>	<u>Subcontractor</u>	<u>Type of Work</u>	<u>Dollar Amount</u>	<u>Percentage</u>
Crystal Communications Ltd.	Integrated Network Solutions	Network Engineering Radio Assembly and	\$216,125.00	9.5%
Apex Systems	J Mathews LLC	Software Development Project Management and Software Development	\$193,375.00	8.5%

Buyer: Murdock Smith III

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA #

SUBJECT: Resolution approving the Investment Policy for the City of Houston

Category #

Page 1 of 1

Agenda Item# 6

FROM: (Department or other point of origin):

Office of the City Controller

Origination Date

10/21/2013

Agenda Date

11/13/2013

DIRECTOR'S SIGNATURE:

CWO
Ronald C. Au

Council Districts affected: All

For additional information contact:

Charisse Mosely 832-393-3529
Han Au 832-393-3524

Date and identification of prior authorizing Council Action: 5/7/08 Res. 2008-10; 1/16/08 Res. 2008-1; 11/5/08 Res 2008-31; 11/10/2009 Res 2009-33 ; 11/15/2010 Res 2010-57; 12/20/11 Res 2011-32; 12/18/12 Res 2012-44

RECOMMENDATION: Approve a resolution approving the Investment Policy for the City of Houston.

Amount of Funding: N/A

Finance Budget:

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

SPECIFIC EXPLANATION:

The Texas Public Funds Investment Act and the City Investment Policy require that City Council review the City's Investment Policy not less than annually and shall evidence by resolution that it has conducted such review. The last action was December 18, 2012.

The Controller's Office is requesting that Council approve a Resolution adopting the Investment Policy for the City of Houston. The policy has been reviewed and approved by the City's Investment Committee (see below) at their meeting on October 21, 2013. The proposal is for no changes to the policy.

Investment Committee Members

Ronald C. Green	Chairperson
Charisse Mosely	Deputy City Controller
Han Au	Investment Manager
Kelly Dowe	Mayor's Appointee
Susan Bandy	Mayor's Appointee
Michael Lee	Mayor's Appointee
Drew Masterson	Private Sector Appointee, First Southwest Securities
Ron Stapleton	Private Sector Appointee, Partners Advisors
Suresh Raghavan	Private Sector Appointee, Raghavan Financial, Inc.

REQUIRED AUTHORIZATION

Finance Director:

Other Authorization:

Other Authorization:

City of Houston Resolution No. 2013 _____

A RESOLUTION APPROVING AND ADOPTING THE INVESTMENT POLICY FOR THE CITY OF HOUSTON, TEXAS, AND MAKING VARIOUS PROVISIONS RELATED TO THE SUBJECT.

* * *

WHEREAS, the Public Funds Investment Act, Texas Government Code Ann., Chapter 2256 (the "Act"), provides that the governing body of an investment entity shall adopt a written investment policy regarding the investment of its funds; and

WHEREAS, pursuant to the Act, the City Council must review and approve such Investment Policy at least once annually; and

WHEREAS, the City Council hereby affirms that the written investment policy will continue to protect City assets by identifying investment objectives, addressing the issues of investment risks versus rewards, and providing the framework for the establishment of controls, limitations and responsibilities of City employees in the performance of their fiduciary responsibilities; **NOW, THEREFORE**,

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

Section 1. That the City Council hereby confirms that it has reviewed, and hereby approves and adopts the Investment Policy attached hereto as Exhibit A and made a part hereof by this reference.

Section 2. This Resolution shall be passed finally on the date of its passage and approval by the Mayor; however, in the event that the Mayor fails to sign this Resolution within five days after its passage and adoption, it shall take effect in accordance with Article VI, Section 6, Houston City Charter.

PASSED and ADOPTED this ____ day of _____, 2013.

APPROVED this ____ day of _____, 2013.

Mayor of the City of Houston

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

City Secretary

Prepared by Legal Department
GLW:asr 11/01/2013
Requested by Ronald C. Green, City Controller
L. D. File No. 0341300151001



Sr. Assistant City Attorney

November 1, 2013 (1:19PM)

This investment policy was reviewed at the Investment Committee Meeting on October 21, 2013 and has been approved by the Investment Committee. It is being submitted to City Council for review and approval on November 13, 2013.

Proposal: No changes to the investment policy.

CITY OF HOUSTON INVESTMENT POLICY

1.0 PURPOSE

It is the policy of the City of Houston, Texas (the City) to invest public funds in a manner which will provide the highest investment return with the maximum security while meeting the daily cash flow demands of the City and conforming to all state and local statutes governing the investment of public funds. This policy sets forth the investment program of the City and the guidelines to be followed in achieving its objectives.

2.0 SCOPE

This policy is applicable to all investment activities and all funds of the City except employee pension funds, trustee funds, or escrow funds - any of which is set up and administered separately and whose investment activities are conducted by third parties in accordance with instructions provided in ordinances, contracts, or escrow agreements.

2.1 Funds covered by this policy:

- 2.1.1 **General Fund** - used to account for all financial resources relating to general government operation except those required to be accounted for in other funds. The General Fund is the City's operating fund.
- 2.1.2 **Special Revenue Funds** - used to account for the proceeds of specific revenue sources which are restricted to expenditures for specific purposes.
- 2.1.3 **General Debt Service Funds** - used to account for the payment of interest and principal on all general long-term debt other than debt issued for and serviced by Enterprise Funds.
- 2.1.4 **Capital Project Funds** - used to account for all resources used for the acquisition and/or construction of capital facilities by the City, except those financed by Enterprise Funds.
- 2.1.5 **Enterprise Funds** - used to account for the acquisition, operation and maintenance of governmental facilities and services that are entirely or predominantly self-supporting through user charges.
- 2.1.6 **Trust and Agency Funds** - used to account for assets held in a trustee capacity or as an agent for individuals, private organizations, other governmental units, and/or other funds.

EXHIBIT A

2.1.7 Other funds maintained by the City, unless specifically exempted.

3.0 OBJECTIVE

Investment of the funds covered by this policy shall be governed by the following investment objectives, in order of priority:

- 3.1 **Safety:** Safety of principal is the primary objective of the investment program. Investment of the City's funds shall be undertaken in a manner that seeks to ensure the preservation of capital for the overall portfolio. To attain this objective, diversification is required in order that exposure to individual sectors of the market will not have an undue impact on the entire portfolio (see Section 17.0 "Diversification and Maximum Maturities").
- 3.2 **Liquidity:** The City's investment portfolio will remain sufficiently liquid to enable the City to meet all operating requirements that might be reasonably anticipated.
- 3.3 **Return on Investments:** The City's investment portfolio shall be designed with the objective of attaining the best feasible rate of return, throughout budgetary and economic cycles, commensurate with the City's investment risk constraints and the cash flow characteristics of the portfolio. Return on investment, although important, is subordinate to the safety and liquidity objectives described above.
- 3.4 **Legal Requirements:** The investment yield on certain funds may be restricted from time to time due to state or federal laws regarding arbitrage earnings. The City's investment portfolio shall be designed with the objective of meeting all legal requirements including yield restrictions.

4.0 INVESTMENT COMMITTEE

The City Controller is charged by the City Charter with the supervision of the fiscal affairs of the City of Houston, which includes the investment of the City's funds. To assist the City Controller in this function, an Investment Committee has been established. The Committee is chaired by the City Controller with members including the Deputy Controller – Treasury Division, the Investment Manager, up to two other persons appointed by the Controller, up to three persons appointed by the Mayor, and up to three non-City employees recommended by the Investment Committee and appointed by the City Controller. The Committee will be supported, as needed, by the staff of the Internal Audit Division, Finance Division, and the Legal Department. The Committee meets quarterly, upon written notice, or as called for by the City Controller.

The major responsibilities of the Committee are to:

- 1) Monitor investment results and compliance with this policy
- 2) Recommend and monitor investment and accounting controls and procedures in accordance with this policy.
- 3) Recommend investment strategies The Committee may, in its consideration of investment strategies, impose maturity, diversification or liquidity limits, or other investment guidelines, in addition to those required by this policy. In setting investment strategy the Committee may impose guidelines that are stricter than is required by this policy, but in no case shall recommend investments or guidelines not allowed by this policy.
- 4) Review and approve revisions to this policy.
- 5) Review, revise, and adopt, at least annually a list of qualified broker/dealers that are authorized to engage in investment transactions with the City.

5.0 DELEGATION OF AUTHORITY

Authority to manage the City's investment program is derived from State statutes and applicable City ordinances and resolutions. Day to day management responsibility for the investment program is delegated by the City Controller, as the City's investment officer, to one or more investment managers, who shall establish written procedures for the operation of the investment program consistent with this investment policy. Procedures should include reference to:

- a) Safekeeping of investments
- b) Collateral/Depository agreements
- c) Wire Transfer agreements
- d) Master Repurchase agreements
- e) Securities Lending agreement

Such procedures shall include explicit delegation of authority to persons responsible for investment transactions. No person may engage in an investment transaction except as provided under the terms of this policy and the procedures established by the Investment Manager. The Investment Manager shall be responsible for all transactions undertaken and shall establish a system of controls to regulate the activities of subordinate officials. The Investment Manager shall possess sufficient working knowledge of investment economics and the technical aspects of securities and markets, as well as the supervisory experience and judgment necessary to carry out the responsibilities outlined in this policy.

6.0 INVESTMENT TRAINING

The City Controller, as the investment officer, and all employees who have been delegated the authority to engage in investment transactions (investment officials) shall attend at least one training session relating to their responsibilities under this policy within 12 months after taking office or assuming duties; and attend an investment training session not less than once in a two-year period that begins on the first day of that local government's fiscal year and consists of the two consecutive fiscal years after that date, and receive not less than 10 hours of investment instruction from an independent source approved by the Investment Committee. Training must include education in

investment controls, security risks, strategy risks, market risks, and compliance with the Public Funds Investment Act.

7.0 ETHICS AND CONFLICTS OF INTEREST

Officers and employees involved in the investment process shall not engage in personal business activity that conflicts with proper execution of the investment program, or which could impair their ability to make impartial investment decisions. Investment officials and employees who are directly involved with the investment function shall disclose to the City Controller, or the Investment Committee, any financial interests in financial institutions that conduct business within this jurisdiction, and they shall further disclose any personal financial/investment positions that could be related to the performance of the City's portfolio. Employees and officers shall refrain from undertaking personal investment transactions with the same individual with whom business is conducted on behalf of their entity and shall subordinate their personal investment transactions to those of the City's, particularly with regard to the timing of purchases and sales.

Officers and employees involved in the investment process must file a disclosure statement with the Texas Ethics Commission and the City Secretary, acting on behalf of the governing body of the City of Houston, if:

- a) The officer or employee has a personal business relationship with a business organization offering to engage in an investment transaction with the City; or
- b) The officer or employee is related within the second degree, by affinity or consanguinity, to an individual seeking to transact investment business with the City.
- c) The officer or employee owns 10 percent or more of the voting stock or shares of the business or owns \$5,000 or more of the fair market value of the business organization;
- d) Funds received by the investment officer from the business organization exceed 10 percent of the officer's or employee gross income for the previous year; or
- e) The officer or employee has acquired from the business organization during the previous year an investment with a book value of \$2,500 or more for the personal account of the officer or employee.

8.0 PRUDENCE

Investments shall be made with judgment and care--under investment and economic circumstances then prevailing--which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital as well as the probable income to be derived.

- 8.1 The standard of prudence to be used by investment officials shall be the "prudent person" standard and shall be applied in the context of managing an overall portfolio under prevailing economic conditions at the moment of investment commitments. Investment officials, acting in accordance with written procedures and the investment policy and exercising due diligence, shall be relieved of personal responsibility for an individual security's credit risk or market price changes, provided deviations from expectations are reported in a timely fashion and appropriate action is taken to control adverse developments.

- 8.2 In determining whether an investment official has exercised prudence with respect to an investment decision, the determination shall be made taking into consideration the investment of all funds over which the official had responsibility rather than a consideration as to the prudence of a single investment and, whether the investment decision was consistent with the written investment policy of the entity.

9.0 AUTHORIZED AND SUITABLE INVESTMENTS

Investments described below are authorized by the Public Funds Investment Act and considered suitable by the Investment Committee. Section 12 of this Policy describes those investments that are specifically prohibited by the Act. In addition, the purchase of specific investments may at times be restricted or prohibited by the City Controller, as the investment officer, due to current market conditions. Securities that were authorized investments at the time of purchase are not required to be liquidated. Except as provided above, City funds governed by this Policy may be invested in:

- 9.1 Obligations of the United States of America or its agencies and instrumentalities.
- 9.2 Direct obligations of the State of Texas or its agencies and instrumentalities.
- 9.3 Other obligations, the principal and interest of which are unconditionally guaranteed or insured by, or backed by the full faith and credit of, the State of Texas or the United States or their respective agencies and instrumentalities, including obligations that are fully guaranteed or insured by the Federal Deposit Insurance Corporation or by the explicit full faith and credit of the United States.
- 9.4 Obligations of states, agencies, counties, cities, and other political subdivisions of any state rated as to investment quality by a nationally recognized investment rating firm not less than A or its equivalent. From time to time, the City may purchase its own general obligation or enterprise-issued obligations. In such cases, the City's intention is to hold its own obligations on a temporary basis and not to extinguish or discharge the obligations. In such cases, the City deems that no funds held in any interest and sinking fund set aside for a specific obligation will be used to purchase that obligation.
- 9.5 Certificates of Deposit that are issued by a City Council-approved state, national, or savings bank, domiciled in this state, and are:
- a) Guaranteed or insured by the Federal Deposit Insurance Corporation, or its successor; or
 - b) Secured by obligations that are described by 9.1 above, which have a market value of not less than the principal amount of the certificates, but excluding those securities prohibited by the Public Funds Investment Act and this policy; or
 - c) Secured in any other manner and amount provided by law for deposits of the City.

CITY OF HOUSTON INVESTMENT POLICY

Certificates of Deposit may be transacted with approved public depositories provided the City has on file a signed Security Agreement that complies with the Public Funds Collateral Act and details:

- a) Eligible collateral;
- b) Collateralization ratios for the various types of eligible collateral;
- c) Standards for collateral custody and control;
- d) Collateral valuation; and
- e) Conditions for agreement termination.

9.6 Fully collateralized repurchase agreements having a defined termination date, placed through a primary government securities dealer, as defined by the Federal Reserve, or a financial institution doing business in this state, and secured by a combination of cash and obligations described by 9.1 above, pledged to the City, held in the City's name, and deposited at the time the investment is made with the entity or with a third party selected and approved by the City, and having a market value at the time the funds are disbursed of no less than the principal amount of the funds disbursed. Repurchase Agreements may be transacted with primary dealers and financial institutions provided the City has on file a signed Master Repurchase Agreement which details:

- a) Acceptable types of collateral;
- b) Standards for collateral custody and control;
- c) Collateral valuation and initial margin, accrued interest, marking to market, and margin calls;
- d) Method for transmitting security income;
- e) Condition for agreement termination;
- f) Acceptable methods for delivery of securities and collateral.

9.6.1 Reverse repurchase agreements are authorized investments if the term of the agreement does not exceed 90 days; and the maturity of the investment acquired with the proceeds of the reverse repurchase agreement does not exceed the expiration date of the reverse repurchase agreement. Reverse repurchase agreements may be transacted with primary dealers and financial institutions provided the City has on file a signed Master Repurchase Agreement.

9.7 Prime Domestic Bankers' Acceptances with stated maturities of 270 days or less from the date of issuance that will be, in accordance with stated terms, liquidated in full at maturity, that are eligible for collateral for borrowing from a Federal Reserve Bank, and that are accepted by a bank organized and existing under the laws of the United States or any state, if the short-term obligations of the bank, or of a bank holding company of which the bank is the largest subsidiary, are rated not less than A-1 or P-1, or an equivalent rating by at least one nationally recognized credit rating agency.

9.8 Commercial Paper with a stated maturity of 270 days or less from the date of its issuance that is rated not less than A-1 or P-1 or an equivalent rating by at least:

- a) Two nationally recognized credit rating agencies; or
- b) One nationally recognized credit rating agency and is fully secured by an irrevocable letter of credit issued by a bank organized and existing under the laws of the United States or any state.

The maximum exposure to any one issuer other than the City is limited to the lesser of 3% of the market value of the investment pool at the time of purchase or 10% of the issuer's commercial paper program, provided, however, that at no time will the City hold more than 1.5% of the market value of the investment pool in Commercial Paper from a single issuer with a maturity date beyond 90 days. From time to time, the City may purchase its own general obligation or enterprise-issued commercial paper notes up to 10% of the value of the pool. In such cases, the City's intention is to hold its own notes on a temporary basis and not to extinguish or discharge the notes. In such cases, the City deems that no funds held in any interest and sinking fund set aside for a specific note will be used to purchase that note.

Prior to investing any funds, the Investment Manager will evaluate programs. Individual issuers will be monitored as to credit quality and events that may have an effect on the credit quality. Adverse developments will cause the issuer to be excluded from consideration and existing positions to be liquidated as practical.

- 9.9 SEC registered and regulated no-load money market mutual funds with a dollar-weighted average stated maturity of 60 days or less, whose investment objectives include the maintenance of a stable net asset value of \$1 for each share, and provides the City with a prospectus and other information required by the Securities Exchange Act of 1934 (15 U.S.C. Section 78a et seq.) or the Investment Company Act of 1940 (15 U.S.C. Section 80a-1 et seq.) The City's investment in any one money market mutual fund shall not exceed 10% of the total assets of the money market mutual fund. The City has a sweep relationship with the main depository bank that sweeps the overnight funds into a money market mutual fund. This relationship is subject to the same limits as any other mutual fund relationship, as previously stated.
- 9.10 SEC registered and regulated bonds issued as the direct obligations of the State of Israel.
- 9.11 Collateralized mortgage obligations directly issued by a federal agency or instrumentality of the United States, the underlying security for which is guaranteed by an agency or instrumentality of the United States, subject to the provisions of Section 12.0.
- 9.12 Investment Pools that function as a money market mutual fund. To be eligible to receive and invest funds on behalf of the City of Houston, the investment pool functioning as a money market mutual fund must mark its portfolio to market daily, to the extent reasonably possible stabilize at a \$1 net asset value, must have an advisory board, must be continuously rated no lower than AAA or AAA-m or at an

equivalent rating by at least one nationally recognized rating service, and must have a weighted average maturity of no longer than 60 days. The City's investment in any one investment pool that functions as a money market fund shall not exceed 10% of total assets of that investment pool.

10.0 SECURITIES LENDING

The City may enter into a securities lending program with an authorized broker/dealer or financial institution in order to enhance investment return. The City may administer a securities lending program directly or, if conditions warrant, use an outside agent. Should an agent be used, one will be recommended by the Investment Committee using appropriate criteria. Securities lending will only be transacted with a written agreement, approved by the City Attorney, which details:

- a) Acceptable types of collateral;
- b) Standards for collateral custody and control;
- c) Collateral valuation and initial margin, accrued interest, marking to market, and margin calls;
- d) Method for transmitting security income; and
- e) Acceptable methods for delivery of securities and collateral.

11.0 SECURITIES SWAPS

The City may take advantage of security swap opportunities to improve portfolio yield. A swap that improves portfolio yield may be selected, even if the transaction results in a current accounting loss, as long as the break-even date occurs within the horizon of the swap.

12.0 PROHIBITED INVESTMENTS

Under the Public Funds Investment Act, the following are not authorized investments, regardless of any other law to the contrary:

- 12.1 Obligations whose payment represents the coupon payments on the outstanding principal balance of the underlying mortgage-backed security collateral and pay no principal. (Commonly referred to as IOs)
- 12.2 Obligations whose payment represents the principal stream of cash flow from the underlying mortgage-backed security collateral and bears no interest. (Commonly referred to as POs)
- 12.3 Collateralized mortgage obligations that have a stated final maturity date of greater than 10 years.
- 12.4 Collateralized mortgage obligations, the interest rate of which is determined by an index that adjusts opposite to the changes in a market index.

13.0 EFFECT OF LOSS OF REQUIRED RATING

An investment that requires a minimum rating under this subchapter does not qualify as an authorized investment during the period the investment does not have the minimum rating. The City shall take all prudent measures that are consistent with this investment policy to liquidate an investment that does not have the minimum rating. The City shall also monitor the credit ratings on securities that require minimum ratings. This may be accomplished through staff research, or with the assistance of broker dealers, banks or safekeeping agents.

14.0 COLLATERALIZATION

All deposits of City funds, repurchase agreements and securities lending agreements, including any accrued interest, will be fully collateralized by securities permitted under this policy. Collateral securities shall have a market value of not less than 102% of the amount of the deposits, secured thereby, adjusted by the insurance coverage provided those deposits by the Federal Deposit Insurance Corporation. Collateral will always be held by an independent third party with whom the City has a current custodial agreement. A clearly marked evidence of ownership (safekeeping or trust receipt) must be supplied to the City and retained. Determination of market value on collateral shall be made on a weekly basis. All collateral relationships will comply with the terms of the Public Funds Collateral Act.

15.0 SAFEKEEPING AND CUSTODY

All security transactions, including collateral for repurchase and securities lending agreements but with the exception of money market transactions, entered into by the City shall be conducted on a delivery-versus-payment (DVP) basis. Securities will be held by a third party custodian, designated by the Controller, and held in the City's name as evidenced by safekeeping or trust receipts of the bank with which the securities are deposited. The custodian will provide listings of the securities that are held in the name of the City on a periodic basis.

16.0 INVESTMENT STRATEGY

The City's investment program uses a "pooled" investment strategy where all monies of all funds covered by this policy are combined and invested in a portfolio that is stratified by various levels of maturities to meet the requirements of all working capital, construction and debt service funds. In some cases, one or more separate pools of funds may be established to meet specific requirements or yield restrictions for certain funds. By combining the net cash flows of all funds, the pooled investment strategy maximizes return on investment without sacrificing safety and liquidity because economies of scale can be taken advantage of to obtain better prices and reduce transaction and administrative costs.

- 16.1 **General Pool Strategy:** The General Pool consists of those working capital, construction and debt service funds which are not subject to yield restriction under IRS arbitrage regulations. The City combines a variation on the traditional laddered maturity strategy that matches assets and liabilities, with more active management strategies, such as yield curve analysis, to achieve the best feasible rate of return while fulfilling the investment objectives of this policy.

The core of the General Pool strategy is a ladder in which investment maturities are matched to monthly cash requirements for the next 12-18 months. When investments mature, the proceeds are used to pay bills or re-invested. New cash from bond proceeds, taxes, or other revenues can be invested at the long end of the ladder to take advantage of higher yields or to fill other cash requirements. The ladder may be extended for longer-term funds to take advantage of matching long-term assets against long-term liabilities. At times, some investments might be placed shorter or longer, based on the interest rate outlook.

In order to ensure the ability of the City to meet obligations and to minimize potential liquidation losses, the dollar-weighted average stated maturity of the General Pool shall not exceed 2.5 years.

All investments in this pool must comply with the objectives and restrictions set forth in this policy.

- 16.2 **Tax-Exempt Pool Strategy:** The Tax-Exempt Pool consists of those funds which are subject to yield restriction and arbitrage regulation under the 1986 Tax Reform Act. This pool was created to:

- a) Demonstrate compliance with IRS regulations regarding arbitrage;
- b) Maximize the amount of interest earned and retained by the City from the investment of funds subject to the regulations;
- c) Minimize the amount of the rebate liability; and
- d) Minimize the cost of administering the arbitrage tracking program.

Due to the nature of municipal bonds (more risk, less liquidity), the strategy for the Tax-Exempt Pool is, generally, to purchase at least AA rated, insured or pre-refunded municipals with short maturities (generally less than 3 years) if the yield is reasonably higher than that of tax-exempt money market mutual funds. Otherwise, funds in this pool will be invested in one or more tax-exempt money market mutual funds that meet the requirements of IRS arbitrage regulations and the liquidity needs of this pool.

In order to ensure the ability of the City to meet obligations and to minimize potential liquidation losses, the average dollar-weighted stated maturity of the Tax-Exempt Pool shall not exceed 1.5 years.

All investments in this pool must comply with the objectives and restrictions set forth in this policy.

- 16.3 **Housing Department Pool Strategy:** This pool was created to comply with the U.S. Department of Housing and Urban Development (HUD) which requires separate custodial accounts for funds received under federal HUD programs. The strategy for this portfolio is to purchase U. S. Treasury Bills with maturities less than 6 months; targeted to meet the cash needs of the City of Houston Housing and Community Development Department (HCDD)'s HUD program cash outflows. A deposit account with an approved depository institution (see section 20.2) will

contain all funds pending disbursement as well as a minimal reserve, generally under \$20,000. All securities are available for sale to meet liquidity needs.

All investments in this pool must comply with the objectives and restrictions set forth in this policy.

- 16.4 **All Other Special Purpose Pools:** As deemed appropriate, the City Controller has created pools for special purposes, including capital projects, special revenue funds and debt service reserves. Each special purpose is limited in duration and has estimatable cash outflows, although the outflows may change over time, especially in the case of capital projects. In all cases, the City uses a traditional laddered maturity strategy that matches assets with projected cash outflows. The City may, on occasion, utilize more active management strategies, such as yield curve analysis, to achieve better rates of return while fulfilling the investment objectives of this policy and the purposes for which the pools were created.

The core of the strategy for each special purpose pool is a maturity ladder in which investment maturities are matched to periodic cash requirements for the expected life of the pool. As investments mature, the proceeds are disbursed according to the needs of the project or re-invested. New monies added to the pool will be invested to fill new cash requirements. At times, some investments might be placed shorter or longer, based on the interest rate outlook. As cash flow projections are revised, the portfolio ladder may be adjusted to reflect these changes, either through maturities or sales of securities.

The weighted average stated maturity of each special purpose pool shall not exceed the weighted average cash outflows for the project. This will be considered to have been accomplished by laddering the cash flows to the planned outflows.

All investments in this pool must comply with the objectives and restrictions set forth in this policy.

17.0 DIVERSIFICATION AND MAXIMUM MATURITIES

In consultation with the Investment Committee, the City Controller will set explicit asset mix and diversification constraints within which the Investment Manager is to manage the City's portfolios. The asset mix is stated in terms of a maximum or minimum commitment to each asset category rather than ranges or targets so as to allow the Investment Manager flexibility in implementing investment decisions within the framework of this policy. The Investment Manager may set the commitments anywhere from zero (or the minimum), to the maximum level, based upon the Manager's outlook for the market. All securities must conform to the rules on Authorized and Suitable Investments in Section 9.0 of this policy.

Notwithstanding the limits in this section, for investment pools initially created for funds with limited investment horizons, especially construction projects and other capital project funds, the

CITY OF HOUSTON INVESTMENT POLICY

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maximum commitments to each asset category will not apply when the pool has declined to 10% of the original funds deposited to the pool. At that time, the pool is permitted to invest up to a maximum of 100% of the remaining proceeds in money market mutual funds, US Treasuries, or US Agencies and Instrumentalities; and up to a maximum of 50% of the remaining proceeds in commercial paper with a stated maturity of one month or less, or any combination thereof. All other restrictions within this policy are still applicable, including, but not limited to, maturity, credit ratings, and any other specific concentration limitations as discussed in Section 9.

Instrument	Percentage of Total Pool		Maximum Maturity (a)
	Minimum	Maximum	
General Pool and All Other Pools			
Money Market Mutual Funds and Local Government Pools	0%	25%	N/A
Repurchase Agreements	0%	15%	6 months
Reverse Repurchase Agreements	0%	15%	90 days
Securities Lending Agreements	0%	50%	90 days
Certificates of Deposit	0%	15%	2 years
Commercial Paper and Bank Acceptances	0%	15%	270 days ^(b)
Municipal Notes and Bonds	0%	20%	5 years
U.S. Agencies and Instrumentalities	0%	85% ^(c)	5 years
Mortgage Pass-through Securities and Collateralized Mortgage Obligations	0%	20% ^(d)	15 years ^(d)
U.S. Treasuries	15%	100%	5 years
Callable Agency Securities	0%	25%	5 years
Tax-Exempt Pool			
Tax-Exempt Money Market Mutual Funds	0%	100%	N/A
Tax-Exempt Municipal Notes and Bonds	0%	100%	5 years
Trust and Agency Pools			
U.S. Treasury and Agency Securities		100%	As permitted under trust regulations

- (a) Investments with maturities greater than the maximum maturity must be specifically approved by the City Controller or the Investment Committee.
- (b) The maximum exposure to any one CP issuer, except for the City, is limited to the lesser of 3% of a pool's market value or 10% of the issuer's commercial paper program, of which 1.5% of a pool's market value can have a maturity beyond 90 days.
- (c) The maximum exposure to any one Agency issuer is 35% of the investment pool.
- (d) The maximum maturity of CMOs is limited to 10 years under this policy. CMOs are further limited to 5% of the total investment portfolio.

18.0 SALE OF SECURITIES

Securities shall not be sold prior to maturity except under the following circumstances:

- a) A decline in the credit quality of the issuer;
- b) A security swap designed to improve the quality, yield, or target duration in the portfolio under the conditions of section 11.0 of this policy; or
- c) Liquidity needs require that a security be sold; or
- d) Diversification limits in section 17.0 of this policy require the reduced concentration in a particular sector.

19.0 COMPETITIVE BIDDING

It is the policy of the City to require competitive bidding for all individual security purchases and sales except for:

- 1) Transactions with money market mutual funds (which are deemed to be made at prevailing market rates);
- 2) Government securities purchased at issue through an approved broker/dealer or financial institution; and
- 3) Commercial paper and bankers' acceptances purchased either directly from the issuer or on the secondary market (verification of competitive market levels must be documented).

At least three broker/dealers must be contacted in all other transactions involving individual securities. For those situations where it may be impractical or unreasonable to receive three bids due to secondary market availability or broker inventory limitations, documentation of a competitive market of comparable securities or an explanation of the specific circumstance must be included with the transaction quote/bid sheet. Competitive bidding for security swaps is required.

20.0 AUTHORIZED BROKER/DEALERS AND FINANCIAL INSTITUTIONS

20.1 Broker/Dealers - The City Controller will maintain a list of approved broker/dealers and financial institutions that have been approved by the Investment Committee and are authorized to provide investment services in the State of Texas. Investments shall only be made with those firms who qualify under Securities & Exchange Commission Rule 15C3-1 (uniform net capital rule) and who have:

- a) Provided audited financial statements;
- b) Completed the City's Broker/Dealer Questionnaire;
- c) Acknowledged, in writing, that the policy has been thoroughly reviewed by qualified representatives dealing directly with the City's account and that the organization has implemented reasonable procedures and controls in an effort to preclude investment transactions conducted between the City and the organization that are not authorized by the City's Investment Policy, except to the extent that this authorization depends on an analysis of the makeup of the City's entire portfolio or requires an interpretation of subjective investment standards; and
- d) Met the qualifications and standards recommended and approved by the Investment Committee.

An annual review of the financial condition and registrations of authorized broker/dealers and financial institutions providing investment services will be conducted by the City Controller. In addition, the quantity of transactions conducted with each approved broker/dealer will be reviewed at least semi-annually for the prior six-month period. Broker/dealers that have less than three transactions shall be sent a letter informing them of their status, and be given thirty days to respond in writing. The results of this review and the related recommendations shall be submitted to the Investment Committee. The Investment Committee shall, at least annually, review, revise, and adopt a list of qualified brokers that are authorized to engage in investment transactions with the entity.

20.2 Depositories - The City Controller will maintain a list of qualified public depositories that are authorized to hold City funds. Deposits will only be placed with those institutions that have:

- a) Provided audited financial statements;
- b) Completed the City's Authorized Depository application;
- c) Been designated by City Council as an authorized depository;
- d) Signed the City's Security Agreement; and
- e) Provided collateral as set forth in Sections 9.5 and 14.0 of this policy.

An annual review of the financial condition of each depository holding City funds will be conducted by the City Controller.

A current audited financial statement is required to be on file for each broker/dealer and financial institution that transacts any investment activities with the City.

21.0 INTERNAL CONTROL

In conjunction with its annual financial audit, the City shall cause to be performed a compliance audit of management controls on investments, adherence to the City's established investment policies and the quarterly reports prepared by the investment manager. The results of the review shall be reported to the Investment Committee.

22.0 REPORTING

22.1 Investment performance is continually monitored and evaluated by the Investment Manager. As requested by the City Controller, but not less than quarterly, the Investment Manager will prepare and submit to the Investment Committee, investment reports which demonstrate conformance to the requirements and objectives of this policy.

In addition, the Investment Manager will prepare and submit to the Mayor and City Council, not less than quarterly, a written report of investment transactions for all funds covered by this policy for the preceding reporting period. The report must:

- a) Describe in detail the investment position of the City on the date of the report;

- b) Be prepared jointly by all investment officers of the entity;
- c) Be signed by each investment officer of the entity;
- d) Contain a summary statement, prepared in compliance with generally accepted accounting principles, of each pool fund group that states the beginning market value during the period, additions and changes to the market value during the period, ending market value for the period, and fully accrued interest for the reporting period;
- e) State the book value and market value of each separately invested asset at the end of the reporting period by the type of asset and fund type invested;
- f) State the maturity date of each separately invested asset that has a maturity date;
- g) State the account or fund or pooled group fund for which each individual investment was acquired; and
- h) State the compliance of the investment portfolio as it relates to the Public Funds Investment Act of the State of Texas and the investment strategy expressed in this policy.

22.2 The City will utilize the following 3 tier approach for valuing securities:

- a) Interactive Data Corporation (IDC) will be the primary source for valuing securities. IDC receives input from multiple dealers when generating a valuation.
- b) As a backup for securities that are not priced using IDC, Bloomberg, L.P. will provide a secondary source for values.
- c) Investment Committee approved primary government security dealers will offer a final backup for those securities not valued by the previous two sources.

23.0 PERFORMANCE STANDARDS

Subject to the investment objectives set forth in section 3.0 of this policy, the investment portfolios shall be designed with the objective of attaining the best feasible rate of return, throughout budgetary and economic cycles, commensurate with the investment risk constraints and the cash flow needs of the portfolio. The overriding objectives of portfolio management are to preserve the capital invested and to meet the liquidity and debt service needs of the City. These objectives supercede the importance of achieving any performance Benchmarks set by this policy.

- 23.1 **Market Yield (Benchmark):** The City's selection of portfolio management is active as opposed to passive. Active management uses investment strategies designed to increase portfolio value by exceeding average rates of return normally achieved using passive management. The basis used by the City Controller to determine whether market returns are being achieved shall be a benchmark recommended by the Investment Committee. The Investment Committee may revise this benchmark if liquidity and debt service needs alter the desired composition of the portfolio.

24.0 INVESTMENT POLICY ADOPTION

The City's investment policy shall be adopted by resolution of City Council. The policy shall be reviewed at least annually by the Investment Committee and the City Council, and any modifications made to such policy must be approved by City Council. The City Council shall evidence by resolution that it has conducted such review. Any modifications made to such policy must be approved by City Council and reflected in such resolution.

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA #

SUBJECT: A resolution to nominate the Apache Corporation (Apache) located at 2000 Post Oak Blvd., Houston, 77056 as an Enterprise Project.

Category #

Page 1 of 1

Agenda Item#

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FROM: (Department or other point of origin):

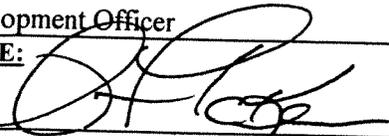
Andy Icken
Chief Development Officer

Origination Date

Agenda Date

NOV 13 2013

SIGNATURE:



Council Districts affected:

District "G" – CM Pennington

For additional information contact:

Gwendolyn Tillotson

Phone: 832-393-0937

Date and identification of prior authorizing Council Action: Ordinance No. 2008-118 dated 2/13/08, as amended by Ordinance No. 2008-359 dated 4/23/08; as amended by Ordinance No. 2012-1004 dated 11/28/12 to include additional local incentives

RECOMMENDATION: (Summary): A Council approve a resolution to nominate the Apache Corporation (Apache) located at 2000 Post Oak Blvd., Houston, 77056 as an Enterprise Project.

Amount of Funding: No City funding required

Finance Budget:

SOURCE OF FUNDING:

- General Fund
 Grant Fund
 Enterprise Fund
 Other (Specify)

SPECIFIC EXPLANATION:

The Texas Enterprise Zone Program is an economic development tool for local communities to partner with the State of Texas to promote job creation and capital investment. A State Enterprise Zone is any census tract block group that has a 20% or more poverty rate, as determined by the U.S. Census Bureau during each decennial census.

State law requires a municipality or county to nominate a project of a qualified business for designation as an Enterprise Project to participate in the Enterprise Zone Program. Legislation limits allocations to the state and local communities per biennium; the City is limited to a maximum of 9 project designations. The next deadline for the quarterly state application is December 2, 2013. This project will represent the fourth nomination for the cycle.

Enterprise Projects are eligible to apply for state sales and use tax refunds on qualified expenditures. The level and amount of refund is related to the capital investment and jobs created or retained at the qualified business site. Depending on investment amount, there is a maximum refund of \$2,500 - \$7,500 per job to the company. The amount of the investment for this project will produce a maximum reimbursement of \$2,500 for up to 500 jobs or \$1,250,000 over a five year term.

City Council previously adopted an ordinance authorizing the City to nominate projects for this State funded incentive. The City is nominating Apache as an Enterprise Project with an estimated capital investment of \$27 million and retention of 999 jobs over the 5-year program period.

Apache is an independent energy company and explores for, develops and produces natural gas, crude oil, and natural gas liquids. The company has exploration and production interests in six countries, including U.S. and Canada. The company employs 999 full-time workers with total annual wages exceeding \$93 million. Apache will invest over \$27M over the next 5 years on the implementation of an SAP system to advance its IT systems in order to improve its operations and processes.

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

REQUIRED AUTHORIZATION

Finance Director:

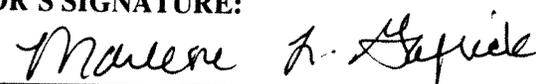
Other Authorization:

Other Authorization:

TO: Mayor via City Secretary REQUEST FOR COUNCIL ACTION

SUBJECT: Approval of a resolution designating the Randolph and Virginia West House at 2245 Dryden Road as a Landmark in accordance with Chapter 33, Code of Ordinances	Category #	Page 1 of 1	Agenda Item # 8

FROM (Department or other point of origin): Planning and Development	Origination Date August 2, 2013	Agenda Date NOV 13 2013
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DIRECTOR'S SIGNATURE: 	Council District affected: C
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For additional information contact: Matthew Kriegl Phone: 713-837-7803	Date and identification of prior authorizing Council action:
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RECOMMENDATION: (Summary)
 Approval of a resolution designating the Randolph and Virginia West House at 2245 Dryden Road as a Landmark

Amount and Source of Funding: N/A	Finance Budget:
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SPECIFIC EXPLANATION:
 A property owner or the Houston Archaeological and Historical Commission may initiate an application for the designation of a Landmark. This application for Landmark designation of the Randolph and Virginia West House at 2245 Dryden Road was initiated by the owner.

A public hearing was held on May 16, 2013 by the Houston Archaeological and Historical Commission and there were no objections to the designation. The Houston Archaeological and Historical Commission determined that the application satisfied applicable criteria of the ordinance and unanimously recommended approval of the Landmark designation.

Attachments: Application and Staff Report

- xc: Minnette Boesel, Mayor's Assistant for Cultural Affairs
 David M. Feldman, City Attorney
 Omar Izfar, Real Estate Section, Office of the City Attorney
 C.A. McClelland, Chief, Police Department
 Terry A. Garrison, Chief, Fire Department

REQUIRED AUTHORIZATION

Finance Director:	Other Authorization:	Other Authorization:
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LANDMARK DESIGNATION REPORT

LANDMARK NAME: Randolph and Virginia West House

OWNERS: Michael and Laura Umansky

APPLICANTS: Same

LOCATION: 2245 Dryden Road - Southgate

AGENDA ITEM: II.B

HPO FILE NO: 13L280

DATE ACCEPTED: 05/01/2013

HAHC HEARING: 05/16/2013

SITE INFORMATION

TRS 2 & 3A, Block 9, Southgate, City of Houston, Harris County, Texas. The site includes a historic, one-story, stucco single family residence

TYPE OF APPROVAL REQUESTED: Landmark Designation

HISTORY AND SIGNIFICANCE SUMMARY

The Randolph and Virginia West House was designed in a French style by Claude E. Hooton in 1936-37. Virginia West was an accomplished interior decorator and Mr. West was a building contractor. The new home was featured in *Architectural Digest* and *The Houston Post*. Claude E. Hooton was a Rice-trained architect who had a successful and long career, and built several homes in Southgate. Architectural historian Stephen Fox wrote the following about Claude Hooton's architecture: "*A number of Hooton's houses, including his own, reflected his exposure to modern architecture. Others, however, were more conservative in design. They were all characterized by diminutive proportions.*"

The Randolph and Virginia West House meets criteria 1, 4, 5, 6, and 8 for Landmark Designation.

HISTORY AND SIGNIFICANCE

The Randolph and Virginia West House is significant for its architectural style, its architect, and its first owners. The home has been well maintained over the years and the new owners are also undertaking a sympathetic remodeling to accommodate their family.

Rudolph and Virginia West

Virginia Johnson West was the daughter of Thomas and Nell Easton Johnson. She was born March 11, 1902. Thomas Johnson was a successful cotton broker in Houston who died in the early 1920s. His widow, Nell Easton Johnson, commissioned Joseph Northrop to design a home for her at 3 Shadowlawn Circle. She, Virginia, and Virginia's husband, Randolph West, resided there together until the Wests moved to the home on Dryden.

Virginia West was a successful interior designer in Houston. She worked with Eugene Harris (a Rice graduate) in Houston. She died on June 30, 1972. Randolph West was a civil engineer. He was born on December 18, 1897 in Savannah, Georgia. He died March 7, 1965. The Wests were living in Kettering Oaks subdivision at the time of his death. His funeral was at Palmer Memorial Episcopal Church. Both Wests were buried at Glenwood Cemetery in the Johnson family plot.

Claude E. Hooton

Claude E. Hooton was born in Waterproof, Louisiana, in 1905. His family moved to Houston, and Hooton enrolled in architecture school at the Rice Institute. He graduated in 1928, and embarked on a traveling fellowship to Europe, where he became exposed to Modern architecture in Finland.

He was a student of William Ward Watkin, and joined up with the Watkin family in France, where Mrs. Watkin was seriously ill. He took charge of the Watkin's sons tutoring during this time, and when Mrs. Watkin died, he accompanied the family back to Houston. He then became an instructor at Rice, and eventually became a full-time faculty member. He designed numerous homes in Houston in the 1930s.

Stephen Fox's notes on Claude E. Hooton contain the following passage:

During the Houston phase of his career, Hooton was principally a designer of houses, several of which were located in the Southgate subdivision adjoining the Rice campus, where Hooton built his own house [now demolished]. A number of Hooton's houses, including his own, reflected his exposure to modern architecture. Others, however, were more conservative in design. They were all characterized by diminutive proportions.

This was the case with the West House, which is tiny in scale but large in character. Several homes along University Boulevard are also distinguishable as Hooton designs.

Hooton was married to Callie Clemons and they had three children. Hooton left Houston and Rice in 1941 to take an appointment with the Merchant Marines in New Orleans. He remained in the New Orleans area for the remainder of this architectural career, but kept an office in Houston during the 1950s and 1960s.

While in New Orleans, Hooton was involved with a number of significant projects, including the Texas Company Building (1953) and was the associate architect for Skidmore, Owings, and Merrill's Pan American Life Insurance Company Building (1952).

Hooton's son, Claude E. Hooton, Jr., married Elizabeth Sharp, the daughter of Houston developer Frank W. Sharp. Sharp is best known as the developer of Sharpstown. Sharp hired Hooton to design the Sharpstown Center (1961) with Sidney H. Morris & Associates and the Sharpstown State Bank Building (1962).

Claude E. Hooton died in Natchez, Mississippi, on October 15, 1993.

Among Hooton's Houston residential projects from the 1930s are the following:

1935:

Central City Corporation House, 4917 Crawford (no longer extant)

Earl McKaughan House, 3706 Harper (no longer extant)

1118 S. Shepherd

1935-36:

J.E. Cooper House, 2247 Dryden (with Hiram Salisbury and H.D. Maddox)

Claude E. Hooton House, 2233 University Boulevard (no longer extant)

2153 University Boulevard, house for R. W. Gillette (no longer extant)
 2163 University Boulevard, house for R. W. Gillette
 2171 University Boulevard, house for R. W. Gillette
 2247 University Boulevard, house for R. W. Gillette (no longer extant)
 Vivian and Claude A. Hooton House, 2207 Dryden (no longer extant)
 A.L. Young House, 2126 Pine Valley

1936:

Roy Cox House, 2235 University Boulevard
 Chester F. Lee House, 2118 Glen Haven Boulevard

1936-37:

Rebecca Henry Duplex, 1639 Branard

1938:

W.M. Merritt House, 2814 Arbor (street cannot be found)

1939:

J.R. Parten House, 3363 Knollwood Drive (no longer extant)
 R.E. McKaughan House, 2110 Pine Valley
 W.W. Fondren, Jr. House, 3619 Knollwood Drive

RESTORATION HISTORY AND CONDITION

The 1,409 square foot house is sited facing north in the center of a 7,068 square foot lot. The white house is low slung and has a diminutive stature which contrasts with the steep pointed roof. The brick-faced house is symmetrical, and designed in a French style. The one-story house features three bays, a center entrance bay with symmetrical flanking bays. The two outer bays are topped by hipped roofs and central bay is topped by a truncated hipped roof, which makes them seem pyramidal from the street. The house was engineered with a concrete slab and concrete walls, unusual for its time.

The center entrance bay is recessed, and along with low walls (which were original to the landscaping and design) forms a patio in the front. Unfortunately, these patio walls have been removed due to flooding issues. However, the character of the entry mostly remains. The entry is topped with a large arch which encroaches into the roof forming a dormer. Tall, double, wood doors form the entry. Two vertically elongated octagonal windows are on each side of the entry.

Each flanking bay has a 9-over-9 wood sash window. These windows are new, but replicate what was there before.

Two thin chimneys punctuate the roofs where the two outer bays connect to the center bay.

The home's original interior (since modified many times) was detailed in *Architectural Digest*. A copy of that article has been attached to this application.

2245 Dryden is currently undergoing a renovation to accommodate the new owner, who is also an interior designer. All of the exterior windows and doors have been replaced, although the original front door will remain. The new windows match the design and profile of the existing windows.

CITY OF HOUSTON

Archaeological & Historical Commission

Planning and Development Department

The roof was also replaced. The existing garage/guesthouse was removed. A 20x60', 925 square foot, one-story addition was added at the rear of the structure (over the location of the former garage/guesthouse). The addition does not significantly alter the house's historic material or original floor plan. See drawing for more detail.

BIBLIOGRAPHY

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Nicholson, Patrick J. *William Ward Watkin and the Rice Institute*. Houston, Texas: Gulf Publishing Company, 1991.

Notes on Claude E. Hooton

"Randolph West," *Houston Chronicle*, March 8, 1965.

"Residence of Mr. and Mrs. Randolph West, Houston, Texas." *Architectural Digest*, Vol. 10, No. 4: 29-32.

Various Resources from Ancestry.com

1956 AIA Historical Directory

1962 AIA Historical Directory

*Note: no obituary was found for Claude Hooten or Virginia Johnson West

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

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Archaeological & Historical Commission

Planning and Development Department

APPROVAL CRITERIA FOR LANDMARK DESIGNATION

Sec. 33-224. Criteria for designation

(a) The HAHC, in making recommendations with respect to designation, and the city council, in making a designation, shall consider one or more of the following criteria, as appropriate for the type of designation:

- | S | NA | S - satisfies | D - does not satisfy | NA - not applicable |
|-------------------------------------|-------------------------------------|----------------------|-----------------------------|----------------------------|
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| AND | | | | |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | | | |
- (1) Whether the building, structure, object, site or area possesses character, interest or value as a visible reminder of the development, heritage, and cultural and ethnic diversity of the city, state, or nation;
- (2) Whether the building, structure, object, site or area is the location of a significant local, state or national event;
- (3) Whether the building, structure, object, site or area is identified with a person who, or group or event that, contributed significantly to the cultural or historical development of the city, state, or nation;
- (4) Whether the building or structure or the buildings or structures within the area exemplify a particular architectural style or building type important to the city;
- (5) Whether the building or structure or the buildings or structures within the area are the best remaining examples of an architectural style or building type in a neighborhood;
- (6) Whether the building, structure, object or site or the buildings, structures, objects or sites within the area are identified as the work of a person or group whose work has influenced the heritage of the city, state, or nation;
- (7) Whether specific evidence exists that unique archaeological resources are present;
- (8) Whether the building, structure, object or site has value as a significant element of community sentiment or public pride.
- (9) If less than 50 years old, or proposed historic district containing a majority of buildings, structures, or objects that are less than 50 years old, whether the building, structure, object, site, or area is of extraordinary importance to the city, state or nation for reasons not based on age (Sec. 33-224(b)).

STAFF RECOMMENDATION

Staff recommends that the Houston Archaeological and Historical Commission recommend to City Council the Landmark Designation of the Randolph and Virginia West House at 2245 Dryden Road.

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Archaeological & Historical Commission

Planning and Development Department

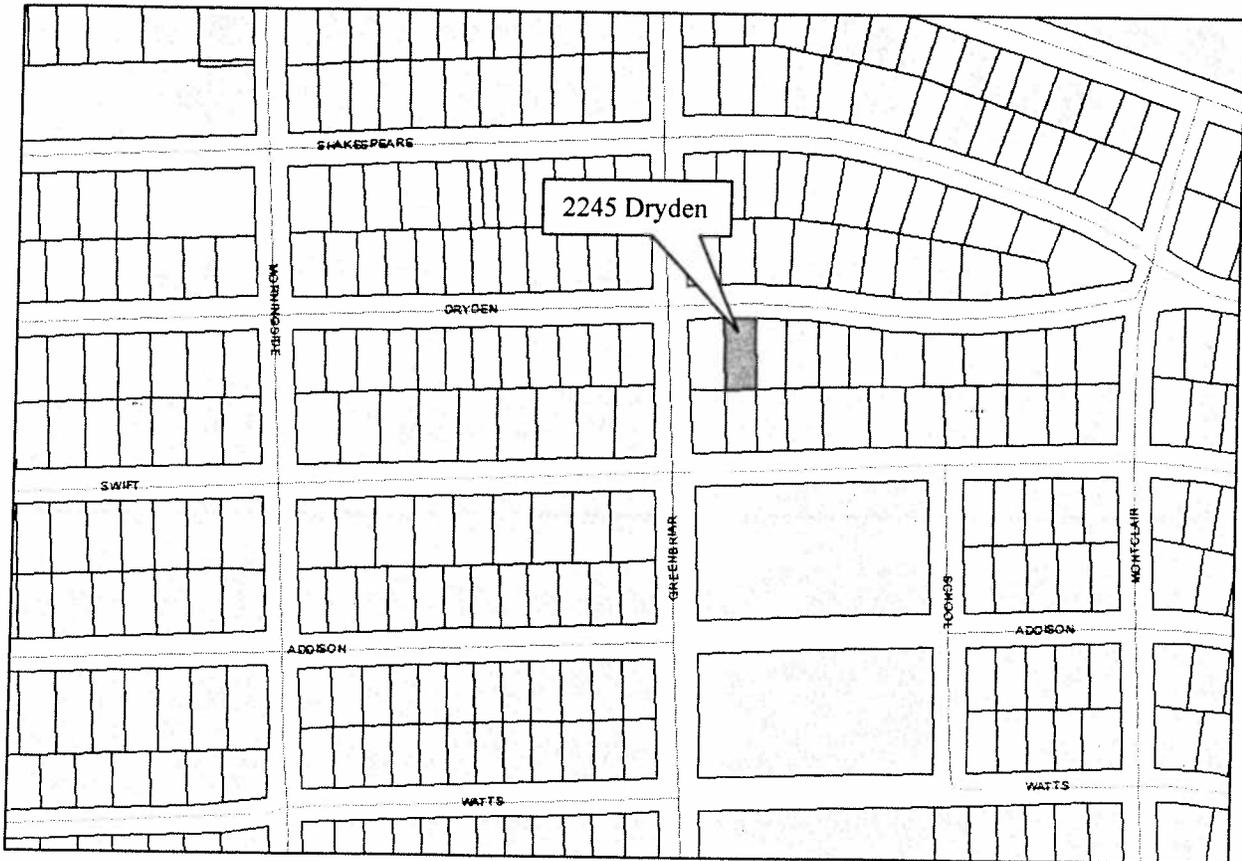
EXHIBIT A

PHOTO

Randolph and Virginia West House
2245 Dryden Road



EXHIBIT B
SITE LOCATION MAP
Randolph and Virginia West House
2245 Dryden Road



CITY OF HOUSTON

Archaeological & Historical Commission

Planning and Development Department

EXHIBIT C ADDITION FLOOR PLANS

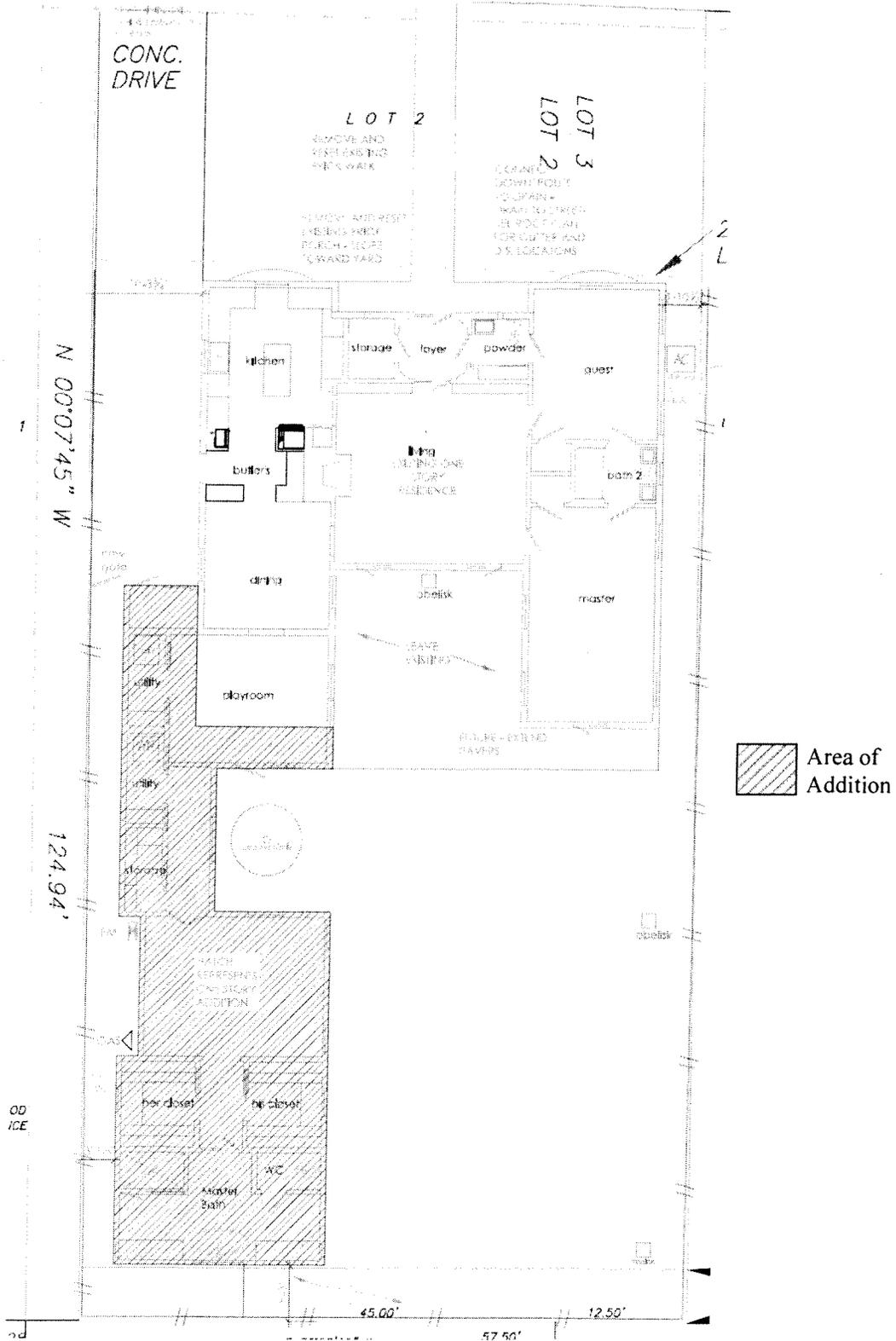
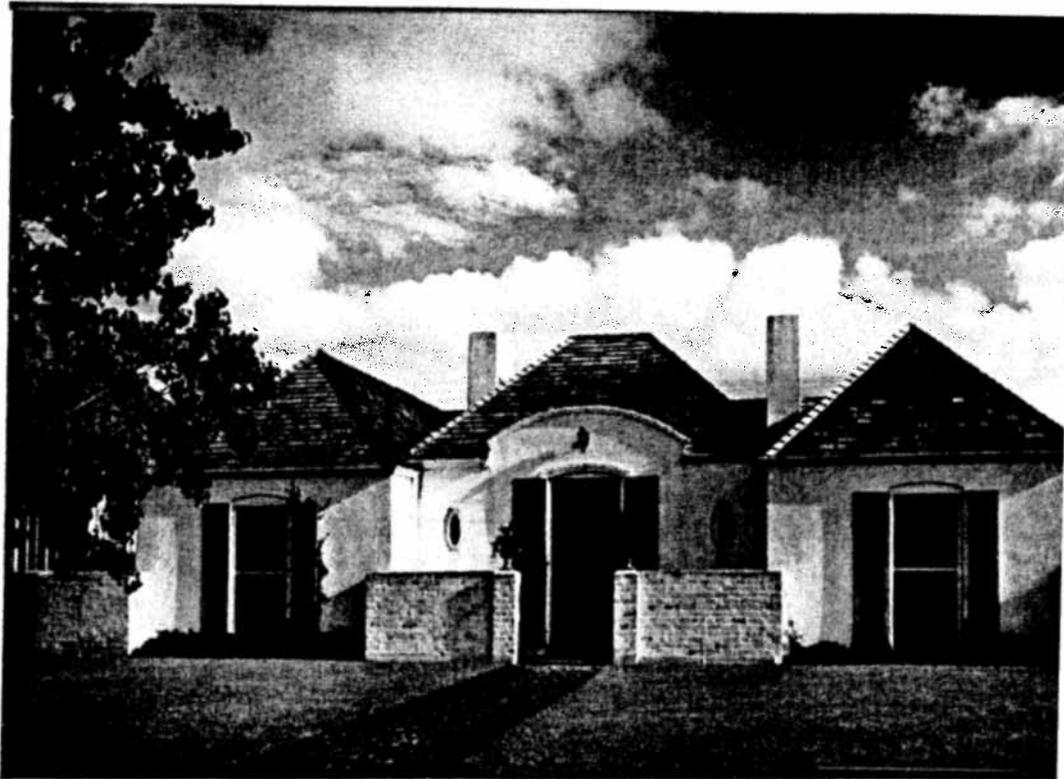


EXHIBIT D
ARCHITECTURAL DIGEST ARTICLE



Front Elevation

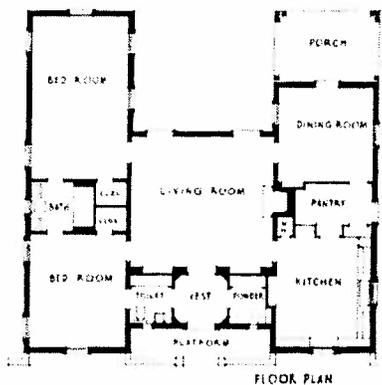
Photos Maynard L. Paule

Residence of Mr. and Mrs. Randolph West, Houston, Texas

Designed by FREDERICK HANBES and VERONICA WEST

CAMERLEIGH WEST, Builder

Viewed from West and Front to Street, Cedar Park



Copyright © 1948



THE ARCHITECTURAL DIGEST



Dining Room

Residence of Mr. and Mrs. Randolph West, Houston, Texas

Interiors by EDWENT HARRIS and VIRGINIA WEST
RANDOLPH WEST, Builder



Living Room

Residence of
Mr. and Mrs. Randolph West,
Houston, Texas

Interiors by EDWIN HARRIS and VIRGINIA WEST
RANDOLPH WEST, Builder



Dining Room

CITY OF HOUSTON

Archaeological & Historical Commission

Planning and Development Department



Bed Room



Residence of Mr. and Mrs. Randolph West, Houston, Texas

Interiors by EUGENE HARRIS and VIRGINIA WEST
RANDOLPH WEST, Builder



Bed Room

Dining Room

TO: Mayor via City Secretary REQUEST FOR COUNCIL ACTION

SUBJECT: Approval of a resolution designating Glen and Judy Woodson House at 2023 Claremont Lane as a Landmark in accordance with Chapter 33, Code of Ordinances	Category #	Page 1 of 1	Agenda Item # 9
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FROM (Department or other point of origin): Planning and Development	Origination Date October 11, 2013	Agenda Date NOV 13 2013
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DIRECTOR'S SIGNATURE: <i>Marilyn K. Hoffman</i>	Council District affected: G
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For additional information contact: Matthew Kriegl Phone: 719-837-7803	Date and identification of prior authorizing Council action:
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RECOMMENDATION: (Summary)
Approval of a resolution designating the Glen and Judy Woodson House at 2023 Claremont Lane as a Landmark

Amount and Source of Funding: N/A	Finance Budget:
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SPECIFIC EXPLANATION:
A property owner or the Houston Archaeological and Historical Commission may initiate an application for the designation of a Landmark. This application for Landmark designation of the Glen and Judy Woodson House at 2023 Claremont Lane was initiated by the owner.

A public hearing was held on September 12, 2013 by the Houston Archaeological and Historical Commission and there were no objections to the designation. The Houston Archaeological and Historical Commission determined that the application satisfied applicable criteria of the ordinance and unanimously recommended approval of the Landmark designation.

Attachments: Application and Staff Report

- xc: Minnette Boesel, Mayor's Assistant for Cultural Affairs
David M. Feldman, City Attorney
Omar Izfar, Real Estate Section, Office of the City Attorney
C.A. McClelland, Chief, Police Department
Terry A. Garrison, Chief, Fire Department

REQUIRED AUTHORIZATION

Finance Director:	Other Authorization:	Other Authorization:
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CITY OF HOUSTON

Archaeological & Historical Commission

Planning and Development Department

LANDMARK DESIGNATION REPORT

LANDMARK NAME: Glen and Judy Woodson House

OWNERS: Philip and Sarah Sampson

APPLICANTS: Same as Owners

LOCATION: 2023 Claremont Lane – River Oaks

AGENDA ITEM: II.A

HPO FILE NO.: 13L286

DATE ACCEPTED: Aug-20-2013

HAHC HEARING DATE: Sept-12-2013

SITE INFORMATION

Lot 3, Block 57, River Oaks Section 7, City of Houston, Harris County, Texas. The site includes a historic two-story, brick veneer single family residence.

TYPE OF APPROVAL REQUESTED: Landmark Designation

HISTORY AND SIGNIFICANCE SUMMARY

The Glen and Judy Woodson House was designed by architects Paul H. Wolf and Richard Hoyt circa 1939, possibly as a speculative home for C.N. Peck, who was active in the home savings and loan business. The home was first occupied by Glen Woodson and his family in 1940. Woodson was the manager of the Coca-Cola Bottling Plant in Houston. His father owned numerous bottling plants in Texas. Paul H. Wolf and Richard Hoyt were two architects who worked together and independently to design numerous homes in River Oaks during the 1930s-1940s. The red brick Woodson House is Neo-Georgian in design.

The Glen and Judy Woodson House meets criteria 1, 4, and 6 for Landmark Designation.

HISTORY AND SIGNIFICANCE

The River Oaks Property Owners records suggest that the first occupant of the home was a C.N. Peck. In checking this information against the Houston City Directories of the period, the only C.N. Peck in Houston was Charles Northrop Peck, who operated a home savings and loan business. He lived in Southampton throughout the 1930s and moved to River Oaks in the 1940s, settling on West Lane. One can find no record of him at 2023 Claremont. 2023 Claremont first appears in the City Directories in 1939. It is possible that the home was built as a speculative home, and first owned or leased by the Woodsons. Given the short time period that the Woodsons lived in Houston, this seems a plausible explanation.

Glen and Judy Woodson

Glen Dennis Woodson was born in Virginia, and his wife Judy Harvin, was born in Texas. His father, Sam Woodson, a traveling shoe salesman, heard from relatives about the opportunity to start up Coca-Cola bottling plants in Texas to support the expansion of Coca-Cola, a new drink. He jumped at the chance and moved to Temple in 1915, opening a bottle plant there. Eventually, he expanded operations all over Texas, and he and his sons ran the plants. Glen was educated at Austin College and Virginia Military Institute. Glen spent time at the Galveston bottling plant prior to coming to Houston in 1939. He and his family first lived in Southampton before moving to River Oaks in 1940.

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Archaeological & Historical Commission

Planning and Development Department

The Woodsons only stayed in Houston until 1945, when Glen moved to Fort Worth to become Vice President of the bottling plant there. He died in 1959, at the early age of 48.

Fred and Byrd Sultan

The house was purchased in 1945 by Fred and Byrd Sultan. Fred William Sultan, Jr. was a manager at Ingersoll-Rand, a large industrial tools company. He was born in Missouri, the son of the owner of a pharmacy company. The family moved to Houston in the 1930s, settling first in Riverside Terrace before moving to River Oaks. He died in 1979.

The Sultan family owned the home until 1993. Byrd Wagner Sultan was born in St. Louis, Missouri, on August 28, 1902. She was a member of St. Luke's Methodist Church, River Oaks Country Club and the Junior League of Houston. She died on August 26, 1994.

Paul H. Wolf and Richard C. Hoyt

Paul Hunter Wolf was born in Palacios, Texas, on August 2, 1909. He graduated from the Rice University School of Architecture in 1932. He started his own architectural firm in 1936, but became a home builder. He was one of the first home builders in Tanglewood. He was honored as the Houston Builder of the Year in 1955, and at the time of his death was the President of the Houston Home Builders' Association. He was President of Paul H. Wolf Construction Company and part owner of Machine Ice Company. He died on August 10, 1970 in Houston.

Richard Campbell Hoyt was born in Buffalo, New York, on September 29, 1903. He graduated with a degree in Architecture from the University of Michigan College of Architecture. His first position out of school was working as a draftsman to Albert Kahn. Hoyt moved to Houston in 1936, and began designing homes for William Farrington. He shared an architectural business with Paul H. Wolf, and they designed homes under the name of Wolf & Hoyt. They appear to have worked both together and on their own until 1948, when Hoyt organized Irvine & Hoyt. Irvine & Hoyt mainly designed car dealerships, but also designed the notable On Leong Chinese Merchants Association Building at 801-811 Chartres Street, just east of downtown Houston (demolished 2011). Hoyt lived and kept an office in the Memorial area, and died March 26, 1957, at the young age of 53. He was a member of the AIA and St. Francis Episcopal Church.

Numerous homes in River Oaks were designed by Wolf, Hoyt, Wolf & Hoyt or Irvine & Hoyt, including:

- 2511 Del Monte, Hoyt for Farrington
- 3623 Ella Lee Lane, Wolf & Hoyt, *demolished 2012*
- 3708 Inwood, Wolf
- 3732 Inwood, Irvine & Hoyt
- 3622 Knollwood, Wolf, *demolished*
- 3625 Meadow Lake, Wolf & Hoyt
- 3744 Olympia, Richard Hoyt designed for Paul Wolf
- 3868 Olympia, Irvine & Hoyt, *demolished*
- 3635 Overbrook, Wolf & Hoyt, *demolished*
- 2443 Pelham, Wolf & Hoyt
- 3602 Piping Rock, Wolf & Hoyt
- 1821 Sharp Place, Hoy for Farrington and the River Oaks Corporation, *Demolished*
- 1913 Sharp Place, Hoyt for Farrington and Carl Knapp
- 1917 Sharp Place, Hoyt for Farrington and Carl Knapp

- 1222 S. Shepherd, Wolf
- 2151 Stanmore, Wolf & Hoyt, *demolished*
- 2245 Stanmore, Wolf & Hoyt
- 2217 Stanmore, Wolf & Hoyt
- 2231 Stanmore, Wolf & Hoyt
- 55 Tiel Way, Wolf, *demolished*
- 2354 Timber Lane, Wolf & Hoyt
- 2187 Troon, Hoyt for Farrington, *City Landmark*
- 2145 Troon, Wolf & Hoyt
- 3911 Willowick, Irvine & Hoyt, *demolished*

ARCHITECTURAL DESCRIPTION AND RESTORATION HISTORY

2023 Claremont is a 3,396 square foot house sited facing west on a 16,200 square foot lot on Claremont Lane, one of the north-south streets in River Oaks. The home is sited on the center of the lot. The house is faced in red brick and is of a Neo-Georgian design. The house reads in three parts – an entrance wing, an adjoining recessed wing and the attached garage, sited to the rear of the home on the North end.

The central entrance wing features a wood paneled door surrounded by an elaborate, over-scaled broken pediment. Two small, rectangular windows frame the entry. To the left of the entry is a three part, wood window with an arched top. The panes of the central window are 9-over-19, and the panes of the side windows are 3-over-3. A decorative brick course runs between the two levels of the house. Above the three part window is a 6-over-6 wood sash window, with another 6-over-6 wood sash window above the entryway. An exterior chimney is located at the north of this wing.

To the south of the central entrance wing is a slightly recessed wing. On the first story is a large, bay window topped with a metal roof. The central window in the bay contains a 15-over-15 window pane configuration, while the side windows are 6-over-6. A decorative brick course runs between the two levels of the house. On the second story façade are two 6-over-6 wood sash windows. Currently, there are no shutters on the home, but visible evidence seems to suggest that the windows had shutters, at least on the second story. An exterior chimney is located at the south of this wing.

To the north of the central entrance wing is a deeply recessed wing that contain the garage, with entrance gained through doors on the north side (not visible from the right of way). The garage wing, which is one story, contains one centered wood window with an arched top. The window configuration is a 6-over-6 wood sash window. The garage wing has a front gabled roof, and is tied into the main house through a small passage fronted with a large, arched, divided lite, fixed pane window.

The current owners have owned the home since 2004. The house is in excellent condition.

BIBLIOGRAPHY

“Byrd Wagner Sultan”, *Houston Chronicle*, August 29, 1994.

City Directories.

Various Resources from Ancestry.com

“Wolf Rites Held; Home Builders’ Head,” *Houston Chronicle*, August 11, 1970.

1956 AIA Historical Directory

CITY OF HOUSTON

Archaeological & Historical Commission

Planning and Development Department

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

APPROVAL CRITERIA FOR LANDMARK DESIGNATION

Sec. 33-224. Criteria for designation

(a) The HAHC, in making recommendations with respect to designation, and the city council, in making a designation, shall consider one or more of the following criteria, as appropriate for the type of designation:

- | S | NA | S - satisfies | D - does not satisfy | NA - not applicable |
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- (1) Whether the building, structure, object, site or area possesses character, interest or value as a visible reminder of the development, heritage, and cultural and ethnic diversity of the city, state, or nation;
- (2) Whether the building, structure, object, site or area is the location of a significant local, state or national event;
- (3) Whether the building, structure, object, site or area is identified with a person who, or group or event that, contributed significantly to the cultural or historical development of the city, state, or nation;
- (4) Whether the building or structure or the buildings or structures within the area exemplify a particular architectural style or building type important to the city;
- (5) Whether the building or structure or the buildings or structures within the area are the best remaining examples of an architectural style or building type in a neighborhood;
- (6) Whether the building, structure, object or site or the buildings, structures, objects or sites within the area are identified as the work of a person or group whose work has influenced the heritage of the city, state, or nation;
- (7) Whether specific evidence exists that unique archaeological resources are present;
- (8) Whether the building, structure, object or site has value as a significant element of community sentiment or public pride.
- (9) If less than 50 years old, or proposed historic district containing a majority of buildings, structures, or objects that are less than 50 years old, whether the building, structure, object, site, or area is of extraordinary importance to the city, state or nation for reasons not based on age (Sec. 33-224(b)).

STAFF RECOMMENDATION

Staff recommends that the Houston Archaeological and Historical Commission recommend to City Council the Landmark Designation of the Glen and Judy Woodson House at 2023 Claremont Lane.

HAHC ACTION

Staff recommends that the Houston Archaeological and Historical Commission recommend to City Council the Landmark Designation of the Glen and Judy Woodson House at 2023 Claremont Lane.

CITY OF HOUSTON

Archaeological & Historical Commission

Planning and Development Department

EXHIBIT A
PHOTO
GLEN AND JUDY WOODSON HOUSE
2023 CLAREMONT LANE



CITY OF HOUSTON

Archaeological & Historical Commission

Planning and Development Department

EXHIBIT B
SITE MAP
GLEN AND JUDY WOODSON HOUSE
2023 CLAREMONT LANE



TO: Mayor via City Secretary REQUEST FOR COUNCIL ACTION

R

SUBJECT: Approval of a resolution designating the William H. and Boog Eysen House at 3449 Overbrook Lane as a Landmark in accordance with Chapter 33, Code of Ordinances		Category #	Page 1 of 1	Agenda Item # 10
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FROM (Department or other point of origin): Planning and Development	Origination Date October 22, 2013	Agenda Date NOV 13 2013
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DIRECTOR'S SIGNATURE: <i>Maureen A. Gopfert</i>	Council District affected: G
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For additional information contact: Matthew Kriegl Phone: 713-837-7803	Date and identification of prior authorizing Council action:
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RECOMMENDATION: (Summary)
Approval of a resolution designating the William H. and Boog Eysen House at 3449 Overbrook Lane as a Landmark

Amount and Source of Funding: N/A	Finance Budget:
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SPECIFIC EXPLANATION:
A property owner or the Houston Archaeological and Historical Commission may initiate an application for the designation of a Landmark. This application for Landmark designation of the William H. and Boog Eysen House at 3449 Overbrook Lane was initiated by the owner.

A public hearing was held on May 16, 2012 by the Houston Archaeological and Historical Commission and there were no objections to the designation. The Houston Archaeological and Historical Commission determined that the application satisfied applicable criteria of the ordinance and unanimously recommended approval of the Landmark designation.

Attachments: Application and Staff Report

- xc: Minnette Boesel, Mayor's Assistant for Cultural Affairs
David M. Feldman, City Attorney
Omar Izfar, Real Estate Section, Office of the City Attorney
C.A. McClelland, Chief, Police Department
Terry A. Garrison, Chief, Fire Department

REQUIRED AUTHORIZATION

Finance Director:	Other Authorization:	Other Authorization:
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CITY OF HOUSTON

Archaeological & Historical Commission

Planning and Development Department

LANDMARK DESIGNATION REPORT

LANDMARK NAME: William H. and Boog Eyssen House
OWNERS: Daniel and Melanie Ringold
APPLICANTS: Same
LOCATION: 3449 Overbrook Lane – River Oaks

AGENDA ITEM: II.A
HPO FILE NO: 13L279
DATE ACCEPTED: May-1-2013
HAHC HEARING: May-16-2013

SITE INFORMATION

Lot 5, Block 62, River Oaks Section 7, City of Houston, Harris County, Texas. The site includes a historic two-story, brick single family residence.

TYPE OF APPROVAL REQUESTED: Landmark Designation

HISTORY AND SIGNIFICANCE SUMMARY

The William H. and Boog Eyssen House was built by architect, contractor, and home developer Charles W. Burkhard in 1939, and was first occupied by the Eyssen family. William Eyssen was an independent oil operator. The house is designed in a simple Colonial Revival style and very typical of the period.

The William H. and Boog Eyssen House meets criteria 1, 3, 4, and 8 for Landmark Designation.

HISTORY AND SIGNIFICANCE

William and Boog Eyssen

William H. Eyssen was born in 1891 in Ohio. He grew up in Kansas, and entered the oil business as a teenager, and his travels for his independent oil work took him around the country, from Wyoming to Colorado to Texas. He married his second wife, Boog Sears of Abilene, Texas, in 1929. (The name "Boog" was Mrs. Eyssen's childhood nickname; she legally changed her name to it at the age of 13). Mrs. Eyssen's family had long ranching ties in Abilene. The Eyssens moved around Texas in the 1930s, and settled in Houston in 1941. An article written about Mrs. Eyssen in 1986 stated:

Bill was in the oil business, and his activities took them on a number of moves around Texas. They lived briefly in Abilene, and twice in Tyler, where they lived through some of the important history of the East Texas oil boom. Twice they lived in Houston and twice in Fort Worth. After having made 13 moves, they returned to Abilene in 1947 and moved into the home where Boog still lives. Bill died in 1970.

The Eyssens' move to River Oaks was announced in the July 1939 edition of *River Oaks Magazine*:

Mr. and Mrs. W.H. Eyssen and their young son, Tim, age 4, are now in their new residence at 3449 Overbrook Lane. Their home is an immaculate white – white painted brick, white tri, and white shingle window blinds. It is distinguished further by the interesting treatment of the brick around the doorway. Brilliant petunias and hydrangeas in the planting add a bit of effective color against the white walls. Mr. Eyssen's son, W.H. Eyssen, Jr., will be with the family when he returns from the University of Texas where he has completed his law course. Mr. and Mrs. Eyssen

moved to Houston from Fort Worth quite recently. Mr. Eyssen is an independent oil operator.

The Eyssens remained at 3449 Overbrook Lane until 1947, when they returned to Abilene. They were extremely active in the Abilene community.

Subsequent Owners

The house was next lived in by Robert L. and Winifred Freeman Davis. Mr. Davis was the Secretary of the American General Life Insurance Company. They lived in the home just a few years, until it was sold to Hugh and Dorothy Benbow in 1959. Mr. Benbow was an oil operator. In 1968, Jack and Patsy Sowell purchased the home. Patsy Sowell lived in the home until 2001, when it was sold to Cleo Pike. The current owners purchased the home in 2012.

Charles W. Burkhart

Charles W. Burkhart was born in Granger, Texas, on October 1, 1897. He moved to Houston in 1917. Burkhart started his professional life as an electrician, but by 1929, he was listed as a residential building contractor. He worked throughout his life building homes in Houston. A March 14, 1946 article in the *Southwestern Times* entitled "Let's Get Acquainted - Charles W. Burkhart", reported that Burkhart was constructing a lumber yard and hardware store in the 2400 block of Times that would serve the building boom of the post-war era. He was planning to construct G.I. housing. Burkhart lived in numerous homes in West University. He died on November 11, 1989.

According to River Oaks Property Owners, Inc., records, 3449 Overbrook appears to be the only home built by Burkhart in River Oaks. However, one might assume that he built his own personal homes in West University, which include: 2917 Rice Blvd., 2604 University, 3504 Georgetown (demolished), and 6530 Vanderbilt (demolished).

ARCHITECTURAL DESCRIPTION AND RESTORATION HISTORY

3449 Overbrook Lane is a 3,076 square foot Colonial Revival-style home sited facing North in the center of an 8,905 square foot lot. It is located in River Oaks Sec.7, popularly known as the "St. John's Quadrant."

The house is designed in a simple Colonial Revival style and very typical of the period. It is three bays wide, topped with a side gable roof. The roof slightly overhangs the house, and features a wood cornice decorated with dentils.

The front entry is located in the center bay of the façade. A wood and glass door is surrounded by a detailed wooden surround. The brick around the front door has been plastered over. The entry is topped with a small portico. The portico has slender square piers and is topped with a front gabled roof. Pilasters mirror the piers on the façade of the house. The piers and pilasters are fluted. The portico has a curved underside. As can be seen on the Sanborn maps, this portico is not original to the house. However, this later feature matches homes of the same period. Above the entry on the second story is a pair of small, 6-over-6 wood sash windows with working shutters. All of the original windows have been replaced with new windows that match the originals.

Symmetrical bays flank the center bay. Each of the two bays feature 9-over-9 wood sash windows with working shutters. Above these windows, on the second story façade, are 6-over-6 wood sash windows with working shutters.

CITY OF HOUSTON

Archaeological & Historical Commission

Planning and Development Department

The home is in good condition and is in the process of being renovated.

BIBLIOGRAPHY

“Boog Sears Eyssen: She Shares Her Love of Music,” *McMurry College Chieftain*, Volume 35, Number 3, Fall 1986.

City Directories

“Let’s Get Acquainted – Charles W. Burkhart,” *Southwestern Times*, March 14, 1946.

Various resources from Ancestry.com

“W.H. Eyssen,” *Abilene Reporter News*. February 18, 1970.

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

CITY OF HOUSTON

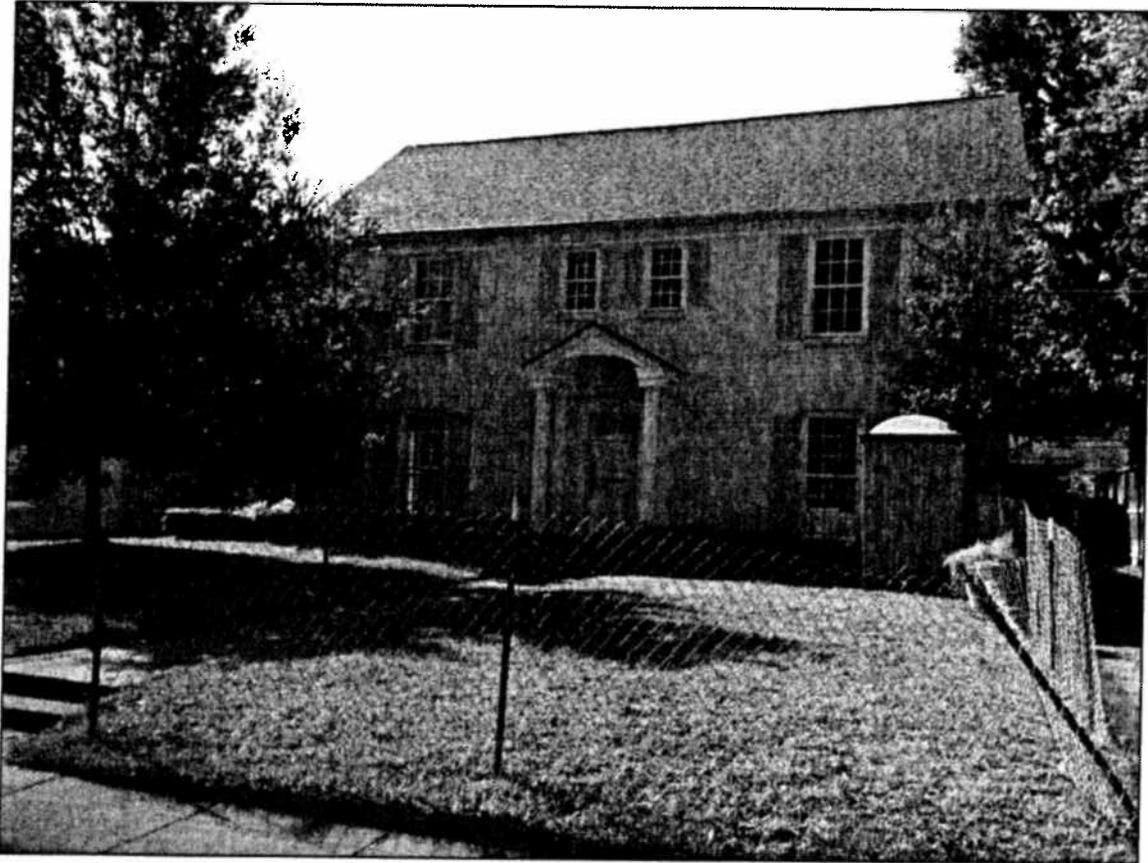
Archaeological & Historical Commission

Planning and Development Department

EXHIBIT A

PHOTO

WILLIAM H. AND BOOG EYSSEN HOUSE
3449 OVERBROOK LANE



CITY OF HOUSTON

Archaeological & Historical Commission

Planning and Development Department

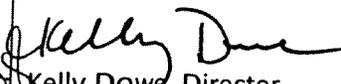
EXHIBIT B
SITE LOCATION MAP
WILLIAM H. AND BOOG EYSSEN HOUSE
3449 OVERBROOK LANE



REQUEST FOR COUNCIL ACTION

SUBJECT: An Ordinance supplementing Ordinance No. 2009-1118 relating to the issuance of City of Houston, Texas Combined Utility System Commercial Paper Notes, Series B-1	Category #	Page 1 of <u>1</u>	Agenda Item# 11
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FROM (Department or other point of origin): Department of Finance and Office of the City Controller	Origination Date: 11/6/2013	Agenda Date NOV 13 2013
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DIRECTOR'S SIGNATURE:  Kelly Dowe, Director  Ronald C. Green, Controller	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: Ordinance 2009-1118
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RECOMMENDATION: (Summary)
 An Ordinance supplementing Ordinance No. 2009-1118 Relating to the issuance of City of Houston, Texas Combined Utility System Commercial Paper Notes, Series B-1; authorizing the substitution of a credit facility, the execution and delivery of the revolving credit agreement, bank fee letter , a co-bond counsel agreement, and approving an updated offering memorandum

Amount and Source of Funding: Not Applicable

SPECIFIC EXPLANATION:

The current commercial paper program for the Combined Utility System is set to expire on December 16th 2013. The Finance Working Group recommends replacing the current B-1 Letter of Credit facility with a Revolving Credit Facility with J.P. Morgan Chase Bank. The new facility will have a lower associated cost. The proposed agreement with J.P. Morgan Chase Bank will have a term of 2 years with an up to amount of \$100 million.

Recommended Co-Bond is Andrews Kurth and Bratton & Associates.

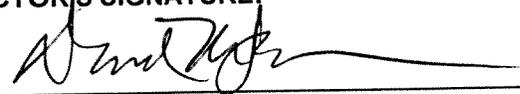
This transaction was presented to the Budget & Fiscal Affairs Committee on October 1, 2013.

Recommendation

The Finance Working Group recommends approval of this item.

REQUIRED AUTHORIZATION		
Finance Director:	Other Authorization:	Other Authorization:

TO: Mayor via City Secretary REQUEST FOR COUNCIL ACTION

SUBJECT: Ordinance amending Chapters 1 and 15 of the Code of Ordinances, relating to the policy of the City regarding wage theft.		Page 1 of 1	Agenda Item # <i>12</i>
FROM (Department or other point of origin): City Attorney		Origination Date November 1, 2013	Agenda Date NOV 13 2013
DIRECTOR'S SIGNATURE: <i>CMS</i> 		Council District affected: All	
For additional information contact: Don Cheatham Phone: 832.393.6437		Date and identification of prior authorizing Council action: N/A	
RECOMMENDATION: (Summary) That Council enact the proposed ordinance prohibiting wage theft by city contractors and establishing a publicly available database for any employer convicted or adjudicated of wage theft.			
Amount and Source of Funding: N/A			
SPECIFIC EXPLANATION: Wage theft, or theft of services, is a pernicious problem that affects the most vulnerable workers. Victims of wage theft perform duties in good faith but are never paid and are often unaware of their remedies. After two council committee presentations, as well as numerous meetings with stakeholders—including advocates for employees and representatives of employer groups—the proposed ordinance has been tailored to address the problem of wage theft in a fair and thoughtful manner. <ul style="list-style-type: none"> • The enforcement scheme in the proposed ordinance is complaint driven, and complaints must relate to work performed under a city contract. Such complaints must be filed with the Office of Inspector General and will be investigated by a person trained in employment law. If a complaint is found to be unmeritorious it will be dismissed and no record of it will be maintained. If found to be meritorious, the Inspector General will engage the employer and employee in an attempt to resolve the matter. • If a complaint is received alleging wage theft by an employer that is not a city contractor, the complainant shall be referred to the Texas Workforce Commission. • Separate from the complaint process, the City will maintain a wage theft database on its website that contains the names of any employer that is the subject of a final, non-appealable criminal conviction, civil judgment or administrative penalty for wage theft and shall remain on the list until five years has elapsed from the date of finality. A civil judgment or administrative penalty shall not result in inclusion on the database unless entered after the effective date of the ordinance. Before being placed on the database, a party shall be given 30 days' notice and an opportunity to demonstrate that such placement is not justified. • If an employer included in the database because of a final, non-applicable criminal conviction for wage theft holds or wishes to apply for or renew an occupational license or permit listed in the ordinance, such license or permit shall not be issued or shall be revoked. 			
REQUIRED AUTHORIZATION			
Other Authorization:			

1. Revised Section 1-10(b) by adding a new Item (8) to read as follows:

- (8) Occupational licenses or permits issued to, or in connection with, the following businesses or occupations:

<u>TYPE OF PERMIT</u>	<u>CODE REFERENCE*</u>
<u>Ambulance Permits</u>	<u>4-1 thru 4-19</u>
<u>Antique Dealers, Precious Metals Dealers, Resale Media & Clothing Dealers</u>	<u>7-16 thru 7-50</u>
<u>Automotive body repair shop</u>	<u>21-166(a)(1)</u>
<u>Automotive Parts Rebuilder</u>	<u>8-16, 8-51, et seq</u>
<u>Automotive Rebuilder and Dismantler</u>	<u>8-16, 8-51, et seq</u>
<u>Automotive Repair Facility</u>	<u>8-16, 8-51, et seq</u>
<u>Automotive Storage Lot Operator</u>	<u>8-16, 8-51, et seq</u>
<u>Body Shop Facility With Storage Privileges</u>	<u>8-16, 8-51, et seq; 20-166(a)(1)</u>
<u>Carnival Amusement</u>	<u>5-16 thru 5-45</u>
<u>Charter Bus Operator</u>	<u>46-211(a)</u>
<u>Common Market</u>	<u>7-108(a)</u>
<u>Concrete crushing site</u>	<u>21-167, et seq</u>
<u>Dance Hall</u>	<u>5-71, et seq</u>
<u>Dealer - Vehicles, Parts, Accessories</u>	<u>8-16, 8-51, et seq</u>
<u>Drain Layer</u>	<u>47-221; Plumbing Code § 104</u>
<u>Dealer In Motor Vehicles</u>	<u>8-16, 8-51, et seq</u>
<u>Dry cleaning plant</u>	<u>21-166(a)(3); Fire Code 105.6.12</u>
<u>Farmers Market</u>	<u>20-186, et seq</u>
<u>Food Dealers (restaurants, street vendors, etc.)</u>	<u>20-36 thru 20-44</u>
<u>Gas dispensing site</u>	<u>21-166(a)(2)</u>
<u>House Mover</u>	<u>10-84</u>
<u>House Repair or Resale Lot</u>	<u>10-49(e)</u>
<u>Jitney Permit</u>	<u>46-321 thru 46-370</u>
<u>Kennel License</u>	<u>6-121 thru 6-126</u>
<u>Limousine Permit</u>	<u>46-331, et seq</u>
<u>Low Speed Shuttle Permit</u>	<u>46-391, et seq</u>
<u>Metal Recycler/Secondhand Metal Dealers and Resellers</u>	<u>7-51 thru 7-80</u>
<u>Mini Warehouse</u>	<u>27-1 thru 27-6</u>

TYPE OF PERMIT	CODE REFERENCE*
<u>Parking Facility</u>	<u>8-16, 8-51, et seq</u>
<u>Pedicab Permit</u>	<u>46-141 thru 46-190</u>
<u>Retail Supply Dealer</u>	<u>8-16, 8-51, et seq</u>
<u>School Vehicles</u>	<u>46-276 thru 46-320</u>
<u>Secondhand Reseller</u>	<u>7-57(b)</u>
<u>Sexually Oriented Businesses</u>	<u>28-81 thru 28-150</u>
<u>Sidewalk Sales and Performances (food; merchandise)</u>	<u>40-261 thru 40-280</u>
<u>Skeet club/shooting gallery</u>	<u>5-139</u>
<u>Storage Lot</u>	<u>8-16, 8-51, et seq</u>
<u>Street Vendors</u>	<u>22-1 thru 22-50</u>
<u>Swimming Pools</u>	<u>43-31 thru 43-39</u>
<u>Taxicabs</u>	<u>46-16 thru 46-140</u>
<u>Tire transporter</u>	<u>21-198(c)</u>
<u>Used Parts & Used Accessory Dealer</u>	<u>8-16, 8-51, et seq</u>
<u>Used vehicle sales lot</u>	<u>21-166(a)(4)</u>
<u>Valet Parking Services</u>	<u>26-371 thru 26-452</u>
<u>Vehicle Immobilization Service</u>	<u>26-651, et seq</u>
<u>Wholesale Auto Jobber & Supply Dealer</u>	<u>8-16, 8-51, et seq</u>

* All references are to the numbered sections of the City's Code of Ordinances unless otherwise specified.

- a. A conviction of either criminal offense defined in the Texas Pay Day Act, Texas Labor Code, Section 61.019; or
- b. A conviction of the criminal offense of theft of service defined in Texas Penal Code, Section 31.04(a)(4).

For purposes of this item, conviction means that a final adjudication of guilt relating to a criminal offense described in this item has been entered for which no further appeal is available and the conviction shall be grounds for the denial, revocation or nonrenewal of any occupational license or permit issued to any business or occupation described in this item for a period of five years following the date of such conviction.

2. Revised Section 15-1 to read as follows:

Sec. 15-1. Public policy; prohibited interest in city contracts; persons indebted to city.

(a) It shall be against the public policy of the city as expressed by the city council for any employee of the city to bid on or to be awarded any contract being let by the city or to be pecuniarily interested, directly or indirectly, in any contract let by the city, or in any work done by the city, or in any matter wherein the rights or liabilities of the city are or may be involved.

(b) It shall be against the public policy of the city as expressed by the city council for any firm, partnership or corporation, in which any employee of the city has any ownership interest in excess of one percent of the total ownership interest in such firm, partnership or corporation to bid on or to be awarded any contract being let by the city or to be pecuniarily interested, directly or indirectly, in any contract let by the city, or in any work done by the city or in any matter wherein the rights or liabilities of the city are or may be involved.

(c) It shall be against the public policy of the city to enter into any contract or other transaction or business relationship or amend or extend any contract or business transaction that (i) requires the expenditure of funds equal to or exceeding the amount that requires the taking of competitive bids under state law, as amended from time to time, or (ii) grants a right, privilege, lease or franchise valued, in any one year period, in an amount equal to or in excess of the amount prescribed in (i) of this subsection, if the proposed contracting entity or any owner thereof is then indebted to the city or a qualifying entity, as set forth in article VIII of this chapter.

(d) It shall be against the public policy of the city to enter into, or to continue or extend, any contract if it is determined that a proposed or current contracting entity or person is an employer that has been convicted of wage theft, has been assessed an administrative penalty involving wage theft, or has been adjudicated in a civil action of engaging in wage theft by a court of competent jurisdiction, as set forth in article IV of this chapter.

(de) In the event that any contract or work, purchase or sale, is found to have been made in violation of subsections (a) or (b) hereof, then the said contract or work, purchase or sale, shall be null and void and shall be discontinued, and new arrangements shall be entered into as in the case of the incipency of such contract of work, purchase or sale.

(ef) It is a defense to prosecution under this section that the person contracting with the city is employed at one of the city's golf or tennis facilities and has executed a concession contract with the city to teach golf or tennis lessons at such facilities at times outside the person's regular working hours.

City of Houston, Texas, Ordinance No. 2013-_____

AN ORDINANCE AMENDING CHAPTERS 1 AND 15 OF THE CODE OF ORDINANCES OF HOUSTON, TEXAS, RELATING TO WAGE THEFT; DECLARING THE POLICY OF THE CITY REGARDING WAGE THEFT; DEFINING CERTAIN TERMS; PROVIDING FOR THE CREATION OF A WAGE THEFT DATABASE AND PROCEDURES RELATING TO ITS USE; PROVIDING SANCTIONS RELATING TO WAGE THEFT; CONTAINING FINDINGS AND OTHER PROVISIONS RELATING TO THE FOREGOING SUBJECT; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE; AND DECLARING AN EMERGENCY.

* * * * *

WHEREAS, wage theft, including the non-payment or underpayment of earned wages owed by employers, is a practice typically inflicted on the weakest and poorest segments of our society, locally, statewide and nationally; and

WHEREAS, those subjected to wage theft are generally without any adequate remedy to redress the injury suffered at the hands of unscrupulous employers; and

WHEREAS, the City Council finds and determines that the City should make every effort to combat wage theft to afford, to the greatest extent possible, a deterrent to those who engage in wage theft; and

WHEREAS, the City Council desires to adopt an ordinance providing for the creation of a wage theft database to identify employers engaging in such practice and to provide sanctions against such employers; **NOW, THEREFORE**,

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

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

Section 2. That Section 1-10(b) of the Code of Ordinances, Houston, Texas, is hereby amended by adding a new Item (8) to read as follows:

“(8) Occupational licenses or permits issued to, or in connection with, the following businesses or occupations:

TYPE OF PERMIT	CODE REFERENCE*
Ambulance Permits	4-1 thru 4-19
Antique Dealers, Precious Metals Dealers, Resale Media & Clothing Dealers	7-16 thru 7-50
Automotive body repair shop	21-166(a)(1)
Automotive Parts Rebuilder	8-16, 8-51, <i>et seq</i>
Automotive Rebuilder and Dismantler	8-16, 8-51, <i>et seq</i>
Automotive Repair Facility	8-16, 8-51, <i>et seq</i>
Automotive Storage Lot Operator	8-16, 8-51, <i>et seq</i>
Body Shop Facility With Storage Privileges	8-16, 8-51, <i>et seq</i> ; 20-166(a)(1)
Carnival Amusement	5-16 thru 5-45
Charter Bus Operator	46-211(a)
Common Market	7-108(a)
Concrete crushing site	21-167, <i>et seq</i>
Dance Hall	5-71, <i>et seq</i>
Dealer - Vehicles, Parts, Accessories	8-16, 8-51, <i>et seq</i>
Drain Layer	47-221; Plumbing Code § 104
Dealer In Motor Vehicles	8-16, 8-51, <i>et seq</i>
Dry cleaning plant	21-166(a)(3); Fire Code 105.6.12
Farmers Market	20-186, <i>et seq</i>
Food Dealers (restaurants, street vendors, etc.)	20-36 thru 20-44
Gas dispensing site	21-166(a)(2)
House Mover	10-84
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Low Speed Shuttle Permit	46-391, <i>et seq</i>
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Mini Warehouse	27-1 thru 27-6
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School Vehicles	46-276 thru 46-320
Secondhand Reseller	7-57(b)
Sexually Oriented Businesses	28-81 thru 28-150

TYPE OF PERMIT	CODE REFERENCE*
Sidewalk Sales and Performances (food; merchandise)	40-261 thru 40-280
Skeet club/shooting gallery	5-139
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Tire transporter	21-198(c)
Used Parts & Used Accessory Dealer	8-16, 8-51, <i>et seq</i>
Used vehicle sales lot	21-166(a)(4)
Valet Parking Services	26-371 thru 26-452
Vehicle Immobilization Service	26-651, <i>et seq</i>
Wholesale Auto Jobber & Supply Dealer	8-16, 8-51, <i>et seq</i>

* All references are to the numbered sections of the City's Code of Ordinances unless otherwise specified.

- a. A conviction of either criminal offense defined in the Texas Pay Day Act, Texas Labor Code, Section 61.019; or
- b. A conviction of the criminal offense of theft of service defined in Texas Penal Code, Section 31.04(a)(4).

For purposes of this item, *conviction* means that a final adjudication of guilt relating to a criminal offense described in this item has been entered for which no further appeal is available and the conviction shall be grounds for the denial, revocation or nonrenewal of any occupational license or permit issued to any business or occupation described in this item for a period of five years following the date of such conviction."

Section 3. That Section 15-1 of the Code of Ordinances, Houston, Texas, is hereby amended by re-designating Subsections (d) and (e), respectively, as Subsections (e) and (f) and adding a new Subsection (d) to read as follows:

"(d) It shall be against the public policy of the city to enter into, or to continue or extend, any contract if it is determined that a proposed or current contracting entity or person is an employer that has been convicted of wage theft, has been assessed an administrative penalty involving wage theft, or has been adjudicated in a civil action of engaging in wage theft by a court of competent jurisdiction, as set forth in article IV of this chapter."

Section 4. That Chapter 15 of the Code of Ordinances, Houston, Texas, is further amended by adding a new Article IV that reads as follows:

"ARTICLE IV. WAGE THEFT

Sec. 15-61. Definitions. In this article:

Adjudicated or adjudication means a judgment by a civil court, in a civil action brought under the Texas Theft Liability Act or the Texas Pay Day Act, finding that an employer failed to pay wages for which judgment no appeal is available.

Commission means the Texas Workforce Commission.

Contract or city contract means any contract let by the city for the construction of any public improvement or the purchase of goods or services.

Conviction or convicted means, for purposes of this article, a final adjudication of guilt relating to a criminal offense for which no further appeal is available.

Employee means an individual who is employed by an employer for compensation. The term does not include a person related to the employer or the employer's spouse within the first or second degree by consanguinity or affinity, as determined under Chapter 573, Government Code, or an independent contractor.

Employer means a person who employs one or more employees, as set forth in Texas Labor Code, Section 61.001(4)(A).

Inspector General or IG means the person in charge of the Office of the Inspector General created by Executive Order No. 1-39 or his designee.

Wages means compensation owed by an employer to an employee for labor or services rendered by the employee to the employer, whether computed on a time, task, piece, commission or other basis, but shall exclude any deduction authorized by section 61.018, Texas Labor Code.

Wage theft means action by an employer that, with intent to avoid payment for a service that the employer knows is provided only for compensation, intentionally or knowingly secures the performance of the service by agreeing to provide compensation and, after the service is

rendered, fails to make payment after receiving notice demanding payment.

Sec. 15-62. Wage theft complaint involving city contracts; procedures.

(a) A person employed in connection with a city contract who has a good faith belief that he is the victim of wage theft may file a wage theft complaint with the Inspector General on a form prescribed by the IG.

(b) The IG shall first determine whether a wage theft complaint alleges wage theft as defined in this article and, if the complaint is found deficient in that regard, shall dismiss the complaint. A complaint shall likewise be dismissed, and the complainant referred to the Commission, if no city contract is involved in the complaint. No record shall be maintained relating to any complaint dismissed under this section.

(c) If the IG is satisfied that a complaint alleges sufficient facts to support further inquiry, the complaint shall be investigated in a manner consistent with similar investigations of employee misconduct or other matters by a person trained in employment law, including the taking of sworn statements from the complainant and the employer's personnel and the inspection of relevant records.

(d) Upon completion of the investigation of a wage theft complaint, the IG shall determine whether the complaint is meritorious and sustain or dismiss the complaint.

(e) In the event a wage theft complaint is sustained, the IG shall affirmatively seek to resolve the complaint via payment of wages due the complainant by the employer.

(f) The city or the employer may request that the complaint be resolved by mediation.

(g) If no resolution is achieved, the complainant shall be referred to the Commission unless the same claim is then on file with that agency. The matter shall also be referred to the city attorney for appropriate action in the best interests of the city.

(h) Should the IG determine, with respect to a wage theft complaint, that the complainant also filed the same complaint with the Commission, the IG shall seek to determine status of the complaint at the Commission and, if it appears that the Commission may conclude its action on that complaint within a reasonable period of time, may abate his

review or investigation pending the final resolution of the complaint by the Commission.

Sec. 15-63. Wage theft database; creation; procedures.

(a) The finance director shall create and maintain on the city's website a publicly accessible database of all employers located or operating within the area described in the definition of 'local firm' in section 15-82 of this Code that have been:

- (1) Convicted of a criminal offense under Section 61.019, Texas Labor Code or Section 31.04(a)(4), Texas Penal Code;
- (2) Assessed an administrative penalty under Section 61.053, Texas Labor Code and such order has become final and non-appealable; or
- (3) Adjudicated by a court of competent jurisdiction as having engaged in wage theft and such judgment has become final and non-appealable.

(b) For purposes of this section, any conviction of an employer for wage theft occurring within the five year period preceding the effective date of this article or at any time thereafter shall be cause for inclusion in the database. No assessment of an administrative penalty relating to wage theft or adjudication of wage theft by a civil court prior to the effective date of this article shall be a basis for including an employer in the database.

(c) No employer shall be included in the database unless:

- (1) The finance director has received confirmation from the Inspector General that an employer has met at least one of the criteria set forth in the preceding subsection; or
- (2) The employer named in such complaint has received 30 days' written notice of the city's intent to place its name in the database and has failed to demonstrate that the criteria for placement on the database have not been met.

(d) An employer shall be removed from the database if more than five years has elapsed since the date of the employer's most recent conviction, adjudication, or assessment of administrative penalty relating to wage theft, as set forth in subsection (a) of this section.

Sec. 15-64. Retaliation prohibited; adverse action.

(a) No city contractor shall retaliate against any person who has filed a wage theft complaint in good faith pursuant to this article. If the Inspector General determines that retaliation has occurred, the employer shall be subject to the sanctions provided in this article. For purposes of this provision, *retaliation* means action to discharge from employment, discipline or otherwise punish an employee for filing a wage theft complaint in good faith.

(b) No department shall take any adverse action against an employer based solely on the filing of a wage theft complaint under this article.

Sec. 15-65. Sanctions.

(a) If, at the time an employer is included in the wage theft database, the employer is then serving as a contractor, subcontractor or as a goods or materials supplier in connection with any city contract, the finance director and Inspector General shall notify the city attorney who may take appropriate action to serve the best interests of the city, including the use of remedies provided by the city's contract with the employer.

(b) If an employer included in the wage theft database currently holds, or wishes to apply for or renew, an occupational license or permit listed in section 1-10(b)(8) of this Code, the appropriate director or other licensing official or board shall revoke or refuse to issue or renew any such occupational license or permit, provided such action is based upon the employer's conviction of an offense set forth in section 1-10(b)(8) of this Code.

(c) Each licensing official or board shall notify the employer in writing by certified mail of the refusal to issue, revocation of, or refusal to renew, the license or permit pursuant to the preceding subsection and shall cite the violation of this article and section 1-10(b)(8) of this Code as the grounds on which such decision was made. The employer shall have all applicable rights of appeal or contest relating to the refusal to issue or renew or to the revocation of a license or permit under this section."

Section 5. That, if any provision, section, subsection, sentence, clause, or phrase of this Ordinance, or the application of same to any person or set of circumstances, is for any reason held to be unconstitutional, void or invalid, the validity

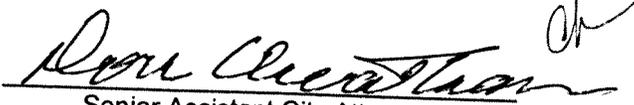
of the remaining portions of this Ordinance or their application to other persons or sets of circumstances shall not be affected thereby, it being the intent of the City Council in adopting this Ordinance that no portion hereof or provision or regulation contained herein shall become inoperative or fail by reason of any unconstitutionality, voidness or invalidity of any other portion hereof, and all provisions of this Ordinance are declared to be severable for that purpose.

Section 6. That there exists a public emergency requiring that this Ordinance be passed finally on the date of its introduction as requested in writing by the Mayor; therefore, this Ordinance shall be passed finally on such date and shall take effect at 12:01 a.m. on the sixtieth day next following the date of its passage and approval by the Mayor.

PASSED AND APPROVED this ____ day of _____, 2013.

Mayor of the City of Houston

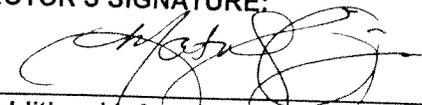
Prepared by Legal Dept.
RDC:asw 11/5/2013



Senior Assistant City Attorney

Requested by David M. Feldman, City Attorney
L.D. File No. 01113000001001

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

SUBJECT: Adopt an Ordinance amending Ordinance 2012-1051 relating to the Rescheduling of the City Council Meeting for the week of November 25 th through the November 29 th , 2013		Agenda Item # 13
FROM (Department or other point of origin): Mayor's Office	Origination Date 11/7/13	Agenda Date NOV 13 2013
DIRECTOR'S SIGNATURE: 	Council District affected: All	
For additional information contact: Marta Crinejo, Agenda Director Phone: 832.393.1091	Date and identification of prior authorizing Council action: Ordinance 2012-1051, 12/12/12	
RECOMMENDATION: (Summary) Adopt an Ordinance amending Ordinance 2012-1051 relating to the Rescheduling of the City Council Meeting for the week of November 25 th through the November 29 th , 2013		
Amount and Source of Funding: N/A	Finance Budget:	
SPECIFIC EXPLANATION: <p>On December 12, 2012 Council approved an ordinance that rescheduled and postponed certain Council meetings for 2013. The RCA at the time indicated a postponement of the meeting the week of November 25th through the 29th for the Thanksgiving Holiday. Unfortunately the ordinance that was adopted did not reflect a postponement and instead consolidated the Council meeting on Tuesday November 26th. Since the intent was to postpone and not consolidate, Council is being asked to authorize an amendment to the ordinance to reflect a postponement and codify the Thanksgiving Holiday break week.</p> <p>Council approval of this amendment is requested.</p>		
Other Authorization		Other Authorization

SUBJECT: An ordinance authorizing an agreement with Connelly Baker Wotring LLP for representation of the City in negotiations with the United States Environmental Protection Agency.

Category #

Page
1 of 1

Agenda Item #

14

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

Origination Date

11/7/13

Agenda Date

NOV 13 2013

DIRECTOR'S SIGNATURE:

David M. Feldman

Council Districts affected:

All

For additional information contact:

Ceil Price
832-393-6291

Date and identification of prior authorizing Council Action:

RECOMMENDATION: (Summary)

Adopt an ordinance approving: an agreement for legal services between the City of Houston and Connelly Baker Wotring LLP, for representation of the City in negotiations with U.S. EPA.

AMOUNT AND SOURCE OF FUNDING:

\$350,000 Initial Allocation and Maximum Contract Amount
- (8300) Water & Sewer Operating Fund

Budget:

8K
11413

SPECIFIC EXPLANATION:

In 2001, a consolidated appropriations bill (P.L. 106-554) provided the U.S. Environmental Protection Agency (EPA) with a Congressional mandate to address water quality problems resulting from the operation of municipal waste water systems. In a subsequent report to Congress EPA initiated a nation-wide program to address sanitary sewer overflows (SSOs). Since 2008, Houston has been in communication with EPA regarding its efforts to reduce SSOs and ensure compliance with the Clean Water Act.

In the intervening years, Houston has made great progress to improve its waste water infrastructure, operations, and maintenance, but EPA has indicated it will want formal assurances of continued efforts in this regard. Some form of agreement will be developed in the coming months, and the Department of Public Works & Engineering has requested the expertise of outside counsel to supplement City staff. To this end, the City seeks to retain Connelly Baker Wotring, LLP ("Firm") to represent the City's interests. The Firm is located in Houston and focuses on environmental and regulatory litigation. The Firm has previously performed environmental legal work for the City with great success.

The Agreement would also allow the Firm to retain an engineering firm as a technical adviser to assist the City in the negotiations. The terms of any such arrangement will be approved by the City. The firm and its technical advisor will be paid only for the actual work authorized and performed. Such task-based representation is anticipated to be performed in multiple phases.

REQUIRED AUTHORIZATION

Finance Director:

Other Authorization:
Daniel W. Krueger

Other Authorization:

20 DWK 14

MA

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

Subject: Ordinance authorizing the conveyance of a pipeline easement across El Franco Lee Park to Seaway Crude Pipeline Company, LLC.

Category #

Page 1 of 1

Agenda Item
15

FROM (Department or other point of origin):

Houston Parks and Recreation Department

Origination Date:
November 5, 2013

Agenda Date

NOV 13 2013

DIRECTOR'S SIGNATURE:

Joe Turner

Joe Turner, Director

Council District(s) affected:

D

For additional information contact:

Luci Correa, 832-395-7057
Mary Buzak, 832-393-6318

Date and Identification of prior authorizing Council Action: Not applicable

RECOMMENDATION: (Summary): Approve an Ordinance granting of a 50-foot-wide pipeline easement at El Franco Lee Park to Seaway Crude Pipeline Company LLC.

Amount of Funding: No City funding

Finance Budget:

SPECIFIC EXPLANATION:

The Houston Parks and Recreation Department ("HPARD") requests authorization of the granting of a 50 foot wide easement to Seaway Crude Pipeline Company LLC ("Seaway") to construct, operate and maintain a 36 inch diameter, 1,286.31 foot long crude oil pipeline across a 1.48-acre portion of El Franco Lee Park ("the Park").

Harris County owns a 65.7389% undivided interest in the Park and the City of Houston owns a 34.261% undivided interest in the Park. Harris County is solely responsible for operation and maintenance of the Park. Harris County and the City will retain their fee simple interest in the property. The easement will expire in 2043.

The amount of consideration that Seaway will pay for the easement is \$168,393.60, to be allocated between Harris County and the City in the amounts of \$110,700.10 and \$57,693.50, respectively. The compensation values were determined by utilizing the 2012 Texas Parks and Wildlife Department Damage and Fee Schedule. The City will use its portion of the funds solely for improvements to the Park.

The sale of the easement will not adversely affect Harris County's use of the Park for park and recreational purposes. The easement is restricted to the subsurface portions of the 1.48 acre tract in which the easement will be located. There will be no disturbance to the surface of the Park.

Council approval is recommended.

Finance Director:

Other Authorization:

Other Authorization:

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: First Amendment to Operation and Maintenance Agreement between the City of Houston and Braeburn Glen Civic Club (Operator) at 9550 Braeburn Glen Blvd.	Page 1 of 1	Agenda Item 16
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FROM (Department or other point of origin): General Services Department	Origination Date: 11/7/13	Agenda Date: NOV 13 2013
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DIRECTOR'S SIGNATURE: Scott Minnix <i>Scott Minnix</i> 10/31/13	Council District affected: F
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For additional information contact: Jacquelyn L. Nisby <i>JL Nisby</i> Phone: 832-393-8023	Date and identification of prior authorizing Council action: Ordinance No. 2008-1125; December 10, 2008
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RECOMMENDATION: Approve and authorize a First Amendment to Operation and Maintenance Agreement between the City of Houston and Braeburn Glen Civic Club (Operator), a Texas nonprofit corporation, to use, operate, and maintain City property for community civic club activities.

Amount and Source of Funding: N/A	Finance Budget:
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SPECIFIC EXPLANATION: The General Services Department recommends approval of a First Amendment to Operation and Maintenance Agreement with the Braeburn Glen Civic Club (BGCC), a Texas nonprofit corporation, for 24,988 square feet of real property and improvements located at 9550 Braeburn Glen Blvd. for use as a neighborhood civic club for community meetings, events, green space, and recreational activities. BGCC has operated the property for civic club activities since 1972.

The proposed First Amendment provides for a five-year term at a monthly payment of \$458.33 or \$5,500.00 per year, with one five-year renewal option on the same terms and conditions. The base term will commence on the date of countersignature by the City Controller. The annual payment of \$5,500.00 represents the fair market rental value. The City will credit BGCC operation and maintenance costs up to the annual payment of \$5,500.00.

As consideration for use of the property, BGCC shall operate, maintain, and improve the property at its sole cost and expense and is responsible for all utilities. BGCC may charge a reasonable fee for use of the property in accordance with general schedules of such charges. All fixtures, improvements, alteration and additions to the property remain the property of the City of Houston. The City reserves the right to use the property, without charge, a minimum of ten days a year at mutually agreed times.

All other terms and conditions of the original Agreement remain the same.

SM:HB:JLN:CF:cf
xc: Marta Crinejo, Anna Russell, Jacquelyn L. Nisby

REQUIRED AUTHORIZATION CUIC ID# 25 CF 2

General Services Department: <i>Humberto Bautista</i> Humberto Bautista, P.E. Assistant Director		
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16

SUBJECT: Appropriate Additional Funds to Construction Manager at Risk Contract
J.E. Dunn Construction Company (formerly known as J.E. Dunn South Central, Inc.)
New Fire Station No. 84
WBS No: C-000056-0001-4

Page
1 of 2

Agenda Item

17

FROM (Department or other point of origin):

General Services Department

Origination Date

11/7/13

Agenda Date

NOV 13 2013

DIRECTOR'S SIGNATURE:

Scott Minnix

Scott Minnix 10/31/13

Council District(s) affected:

B

For additional information contact:

Jacquelyn L. Nisby

Phone: 832.393.8023

Date and identification of prior authorizing Council action:

Ordinance No. 2009-783; August 26, 2009

RECOMMENDATION: Appropriate additional funds for construction.

Amount and Source of Funding:

\$7,299,998.00- Reimbursement of Equipment/Projects Fund (1850)

Finance Budget:

Previous Funding:

\$100,000.00 Reimbursement of Equipment/Projects Fund (1850)

SPECIFIC EXPLANATION: On August 26, 2009, City Council awarded a Construction Manager at Risk (CMAR) contract to J.E. Dunn Construction Company to provide pre-construction and construction phase services for a new Fire Station No. 84 for the Houston Fire Department (HFD), and appropriated \$100,000.00 for pre-construction phase services. The General Services Department recommends that City Council appropriate an additional \$7,299,998.00 to the CMAR contract for construction phase services. Pursuant to the Fiscal Year 2014-2018 CIP Budget for TIRZ No. 11 (Greenspoint Zone) adopted by Council on October 16, 2013 by Ordinance 2013-0924, Greenspoint Zone will reimburse the Reimbursement of Equipment/Projects Fund (1850).

PROJECT LOCATION: 320 Gears Rd. (372Q)

PROJECT DESCRIPTION: The project provides for construction of a new approximately 15,600 sf fire station with five drive-thru bays, maintenance and EMT areas, fueling island, living quarters, kitchen and lounge, exercise area, locker rooms and separate restroom/showers for the female firefighters in accordance with the HFD Design Manual and current HFD design standards. The project will utilize the LEED™ (Leadership in Energy and Environmental Design) Green Building rating system to achieve LEED Certification.

The anticipated contract duration for this project is 365 calendar days. The design consultant is Brown Reynolds Watford Architects.

REQUIRED AUTHORIZATION

CUIC ID # 25CONS235

General Services Department:

[Signature]

Houston Fire Department

[Signature]

MDT

Richard A. Vella
Chief of Design & Construction Division

Terry A. Garrison
Fire Chief

17

Date	SUBJECT: Appropriate Additional Funds to Construction Manager at Risk Contract J.E. Dunn Construction Company (formerly known as J.E. Dunn South Central, Inc.) New Fire Station No. 84 WBS No: C-000056-0001-4	Originator's Initials JW	Page 2 of 2
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FUNDING SUMMARY: It is recommended that City Council appropriate funds for construction phase services, including additional appropriations of \$45,000.00 for engineering and materials testing services under an existing contract with QC Laboratories, Inc. and \$110,000.00 for life safety equipment.

\$ 6,607,023.00	Construction Phase Services
\$ 330,352.00	5% Contingency
\$ 6,937,375.00	Total Construction Phase Services
\$ 45,000.00	Engineering and Materials Testing
\$ 92,000.00	GSD Salary Recovery
\$ 110,000.00	Life Safety Equipment
\$ 115,623.00	Civic Art (1.75%)
\$ 7,299,998.00	Total Funding

M/WBE/SBE PARTICIPATION: A 14% MBE goal, 5% WBE goal and 5% SBE goal have been established for the construction phase of this contract. The construction manager has submitted the following certified sub-contractors to achieve the goals:

<u>FIRM (MBE)</u>	<u>SCOPE</u>	<u>AMOUNT</u>	<u>% of CONTRACT</u>
Environmental Allies	Erosion Control	\$ 14,000.00	.21
Advancetech Systems	HVAC Equipment	310,000.00	4.69
Robles Excavation	Earthwork & Utilities	421,865.00	6.39
Elec-Net Supply	Electrical Equipment	<u>180,000.00</u>	<u>2.72</u>
TOTAL		\$ 925,865.00	14.01%

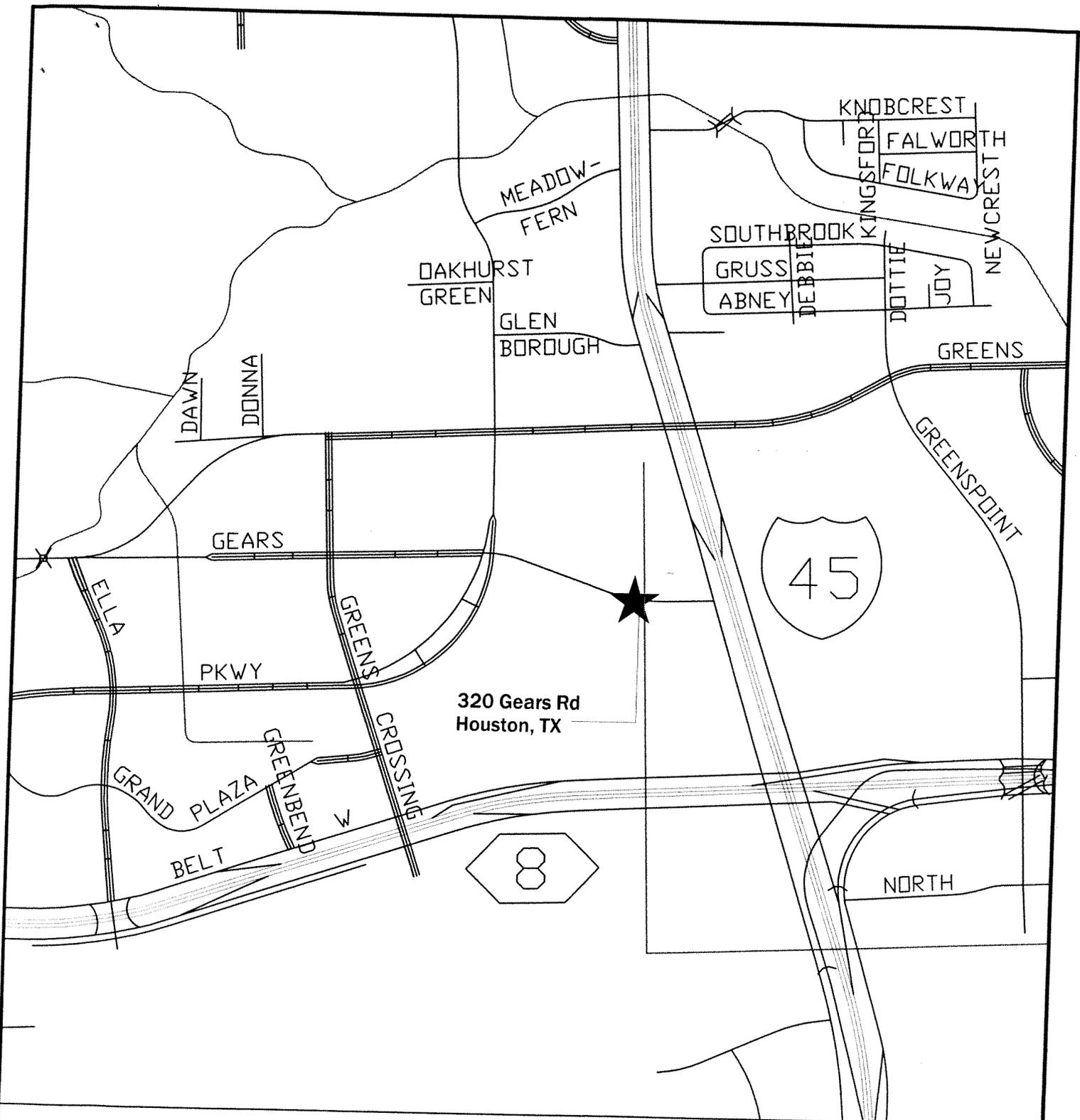
<u>FIRM (WBE)</u>	<u>SCOPE</u>	<u>AMOUNT</u>	<u>% of CONTRACT</u>
Ideal Finishes	Painting	\$ 55,000.00	.83
Elias Commercial Roof Systems	Roofing and Metal Panels	<u>310,699.00</u>	<u>4.70</u>
TOTAL		\$ 365,699.00	5.53%

<u>FIRM (SBE)</u>	<u>SCOPE</u>	<u>AMOUNT</u>	<u>% of CONTRACT</u>
Belknap Plumbing	Plumbing	\$ 329,393.00	4.99
CLS Technology	Fire Alarm	<u>23,960.00</u>	<u>.36</u>
TOTAL		\$ 353,353.00	5.35%

HIRE HOUSTON FIRST: This procurement was advertised prior to the inception of Hire Houston First.

SM:JLN:RAV;CRC:JW:jw

c: Marta Crinejo, Jacquelyn L. Nisby, Minnette Boesel, Herbert Griffin, Morris Scott, Calvin R. Curtis, Ralph De Leon, Gabriel Mussio, File



320 Gears Rd
Houston, TX

New Fire Station # 84
320 Gears Rd
Houston, TX 77067

COUNCIL DISTRICT "B"

KEY MAP NO. 372Q

SUBJECT: An Ordinance authorizing the Mayor to execute a Foreign Trade Zone Agreement for payment of ad valorem taxes with Millett Duty Free, Inc.		Category #	Page 1 of 1	Agenda Item # 18
FROM (Department or other point of origin): Planning and Development Finance		Origination Date October 15, 2013		Agenda Date NOV 13 2013
DIRECTOR'S SIGNATURE: <i>Marilyn K. Gaffner</i>		Council District affected: H		
For additional information contact: Nicole Smothers Phone: 713-837-7856		Date and identification of prior authorizing Council action: N/A		
RECOMMENDATION: (Summary) That Council approve an Ordinance authorizing the Mayor to execute a foreign Trade Zone Agreement for payment of ad valorem taxes with Millett Duty Free, Inc.				
Amount and Source of Funding: N/A			Finance Budget:	
SPECIFIC EXPLANATION: Millett Duty Free, Inc. plans to submit a Foreign Trade Zone application for its facility located at 5610 Armour Drive, Houston, TX 77020 in District H. Millett Duty Free, Inc. is pursuing this Foreign Trade Zone (FTZ) designation for competitive purposes as such designation will, among other benefits, provide for exemptions from various import duties. Under federal law, the proposed designation exempts property located within a FTZ zone from ad valorem taxation, and applicants are required to obtain letters of "non opposition" from affected taxing jurisdictions. Millett Duty Free, Inc. has requested that the City of Houston issue such a letter to the Port of Houston Authority to be forwarded to the Federal Foreign Trade Zone Board. In order to comply with Millett Duty Free, Inc.'s request, the City has required that Millett Duty Free, Inc. enter into an agreement to provide and ensure that the City of Houston will receive the local ad valorem taxes to which it would have been entitled had Millett Duty Free, Inc. not pursued the FTZ designation. Approval is recommended. cc: David Feldman, City Attorney Kelly Dowe, Director of Finance Sameera Mahendru, Assistant City Attorney Marta Crinejo, Agenda Director Anna Russell, City Secretary				
REQUIRED AUTHORIZATION				
Finance Director:		Other Authorization:		Other Authorization:

Millett Duty Free Site Map

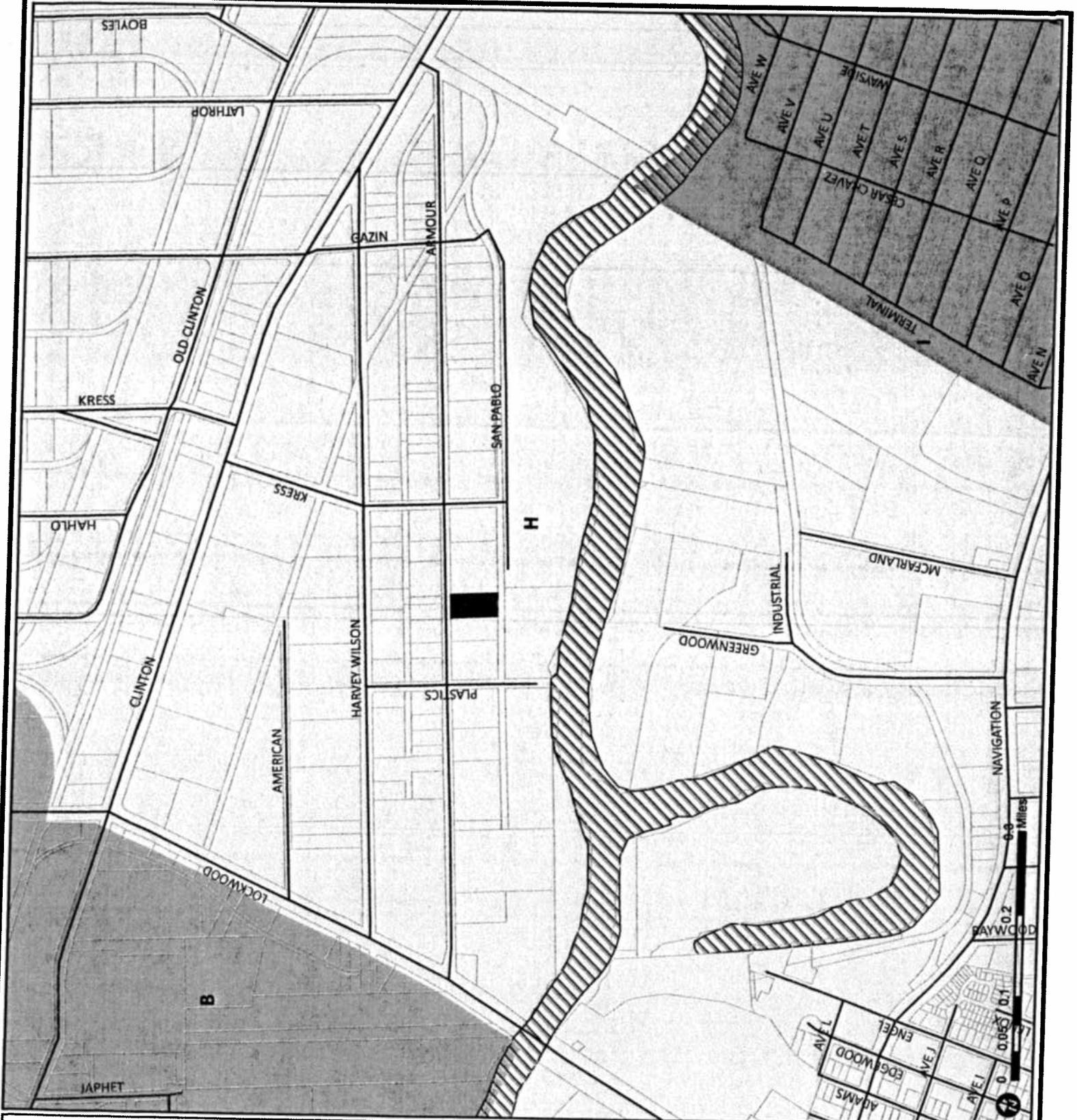
-  Roads
 -  Site at 5610 Armour Drive
 -  HCAD Parcels
 -  Buffalo Bayou
 -  Council Districts
- | | |
|---|---|
| A |  |
| B |  |
| C |  |
| D |  |
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| H |  |
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| K |  |

Source: City of Houston GIS Database,
 HCAD 2013
 Date: September 2013

This map is made available for reference purposes only and should not be substituted for a survey product. The City of Houston will not accept liability of any kind in conjunction with its use.



**PLANNING &
 DEVELOPMENT
 DEPARTMENT**



REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 9890

Subject: Approve an Ordinance Awarding a Contract to the Best Respondent for Janitorial Cleaning and Associated Services for the Houston Airport System (HAS) /S46-L24597

Category #
4

Page 1 of 2

Agenda Item

19

FROM (Department or other point of origin):

Calvin D. Wells
City Purchasing Agent
Finance Department

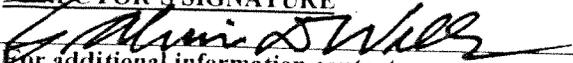
Origination Date

October 28, 2013

Agenda Date

NOV 18 2013

DIRECTOR'S SIGNATURE



Council District(s) affected

B, E, I

For additional information contact:

Justina J. Mann Phone: (281) 230-8086
Joyce Hays Phone: (832) 393-8723

Date and Identification of prior authorizing Council Action:

RECOMMENDATION: (Summary)

Approve an ordinance awarding a contract to HBS National Corporation on its best value bid in the amount of \$563,550.49 for janitorial cleaning and associated services for the Houston Airport System.

Maximum Contract Amount: \$563,550.49

Finance Budget

\$563,550.49 - HAS Revenue Fund (Fund 8001)

SPECIFIC EXPLANATION:

The Director of the Houston Airport System (HAS) and the City Purchasing Agent recommend that City Council approve an ordinance awarding a three-year contract, with two one-year options to HBS National Corporation on its best value bid (BVB) in the amount of \$563,550.49 for janitorial cleaning and associated services for the Houston Airport System. The City Purchasing Agent or Houston Airport System 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 equipment, labor, materials, supplies, supervision, and transportation necessary to provide cleaning and janitorial services at certain HAS facilities. Additional service requirements include recycling and other associated work services as required.

The BVB was advertised in accordance with the requirements of the State of Texas bid laws. Seventy-five prospective bidders downloaded the solicitation document from the Strategic Purchasing Division (SPD) e-bidding website, and as a result, BVBs were received from Unicare Building Maintenance, Inc., McLemore Building Maintenance and HBS National Corporation. The Evaluation Committee consisted of three evaluators from the City's Legal Department and Houston Airport System. The BVBs were evaluated based upon the following criteria:

- Cost
- Expertise / Experience /Qualifications
- Financial Strength of Offeror
- Labor Relations Plan

HBS National Corporation was deemed the best respondent.

REQUIRED AUTHORIZATION

Finance Department:

Other Authorization:

Other Authorization:

Date: 10/28/2013	Subject: Approve an Ordinance Awarding a Contract to the Best Respondent for Janitorial Cleaning and Associated Services for the Houston Airport System (HAS) /S46-L24597	Originator's Initials EA	Page 2 of 2
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M/WBE Subcontracting:

This BVB was issued as a goal-oriented contract with a 20% M/WBE participation level. HBS National Corp. has designated the below-named companies as its certified M/WBE subcontractors.

Name	Type of Work	Dollar Amount	Pct
Joamar Cleaning Services, Inc.	Janitorial	\$112,710.09	20%
Houston Chem Safe, Inc.	Janitorial Supplies	\$112,710.09	20%
Total		\$225,420.18	40%

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, while supporting job creation. In this case, the contractor meets the requirements of Hire Houston First.

Buyer: Eric Alexander

Estimated Spending Authority

Department	FY14	Out Years	Total
HAS	\$63,403.26	\$500,147.23	\$563,550.49

SUBJECT: Lease Agreement between the City of Houston and Atlantic Aviation Corporation – William P. Hobby Airport (HOU).		Category #	Page 1 of 2	Agenda Item # 20
FROM (Department or other point of origin): Houston Airport System		Origination Date October 11, 2013	Agenda Date NOV 13 2013	
DIRECTOR'S SIGNATURE:  for MCD		Council District affected: I		
For additional information contact: Kathy Elek <i>Kae</i> Phone: 281/233-1826 Ian Wadsworth <i>IW</i> 281/233-1682 		Date and identification of prior authorizing Council action: N/A		
AMOUNT & SOURCE OF FUNDING: REVENUE: \$ 636,794 per year		Prior appropriations: N/A		
RECOMMENDATION: (Summary) Enact an ordinance approving and authorizing the execution of a Lease Agreement between the City of Houston and Atlantic Aviation Corporation at William P. Hobby Airport (HOU) and concurrently terminating Lease Agreement No. 19180, by and between the City of Houston and Atlantic Aviation Corporation.				
SPECIFIC EXPLANATION: On August 19, 1970, the City approved Lease Agreement No. 19180 with Atlantic Aviation Corporation (Atlantic) for approximately 265,493 square feet of land. The Lease Agreement expires on November 1, 2013. Atlantic has requested a new lease for land and improvements located at William P. Hobby Airport (HOU) to renovate existing improvements, construct new improvements (hangars, terminal building and ramp) and lease additional vacant land. The pertinent terms and conditions of the Lease Agreement ("Agreement") are as follows: 1. Leased Premises: Approximately 15 acres of land and improvements located at HOU. 2. Term: The term is for forty (40) years from the date of countersignature, unless sooner terminated in accordance with the terms of the Agreement. The Agreement may be mutually terminated by written agreement of Lessee and the Director. 3. New Investment: Lessee shall expend not less than \$14,000,000 to improve the leased premises during the first ten years following countersignature. 4. Rent: Based on appraisals, rent will initially be \$636,794 annually (\$53,066 monthly, which shall be adjusted at year end to reconcile with the annual rate).				
REQUIRED AUTHORIZATION				
Finance Department:	Other Authorization:	Other Authorization:		

Date October 11, 2013	Subject: Lease Agreement between the City of Houston and Atlantic Aviation Corporation– William P. Hobby Airport (HOU).	Originator's Initials RB	Page 2 of 2
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During the first ten years of the term, Atlantic will demolish the existing Fixed Based Operations (FBO) terminal building, hangar, ramp areas and construct new improvements in their place. Upon Atlantic's completed demolition, improvement rent will be adjusted to ground rent on applicable improvements.

- 5. **Performance Security:** Lessee will provide a performance bond or an irrevocable Letter of Credit in the amount of \$318,397 which represents the approximate sum of six months' rent.
- 6. **Use:** To be used by Lessee for the operation of an FBO.
- 7. **Maintenance and Utilities:** Lessee shall assume the entire responsibility, cost and expense for all repair and maintenance of the leased premises and shall be responsible for all utilities furnished to the leased premises.
- 8. **Indemnification and Insurance:** Lessee shall indemnify and hold the City harmless and shall provide the required insurance in the limits as stated in the Lease Agreement.
- 9. **Environmental Matters and Airport Rules:** Lessee shall comply with all federal, state and local environmental laws and all airport policies and procedures.
- 10. **Other:** Lessee agrees to comply with all rules and regulations adopted by the airport and/or TSA and/or the FAA, and to comply with all federal, state and local statutes, ordinances, regulations and policies.

Upon date of countersignature of the lease with Atlantic Aviation Corporation, Lease Agreement No. 19180 in the same name will be terminated and the new Lease shall supersede and replace Lease No. 19180.

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Amendment No. 1 – Luggage Carts and Lockers Concession Agreement with Smarte Carte, Inc. - George Bush Intercontinental Airport/Houston (IAH) and William P. Hobby Airport (HOU).	Category #	Page 1 of 2	Agenda Item # <i>21</i>
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FROM (Department or other point of origin): Houston Airport System (HAS)	Origination Date October 14, 2013	Agenda Date NOV 13 2013
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DIRECTOR'S SIGNATURE: <i>Tom Wadsworth for MCD</i>	Council District affected: B, I
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For additional information contact: Kathy Elek <i>Kae</i> Phone: 281-233-1826 Ian Wadsworth <i>INW</i> 281-233-1682	Date and identification of prior authorizing Council action: 12/7/2005 (O) 2005-1340
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AMOUNT & SOURCE OF FUNDING: \$325,000 - Current Year \$455,000 - Out Years \$780,000 -Total HAS Revenue Fund (8001)	Prior appropriations: 12/7/2005.....\$5,676,048 HAS Revenue Fund (8001)
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RECOMMENDATION: (Summary)
Enact an Ordinance approving and authorizing Amendment No. 1 to the Luggage Carts and Lockers Concession Agreement by and between the City of Houston and Smarte Carte, Inc. at George Bush Intercontinental Airport/Houston (IAH) and William P. Hobby Airport (HOU).

SPECIFIC EXPLANATION:
On December 7, 2005, City Council approved a Concession Agreement with Smarte Carte, Inc. to provide luggage carts and lockers at George Bush Intercontinental Airport/Houston (IAH) and William P. Hobby Airport (HOU).

Under this agreement, international arriving passengers at IAH are offered luggage carts free of charge as a service purchased by HAS from Smarte Carte, Inc. In addition, domestic passengers can rent luggage carts for a fee, a service which is provided under the concession.

The current agreement will expire on January 5, 2014. HAS now desires to amend the agreement by adding one (1) year to the term to allow time to advertise and receive competitive proposals for the right to develop, operate, and manage luggage carts services at the airports. Additional funding must also be appropriated to continue offering the luggage carts free of charge to international arriving passengers through this period. The amendment also adds a clause allowing HAS to terminate the agreement for convenience, with 30 days written notice.

All other terms and conditions of the agreement remain the same. The key terms are:

1. Scope of Service
The Concessionaire will provide luggage cart services in designated areas at IAH and HOU.

REQUIRED AUTHORIZATION

Finance Department:	Other Authorization:	Other Authorization:
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Date
October 14, 2013

Subject: Amendment No. 1 – Luggage Carts and Lockers
Concession Agreement with Smarte Carte, Inc. - George Bush
Intercontinental Airport/Houston (IAH) and William P. Hobby
Airport (HOU).

**Originator's
Initials**

**Page
2 of 2**

2. Financial Terms

In consideration of Concessionaire providing complimentary luggage carts in the Federal Inspection Service (FIS) area to arriving international passengers, HAS shall pay Concessionaire \$0.70 per cart usage.

The Concessionaire will pay HAS 25% of gross revenues generated by luggage cart rentals to domestic passengers.

3. ACDBE

The Airport Concession Disadvantaged Business Enterprise (ACDBE) goal for the concession is 16% of gross sales at IAH and 4% of gross sales at HOU. Concessionaire has exceeded this goal through a sub-contract with CLS Management Services, Inc., currently achieving 39.95% participation at IAH and 10.34% participation at HOU.

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA #

SUBJECT: An Ordinance authorizing the issuance of additional bonds by the Southwest Houston Redevelopment Authority (Tax Increment Reinvestment Zone Number Twenty).

Category #

Page
1 of 1

Agenda Item#

22

FROM: (Department or other point of origin):

Andrew F. Icken
Chief Development Officer

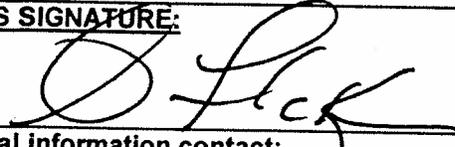
Origination Date

11/7/13

Agenda Date

NOV 13 2013

DIRECTOR'S SIGNATURE:



Council Districts affected:

F, J

For additional information contact:

Ralph De Leon

Phone: (832) 393-0985

Date and identification of prior authorizing Council Action:

Ord. No. 2001-0033, 01/10/01, Ord. No. 2002-1076, 11/20/02, Ord. No. 2009-0249, 03/28/09

RECOMMENDATION: (Summary)

That City Council adopt an Ordinance increasing the authorization of the Southwest Houston Redevelopment Authority to issue additional bonds up to \$50 million.

Amount of Funding: N/A

SOURCE OF FUNDING:

General Fund Grant Fund Enterprise Fund Other (Specify)

Specific Explanation:

By various prior ordinances, City Council has authorized the Southwest Houston Redevelopment Authority ("Authority") to issue bonds in an aggregate principal amount of up to \$30 million outstanding at any one time. The Authority currently has approximately \$21.7 million of bonds outstanding. To implement its Fiscal Year 2014-2018 City Council approved Budget and Capital Improvement Plan, the Authority will need to obtain financing to fund its design and construction plans and will need to issue up to \$50 million in bonds. This will require an increase of \$20 million in the total amount of bonds the Authority is currently authorized to issue.

Approval of this Ordinance will allow the Authority to issue additional bonds up to \$50 million to provide the capital needed to support redevelopment projects in the Zone consisting primarily of major roadway and street reconstruction projects, public utility system upgrade and replacement projects, pedestrian improvement projects, flood remediation infrastructure including detention basins, hike and bike trails and parks.

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

Other Authorization:

Other Authorization:

Other Authorization:

Southwest Houston Redevelopment Authority
29-Oct-13

Outstanding Tax Increment Contract Revenue Bonds

Series	Original Issue Amt.	Outstanding Principal As of 6/30/13	Outstanding Principal As of 10/0/13
2003	\$ 13,275,000	\$ 8,620,000	\$ 7,995,000
2009	\$ 15,000,000	\$ 14,250,000	\$ 13,750,000
	TOTAL	\$ 22,870,000	\$ 21,745,000

Proposed Tax Increment Contract Revenue Bonds *

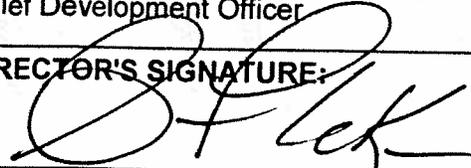
Series	Original Issue Amount *	Retirement of Outstanding 2003 & 2009 Principal	Net New Principal*
2013	\$ 49,750,000	\$ 21,745,000	\$ 49,750,000

Current Authorization per Ord. 2009-0249: \$ 30,000,000
Proposed New Authorization Limit: \$ 50,000,000

*Preliminary, subject to change

SUBJECT: Ordinance appropriating \$7,224,348.92, in tax increment revenue payments made by Houston Independent School District ("HISD"), and authorizing the transfer of tax increment revenues to various Tax Increment Reinvestment Zone ("TIRZ") Funds pursuant to the City's Interlocal Agreement with HISD and the TIRZs.	Category # 1	Page 1 of 1	Agenda Item # <div style="text-align: right; font-size: 2em;">23</div>
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FROM: (Department or other point of origin): Andrew F. Icken Chief Development Officer	Origination Date 11/7/13	Agenda Date NOV 13 2013
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DIRECTOR'S SIGNATURE: 	Council Districts affected:
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For additional information contact: Ralph De Leon Phone: (832) 393-0985	Date and identification of prior authorizing Council Action: Ord. No. 1996-0910, 09/11/96, Ord. No. 1997-0118, 01/29/97, Ord. 1997-0565, 05/21/97, Ord. No. 1999-0913, 08/18/99, Ord. No. 1999-0914, 08/18/99
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RECOMMENDATION: (Summary)
 City Council approve an ordinance appropriating \$7,224,348.92 in tax increment revenue payments made by HISD, and authorizing the transfer of tax increment revenues to the various TIRZ Funds pursuant to the City's Interlocal Agreements with HISD and the TIRZs.

Amount of Funding: \$7,224,348.92

Source of Funding: General Fund Grant Fund Enterprise Fund Other (Specify) \$7,224,348.92 to various TIRZ Funds (see attached spreadsheet).

Specific Explanation:

The appropriation of \$7,224,348.92 results from tax increment payments received from HISD for transfer to the various TIRZs in which HISD participates. As set forth in the attached spreadsheet, \$194,597.00 will be transferred to the City's Affordable Housing Fund; \$5,925,489.00 will be paid to HISD for Educational Facilities Project Costs. The remaining \$1,104,262.92 will be paid to various TIRZ redevelopment authorities on behalf of the TIRZs for approved project costs.

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:
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#	TRIZ	Fund #	Pass Through Funds Tax Year 2008 (Reconciliation), Tax Year 2012	Affordable Housing Transfer to Fund 2409	Payment Amount to HISD for Educational Facilities	HISD Pass Through Increment due to the Redevelopment Authorities	Fiscal Year 2013 Interest Due to Redevelopment Authorities	Total Due to Redevelopment Authorities	Payee	SAP Budget Number
1	Lamar Terrace East and West	7512	\$ 462,140.00	\$ 154,047.00	\$ 308,093.00	\$ -	\$ 2,897.63	\$ 2,897.63	Special Pay Instruction #1 and St. George Place RA	100294547
2	Midtown Original Annexed	7550	\$ 2,797,312.00 \$ 2,797,312.00	\$ - \$ -	\$ 1,864,875.00 \$ 1,864,875.00	\$ 932,437.00 \$ 932,437.00	\$ 10,756.58 \$ 943,193.58	\$ 943,193.58	Special Pay Instruction #1 and Midtown RA	100294549
3	Market Square Original Annexed	7551	\$ 1,856,817.00 \$ 298,506.00 \$ 1,558,311.00	\$ - \$ - \$ -	\$ 1,856,817.00 \$ 298,506.00 \$ 1,558,311.00	\$ - \$ - \$ -	\$ 7,391.46	\$ 7,391.46	Special Pay Instruction #1 and Main Street/Market Square RA	100294570
5	Memorial Heights	7553	\$ 355,276.00	\$ -	\$ 355,276.00	\$ -	\$ 2,228.66	\$ 2,228.66	Special Pay Instruction #1 and Memorial Heights RA	100294571
6	Eastside Zone	7554	\$ 403,466.00	\$ -	\$ 403,466.00	\$ -	\$ 1,003.98	\$ 1,003.98	Special Pay Instruction #2	400294572
7	OST/Alameda Original Annexed	7555	\$ 616,302.00 \$ 327,554.00 \$ 288,748.00	\$ - \$ - \$ -	\$ 616,302.00 \$ 327,554.00 \$ 288,748.00	\$ - \$ - \$ -	\$ 4,886.12	\$ 4,886.12	Special Pay Instruction #1 and OST Alameda RA	100294573
8	Gulfgate Original Annexed	7556	\$ 144,462.00 \$ 144,462.00	\$ - \$ -	\$ 144,462.00 \$ 144,462.00	\$ - \$ -	\$ 820.95	\$ 820.95	Special Pay Instruction #1 and Gulfgate RA	400294574
9	South Post Oak	7557	\$ 208,153.00	\$ -	\$ 138,769.00	\$ 69,384.00	\$ 588.31	\$ 69,972.31	Special Pay Instruction #1 and South Post Oak RA	100294575
10	Lake Houston	7558	\$ -	\$ -	\$ -	\$ -	\$ 30,211.50	\$ 30,211.50	Special Pay Instructions #3	100294576
11	Greenspoint	7559	\$ -	\$ -	\$ -	\$ -	\$ 5,106.11	\$ 5,106.11	Special Pay Instruction #1 and Greenspoint RA	100294577
12	CityPark	7560	\$ 156,329.00	\$ -	\$ 156,329.00	\$ -	\$ 461.36	\$ 461.36	Special Pay Instruction #1 and City Park RA	100294578
13	Old Sixth Ward	7561	\$ 121,650.00	\$ 40,550.00	\$ 81,100.00	\$ -	\$ 783.76	\$ 783.76	Special Pay Instruction #1 and Old Sixth Ward RA	100294579
14	Fourth Ward	7562	\$ -	\$ -	\$ -	\$ -	\$ 1,822.24	\$ 1,822.24	Fourth Ward RA	100294580
15	East Downtown	7563	\$ -	\$ -	\$ -	\$ -	\$ 1,342.05	\$ 1,342.05	East Downtown RA	100294581
16	Uptown	7564	\$ -	\$ -	\$ -	\$ -	\$ 15,043.03	\$ 15,043.03	Uptown Development Authority	100294582
17	Memorial City	7565	\$ -	\$ -	\$ -	\$ -	\$ 5,571.99	\$ 5,571.99	Memorial City RA	100294583
18	Fifth Ward	7566	\$ -	\$ -	\$ -	\$ -	\$ 2,496.00	\$ 2,496.00	Fifth Ward RA	100294584
19	Upper Kirby	7567	\$ -	\$ -	\$ -	\$ -	\$ 4,951.47	\$ 4,951.47	Upper Kirby RA	100294585
20	Southwest Houston	7568	\$ -	\$ -	\$ -	\$ -	\$ 3,885.04	\$ 3,885.04	Southwest Houston RA	100294586
21	Hardy Northside	7569	\$ -	\$ -	\$ -	\$ -	\$ 170.46	\$ 170.46	Hardy Place RA	100294587
22	Leland Woods	7570	\$ -	\$ -	\$ -	\$ -	\$ 8.75	\$ 8.75	Leland Woods RA	100294588
23	Harrisburg	7571	\$ -	\$ -	\$ -	\$ -	\$ 14.47	\$ 14.47	Special Pay Instructions #3	100294589
Total			\$ 7,121,907.00	\$ 194,597.00	\$ 5,925,489.00	\$ 1,007,821.00	\$ 102,441.92	\$ 1,104,262.92		

The following sets forth several requested appropriations: a) Recently deposited tax increments received by the City from Houston ISD.
b) Transfers to Fund 2409 for the one-third affordable housing set-aside, c) Payment amounts to HISD for educational facilities, d) Payments to the various redevelopment authorities for affordable housing and/or FY13 Interest

Special Pay Instructions #1

Payment to Houston Independent School District for Educational TEA Pass Through Funds \$ 5,925,489.00

Special Pay Instructions #2

Payment to HISD for Chavez High School

Special Pay Instructions #3

Payments are for project costs, developer reimbursements, and debt service; invoices submitted at a later date and paid by Economic Development (in house).

Notes:

- 1) There is no administrative fees to COH.
- 2) Educational Facilities revenues are set-aside per the agreements with Houston ISD
- 3) The Midtown Redevelopment Authority and South Post Oak redevelopment authority receives affordable housing increments in the "Pass Through payment from HISD"
- 4) FY13 Interest earned on all increments

TO: Mayor via City Secretary REQUEST FOR COUNCIL ACTION

SUBJECT: Petition for the City's consent to the addition of 0.8608 acre of land to Harris County Municipal Utility District No. 172 (Key Map No. 407-B)	Page 1 of 1	Agenda Item # 24
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FROM (Department or other point of origin): Department of Public Works and Engineering	Origination Date	Agenda Date NOV 13 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 0.8608 acre of land to Harris County Municipal Utility District No. 172 be approved.

Amount and Source of Funding:

NONE REQUIRED

SPECIFIC EXPLANATION:

Harris County Municipal Utility District No. 172 has petitioned the City of Houston for consent to add 0.8608 acre 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, Horsepen Creek and Queenston. The district desires to add 0.8608 acre, thus yielding a total of 593.9180 acres. The district is served by the Harris County Municipal Utility District No. 155 Regional Wastewater Treatment Plant. The other districts served by this plant are Harris County Municipal Utility District No. 156, Harris County Municipal Utility District No. 173, North Harris Montgomery County College and Cy-Fair Independent School District. The nearest major drainage facility for Harris County Municipal Utility District No. 172 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.

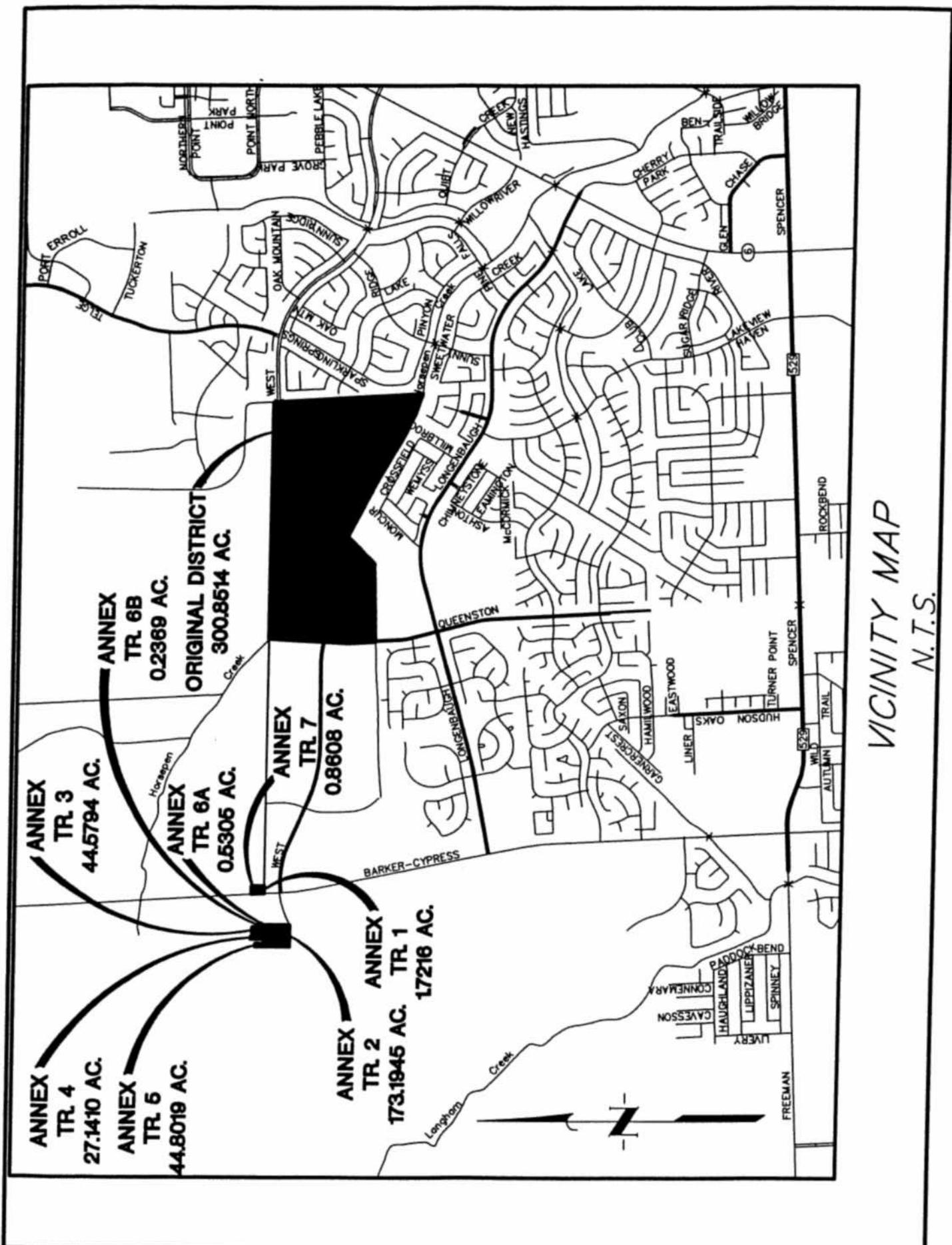
Attachments

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

REQUIRED AUTHORIZATION

20UPA264

Finance Department	Other Authorization: Mark L. Loethen, P.E., CFM, PTOE Deputy Director Planning & Development Services Div.	Other Authorization:
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VICINITY MAP
N.T.S.



CITY OF HOUSTON



Department of Public Works and Engineering
Water District Consent Application Form



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

Application is hereby made for consent of the City of Houston to the creation/ addition of 0.8608 acres to Harris Co MUD 172 under the provisions of Chapters 49 & 54 Texas Water Code.

Attorney for the District

Attorney: G. Taylor Goodall, Jr., Smith Murdaugh, et al

Address: 1100 Louisiana Street, Suite 400, Houston, TX Zip: 77002 Phone: 713/652-6500

Engineer: Tobin Synatschk, P.E. Jones & Carter

Address: 6335 Gulfton, #100, Houston, TX Zip: 77081 Phone: 713/777-5337

Owners: PTEXLLC1, a Texas LLC

Address: %Vatani Consulting Engineers, 5200 Mitchelldale, #F27, Houston, Texas Zip: 77092 Phone: 713/400-0005

(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 C.Bowman Survey Abstract 142

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

North of: West East of: Barker Cypress
South of: Horsepen Creek West of: Queenston

WATER DISTRICT DATA

Total Acreage of District: 593.0572 Existing Plus Proposed Land 593.9180

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

Single Family Residential _____ Multi-Family Residential _____

Commercial 100% Industrial _____ Institutional _____

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

Sewage Treatment Plant Name: HCMUD 155 Regional Wastewater Treatment Plant

NPDES/TPDES Permit No: WQ0012726001 TCEQ Permit No: WQ0012726001



CITY OF HOUSTON



Department of Public Works and Engineering
Water District Consent Application Form

Existing Capacity (MGD): 1.55 MGD

Ultimate Capacity (MGD): 1.55 MGD

Size of treatment plant site: 353,271 sf 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: 1.55

MGD of (Regional Plant).

Name of District: HCMUD 172

MGD Capacity Allocation 0.335

or property owner(s)

Name of District: HCMUD 155

MGD Capacity Allocation 0.285

Water Treatment Plant Name: Water Plant No. 1; Water Plant No. 2

Water Treatment Plant Address: WP1- 16219 Lasting Light Ln; WP2-18950-1/2 West Rd

Well Permit No: 161767

Existing Capacity:

Well(s): 1,000

GPM

Booster Pump(s): 4,500

GPM

Tank(s): 0.95

MG

Ultimate Capacity:

Well(s): 1,000

GPM

Booster Pump(s): 5,800

GPM

Tank(s): 1.3

MG

Size of Treatment Plant Site: #1-49,876 sf; #2-184,345sf

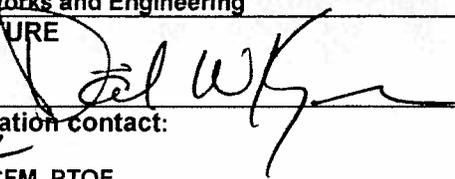
square feet/acres.

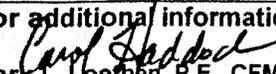
Comments or Additional Information: _____

TO: Mayor via City Secretary REQUEST FOR COUNCIL ACTION

SUBJECT: Petition for the City's consent to the addition of 0.11 acre of land to Harris County Municipal Utility District No. 494 (Key Map No. 377-D, H)	Page 1 of 1	Agenda Item # 25
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FROM (Department or other point of origin): Department of Public Works and Engineering	Origination Date	Agenda Date NOV 13 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 0.11 acre of land to Harris County Municipal Utility District No. 494 be approved.

Amount and Source of Funding:

NONE REQUIRED

SPECIFIC EXPLANATION:

Harris County Municipal Utility District No. 494 has petitioned the City of Houston for consent to add 0.11 acre 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 Lake Houston Parkway, FM 1960 and Lake Houston. The district desires to add 0.11 acre, thus yielding a total of 331.8400 acres. The district is served by the Atascocita Regional Wastewater Treatment Facility. The other districts served by the Atascocita Regional Wastewater Treatment Facility are Harris County Municipal Districts No. 46, 106, 109, 132, 151, 152 and 153. The nearest major drainage facility for Harris County Municipal Utility District No. 494 is Lake Houston which flows into the San Jacinto River 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.

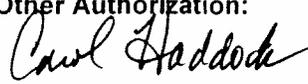
The Utility District Review Committee recommends that the subject petition be approved.

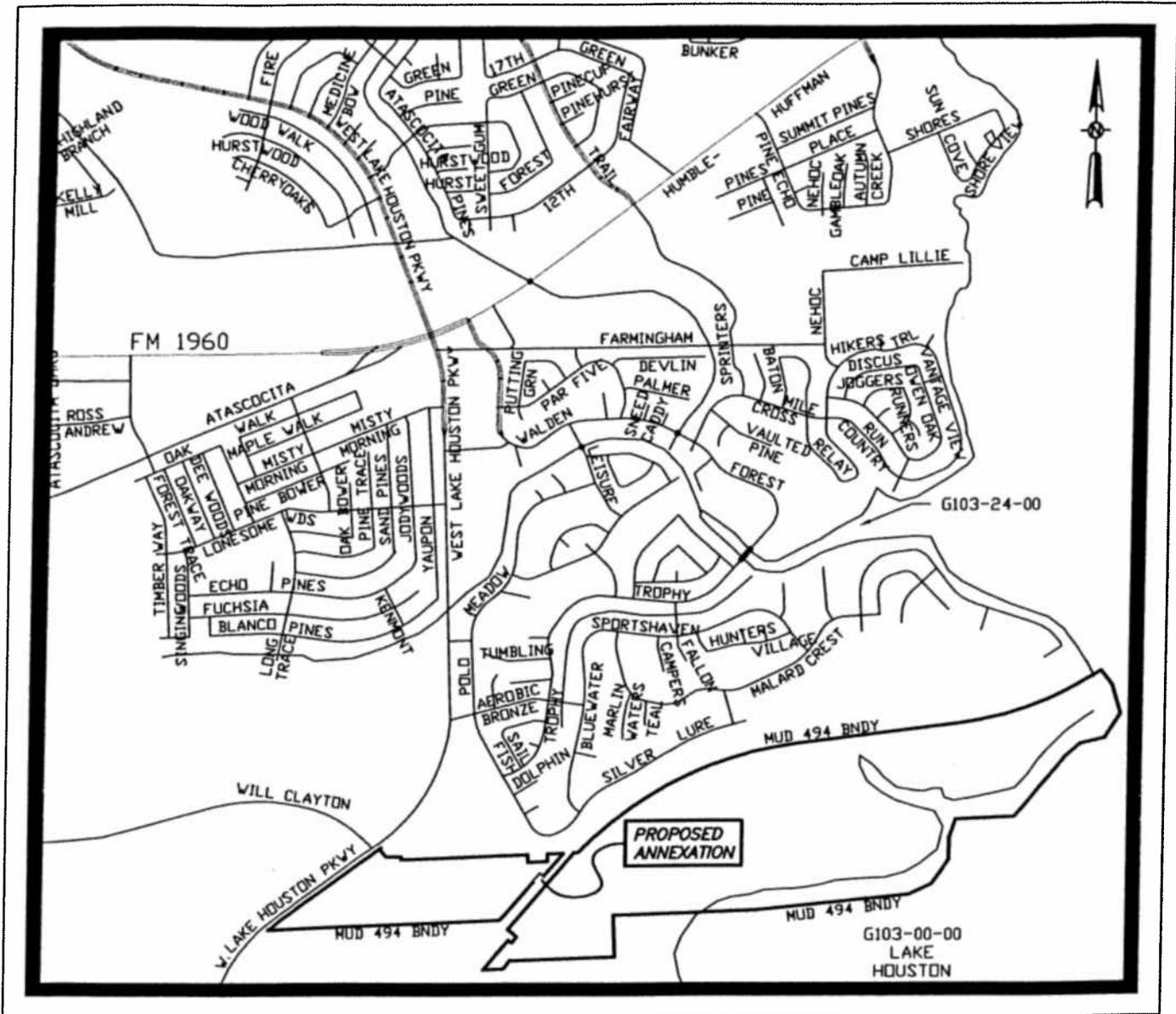
Attachments

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

REQUIRED AUTHORIZATION

20UPA271

Finance Department	Other Authorization:  Mark L. Loethen, P.E., CFM, PTOE Deputy Director Planning & Development Services Div.	Other Authorization:
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VICINITY MAP
N.T.S.

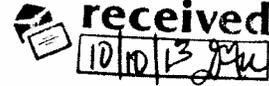
JUNE 2013



CITY OF HOUSTON



Department of Public Works and Engineering
Water District Consent Application Form



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

Application is hereby made for consent of the City of Houston to the creation/ addition of 0.11 acres to HCMUD 494 under the provisions of Chapter 54 of the Texas Water Code.

Attorney for the District

Attorney: Schwartz, Page & Harding, LLP

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

Engineer: Kimley-Horn and Associates, Inc.

Address: 12012 Wickchester Lane, Ste. 500, Houston, Texas Zip: 77079 Phone: 281-597-9300

Owners: D.R.Horton - Texas, Ltd.

Address: 400 Carriage Hills Blvd., Conroe, Texas Zip: 77384 Phone: 936-777-6611

(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 David Harris Abstract 26

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

North of: West Lake Houston Pkwy. East of: West Lake Houston Pkwy.
South of: FM 1960 West of: Lake Houston

WATER DISTRICT DATA

Total Acreage of District: 331.73 Existing Plus Proposed Land 331.84

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

Single Family Residential 0% Multi-Family Residential 0%
Commercial 0% Industrial 0% Institutional 100%

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

Sewage Treatment Plant Name: Atascocita Regional Wastewater Treatment Facility

NPDES/TPDES Permit No: WQ0011533001 TCEQ Permit No: TX005863



CITY OF HOUSTON



Department of Public Works and Engineering
Water District Consent Application Form

Existing Capacity (MGD): 9.0 MGD

Ultimate Capacity (MGD): 9.0 MGD

Size of treatment plant site: 883,832/20.29 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: 9.0

MGD of (Regional Plant).

Name of District: _____

MGD Capacity Allocation _____

or property owner(s)

Name of District: _____

MGD Capacity Allocation _____

Water Treatment Plant Name: HCMUD 153

Water Treatment Plant Address: 8401 Farmingham Rd.

Well Permit No: PWS ID 1012133

Existing Capacity:

Well(s): 2,000 GPM

Booster Pump(s): 12,740 GPM

Tank(s): 0.840 MG

Ultimate Capacity:

Well(s): 2,000 GPM

Booster Pump(s): 12,740 GPM

Tank(s): 0.840 MG

Size of Treatment Plant Site: 24,394/0.56

square feet/acres.

Comments or Additional Information: The 0.11 Annexation tract is for roadway ROW and will not require additional sewer or water capacity.

ATASCOCITA REGIONAL WASTEWATER TREATMENT PLANT
PRO-RATA SHARE OF ULTIMATE CAPACITY

Wastewater Treatment

The District will own capacity in the Atascocita Regional Wastewater Treatment Plant ("WWTP") which is owned and operated by Harris County Municipal Utility District No. 109. Operation and maintenance costs of the WWTP will be based on the pro-rata share of the number of ESFCs within the District to the total ESFCs utilizing the facilities.

The pro-rata share of the WWTP at the District's ultimate development is shown below:

<u>DISTRICT</u>	<u>CAPACIT (GPD)</u>	<u>PRO-RATA SHARE</u>
HCMUD 46	600,000	6.67%
HCMUD 106	600,000	6.67%
HCMUD 109	2,011,440	22.35%
HCMUD 132	1,540,000	17.11%
HCMUD 151	1,072,760	11.92%
HCMUD 152	1,302,650	14.47%
HCMUD 153	1,609,150	17.88%
<u>HCMUD 494</u>	<u>264,000</u>	<u>2.93%</u>
TOTAL	9,000,000	100.00%

Strategic Partnership Agreement : Nov 2013

Major Highways

Major Streets

- A
- B
- C
- D
- E
- F
- G
- H
- I
- J
- K

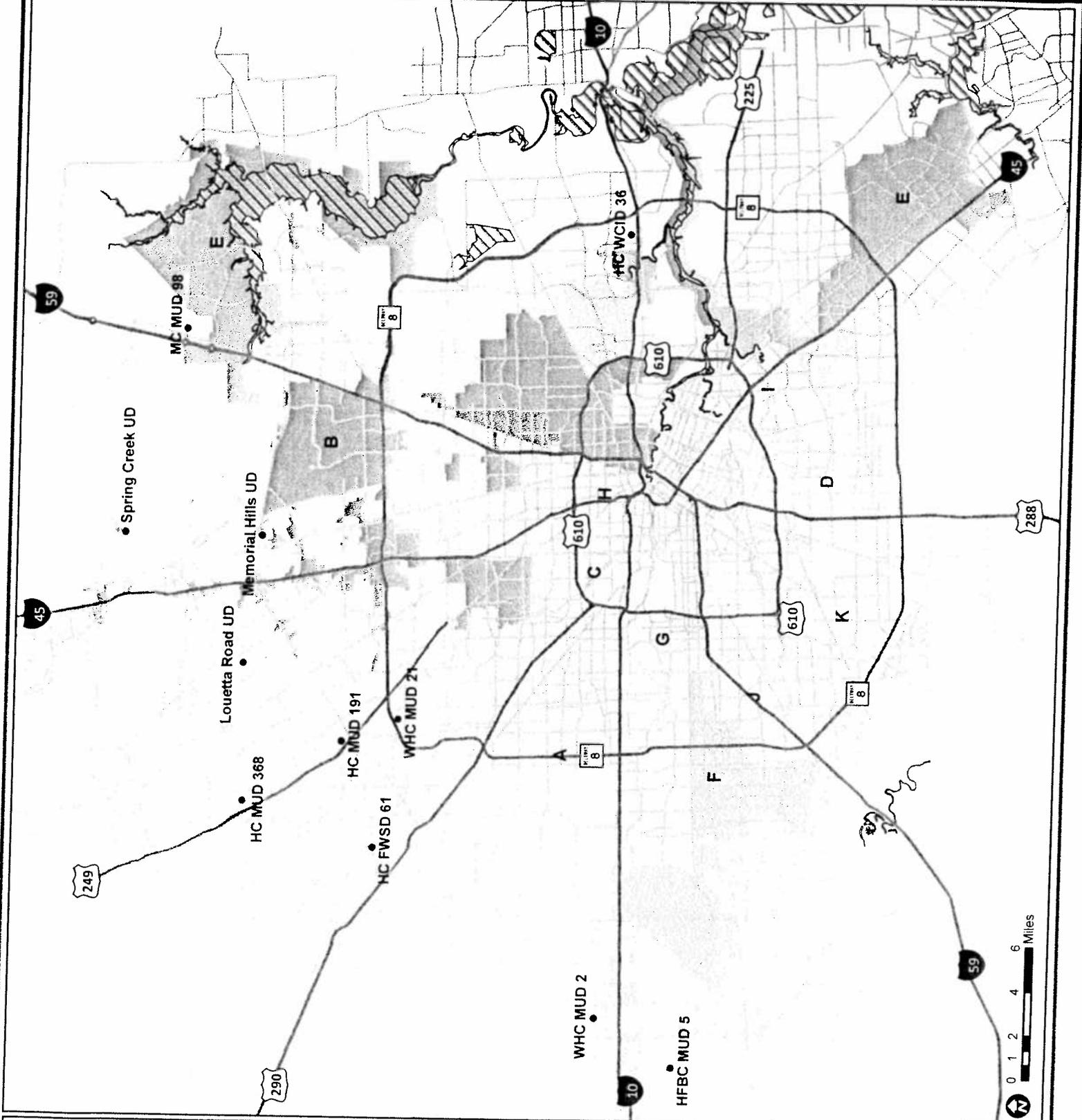


Source: City of Houston GIS Database
Date: September 9, 2013

This map is made available for reference purposes only and should not be substituted for a survey product. The City of Houston will not accept liability of any kind in conjunction with its use.



PLANNING & DEVELOPMENT DEPARTMENT



REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

SUBJECT:

Ordinances granting Commercial Solid Waste Operator Franchises

RCA #

Category #

Page 1 of 1

Agenda Item#

37A-H

FROM: (Department or other point of origin):

Tina Paez, Director
Administration & Regulatory Affairs

Origination Date
11/5/2013

Agenda Date
NOV 13 2013

DIRECTOR'S SIGNATURE:

[Handwritten Signature]

Council Districts affected:

ALL

For additional information contact:

Juan Olguin *JFO* Phone: (832) 393- 8528
Naelah Yahya Phone: (832) 393- 8530

Date and identification of prior authorizing Council Action:

RECOMMENDATION: (Summary)

Approve ordinances granting Commercial Solid Waste Operator Franchises

Amount of Funding:
REVENUE

FIN Budget:

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

SPECIFIC EXPLANATION:

It is recommended that City Council approve ordinances granting Commercial Solid Waste Operator Franchises to the following solid waste operators pursuant to Article VI, Chapter 39. The proposed Franchisees are:

1. MIDSTATE ENVIRONMENTAL SERVICES
2. GLOBAL WASTE SERVICES, LLC
3. TWISTER WASTE, INC.
4. NORTHSIDE GARBAGE SERVICE, INC.
5. REPIPE CONSTRUCTION DBA IPR SOUTH CENTRAL, LLC
6. ASTRO WASTE, INC.
7. AZTEC PORTACANS AND CONTAINERS LTD
8. NATIONAL WORKS, INC.

The proposed ordinances grant the Franchisees the right to use the City's public ways for the purpose of collecting, hauling or transporting solid or industrial waste from commercial properties located within the City of Houston. In consideration for this grant, each Franchisee agrees to pay to the City an annual Franchise Fee equal to 4% of their annual gross revenue, payable quarterly. To verify Franchisee compliance with the franchise, the City has the right to inspect, and the company has the duty to maintain, required customer records during regular business hours. The franchise contains the City's standard release and indemnification, default and termination, liquidated damages and force majeure provisions. The proposed franchise term is 10 years from the effective date.

The Pay or Play Program does not apply to the solid waste franchises.

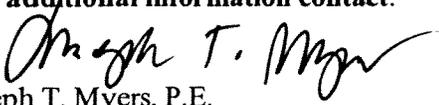
REQUIRED AUTHORIZATION

Finance Director:

SUBJECT: Accept Work for Rehabilitation of Existing Water Wells; WBS No. S-000200-0019-4. Page 1 of 2 Agenda Item # **38**

FROM (Department or other point of origin): Department of Public Works and Engineering **Origination Date**
10/31/13 **Agenda Date**
~~NOV 06 2013~~

DIRECTOR'S SIGNATURE: 
Daniel W. Krueger, P.E., Director **Council District affected:**
A, B, E, F, G, J NOV 13 2013

For additional information contact:  10/9/13
Joseph T. Myers, P.E. Sr. Assistant Director **Phone:** (832) 395-2355 **Date and identification of prior authorizing Council action:**
Ord. # 2012-0056 dated: 01/18/2012

RECOMMENDATION: (Summary) Pass a motion to approve the final Contract Amount of \$6,245,041.22 or 0.17% 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 \$7,117,000.00 from the Water and Sewer System Consolidated Construction Fund No. 8500.

PROJECT NOTICE/JUSTIFICATION: This project was part of the City's program to upgrade and rehabilitate ground water production facilities, to meet the area's water demands and also to ensure compliance with the Texas Commission on Environmental Quality regulations.

DESCRIPTION/SCOPE: This project consisted of providing construction services associated with the rehabilitation program for existing water wells in the City of Houston. LBG-Guyton Associates designed the project with 540 calendar days allowed for construction. The project was awarded to Alsay Incorporated with an original Contract Amount of \$6,234,305.00.

LOCATION: The project sites are as follows:

<u>S. No.</u>	<u>Well Name</u>	<u>Address</u>	<u>Key Map</u> <u>Grid</u>	<u>Council District</u>
1.	White Oak Well 1	9702 Deanwood	410R	A
2.	District 159 Well 1	16838 Tomball Parkway	370K	A
3.	Eisenhower Park Well 1	13501 Aquaduct Road	418A	E
4.	West Houston Well 3	14925 South Richmond	487Z	F
5.	West Houston Well 1	15306 Westheimer	487Z	F
6.	Plantation Hills Well 2	27225 Huffman-Cleveland	299W	E
7.	Intercontinental Well 1	3102 McKaughan	374A	B
8.	Katy Addicks Well 12	11020 Timberline Road	449X	A
9.	Katy Addicks Well 1	11500 Old Katy Road	449W	A
10.	Memorial West MUD 2-3	16005 Katy Freeway	487C	F
11.	Forest Cove Well 3	1625 Laurel Springs	336E	E
12.	Southwest Well 5A	6302 Westpark	491W	J
13.	Acres Homes Well 3A	2110 Esther	412S	B

REQUIRED AUTHORIZATION 20HA255 **MO**

Finance Department:	Other Authorization:	Other Authorization:  Daniel R. Menendez, P.E., Deputy Director Engineering and Construction Division
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<u>S.No.</u>	<u>Well Name</u>	<u>Address</u>	<u>Key Map Grid</u>	<u>Council District</u>
14.	District 203 Well 2	1500 Greens Parkway	372S	B
15.	Southwest Well 1A	5210 Westpark	491Y	G
16.	Katy Addicks Well 2	12210 Old Katy Road	488D	A
17.	Manning Well 2	8101 Boone Road	529K	F
18.	District 51 Well 2	4000 Wilcrest	529C	F
19.	District 123 Well 1	10003 Kirkwood	529S	F
20.	Park Ten Well 3	18324 Addicks Levee	447W	A

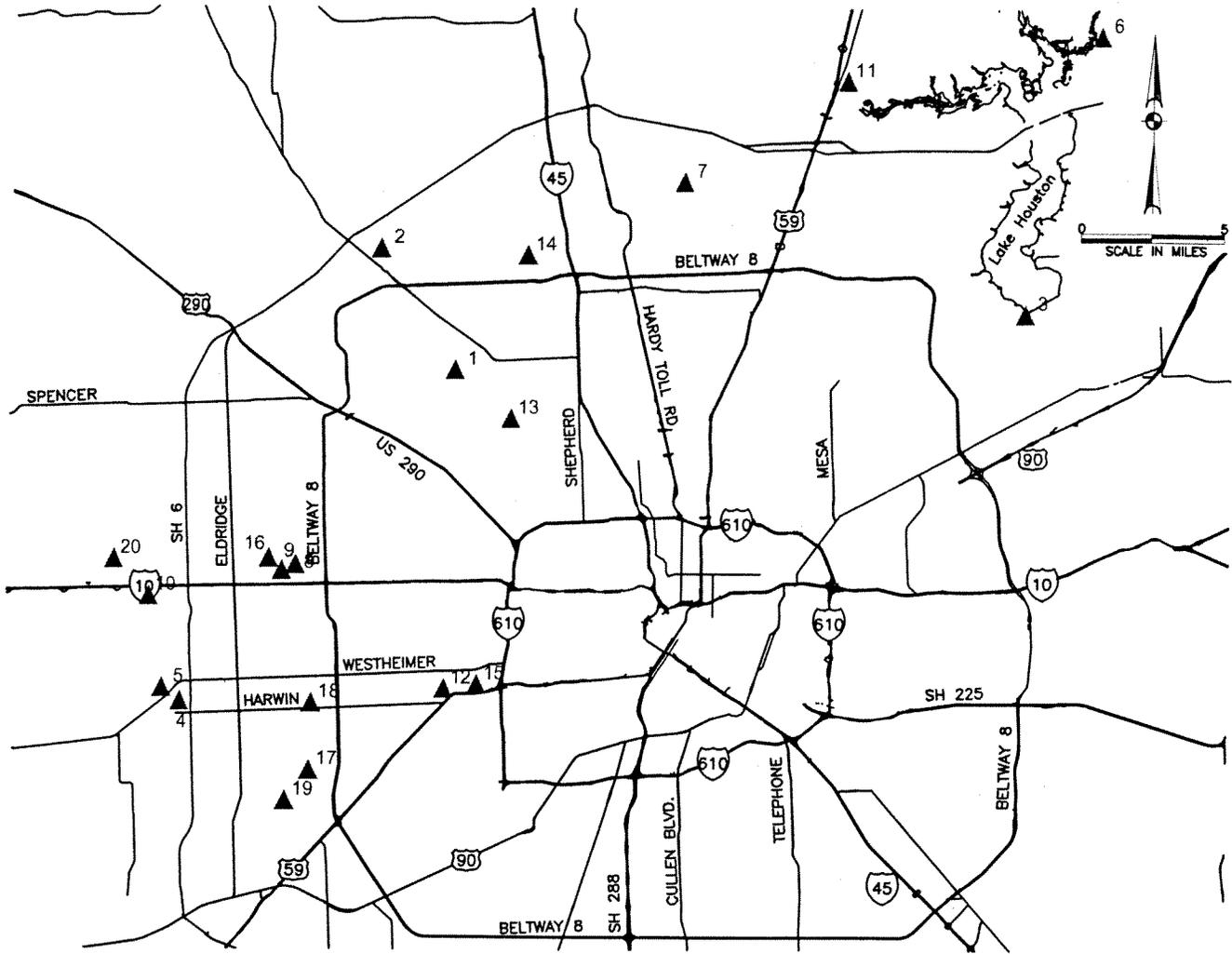
CONTRACT COMPLETION AND COST: The Contractor, Alsay Incorporated, has completed the work under the subject Contract. The project was completed within the Contract Time. The final cost of the project, including overrun and underrun of estimated bid quantities is \$6,245,041.22 an increase of \$10,736.22 or 0.17% 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 an overrun in various Base Unit Items, based on work orders, which were necessary to complete the project.

MBE/SBE PARTICIPATION: The MBE/SBE goal established for this project was 11%. According to Mayor's Office of Business Opportunity, the participation was 12.61%. Contractor's MBE/SBE performance evaluation was rated Outstanding.



DWK:DRM:JTM:SKF:JP:ha
 H:\E&C Construction\Facilities\Projects\S-000200-0019-4 Rehabilitation of wells\RCA\RCA - Closeout.doc



▲ PROJECT SITE

INDEX OF WELLS					
W#	WELL NAME	ADDRESS	KEY MAP	COUNCIL DISTRICT	COUNCIL MEMBER
1	WHITE OAK WELL 1	9702 DEANWOOD	410R	A	HELENA BROWN
2	DISTRICT 159 WELL 1	16838 TOMBALL PARKWAY	370K	A	HELENA BROWN
3	EISENHOWER PARK WELL 1	13501 AQUADUCT ROAD	418A	E	DAVE MARTIN
4	WEST HOUSTON WELL 3	14925 SOUTH RICHMOND	487Z	F	AL HOANG
5	WEST HOUSTON WELL 1	15306 WESTHEIMER	487Z	F	AL HOANG
6	PLANTATION HILLS WELL 2	27225 HUFFMAN-CLEVELAND	299W	E	DAVE MARTIN
7	INTERCONTINENTAL WELL 1	3102 MCKAUGHAN	374A	B	JERRY DAVIS
8	KATY ADDICKS WELL 12	11020 TIMBERLINE ROAD	449X	A	HELENA BROWN
9	KATY ADDICKS WELL 1	11500 OLD KATY ROAD	449W	A	HELENA BROWN
10	MEMORIAL WEST MUD 2-3	16005 KATY FREEWAY	487C	F	AL HOANG
11	FOREST COVE WELL 3	1625 LAUREL SPRINGS	336E	E	DAVE MARTIN
12	SOUTHWEST WELL 5A	6302 WESTPARK	491W	J	MIKE LASTER
13	ACRES HOMES WELL 3A	2110 ESTHER	412S	B	JERRY DAVIS
14	DISTRICT 203 WELL 2	1500 GREENS PARKWAY	372S	B	JERRY DAVIS
15	SOUTHWEST WELL 1A	5210 WESTPARK	491Y	G	OLIVER PENNINGTON
16	KATY ADDICKS WELL 2	12210 OLD KATY ROAD	488D	A	HELENA BROWN
17	MANNING WELL 2	8101 BOONE ROAD	529K	F	AL HOANG
18	DISTRICT 51 WELL 2	4000 WILCREST	529C	F	AL HOANG
19	DISTRICT 123 WELL 1	10003 KIRKWOOD	529W	F	AL HOANG
20	PARK TEN WELL 3	18324 ADDICKS LEVEE	447W	A	HELENA BROWN

LOCATION MAP
 REHABILITATION OF EXISTING WATER WELLS FY 2012
 WBS NO. S-000200-0019-4

SUBJECT: Accept Work for Northgate and Imperial Valley Wastewater Treatment Plant Improvements; WBS No. R-000265-0064-4.	Page 1 of 2	Agenda Item # 39		
FROM (Department or other point of origin): Department of Public Works and Engineering	Origination Date 10/31/13	Agenda Date NOV 06 2013		
DIRECTOR'S SIGNATURE: Daniel W. Krueger, P.E., Director	Council District affected: B (B) NOV 13 2013 MA			
For additional information contact: Joseph T. Myers, P.E. Sr. Assistant Director Phone: (832) 395-2355	Date and identification of prior authorizing Council action: Ord. # 2012-0456 dated: 05/16/2012			
RECOMMENDATION: (Summary) Pass a motion to approve the final Contract Amount of \$2,186,410.00 or 6.03% 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 \$2,630,900.00 from the Water and Sewer System Consolidated Construction Fund No. 8500.				
PROJECT NOTICE/JUSTIFICATION: This project was part of the City's ongoing program to renew and replace inefficient components of existing wastewater treatment plants.				
DESCRIPTION/SCOPE: This project consisted of improvements for two Wastewater Treatment Plants:				
Northgate Wastewater Treatment Plant: Rehabilitate electrical equipment for lift station, ventilation system; clean and rehabilitate existing lift station, pump, motors, pipes, and wet well, miscellaneous structural repair; rehabilitate site and interior lightings.				
Imperial Valley Wastewater Treatment Plant: Rehabilitate existing lift station structure, piping and wet well, ventilation system, replace existing clarifiers' mechanism, airlift pumps; rehabilitate aerobic digester, and air conditioning for blower building.				
Kellogg, Brown and Root, Inc. designed the project with 365 calendar days allowed for construction. The project was awarded to LEM Construction Co., Inc. with an original Contract Amount of \$2,326,670.00.				
LOCATION: The project sites are as follows:				
S. No.	Location	Address	Key Map Grid	Council District
1.	Northgate WWTP	303 Benmar Drive	372R	B
2.	Imperial Valley WWTP	15500 Cotillion Drive	373W	B
CONTRACT COMPLETION AND COST: The Contractor, LEM Construction Co., 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 unit price quantities is \$2,186,410.00 a decrease of \$140,260.00 or 6.03% under the original Contract Amount.				

REQUIRED AUTHORIZATION

20HA254

Finance Department:	Other Authorization:	Other Authorization: Daniel R. Menendez, P.E., Deputy Director Engineering and Construction Division
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Date	SUBJECT: Accept Work for Northgate and Imperial Valley Wastewater Treatment Plant Improvements; WBS No. R-000265-0064-4.	Originator's Initials MA	Page 2 of 2
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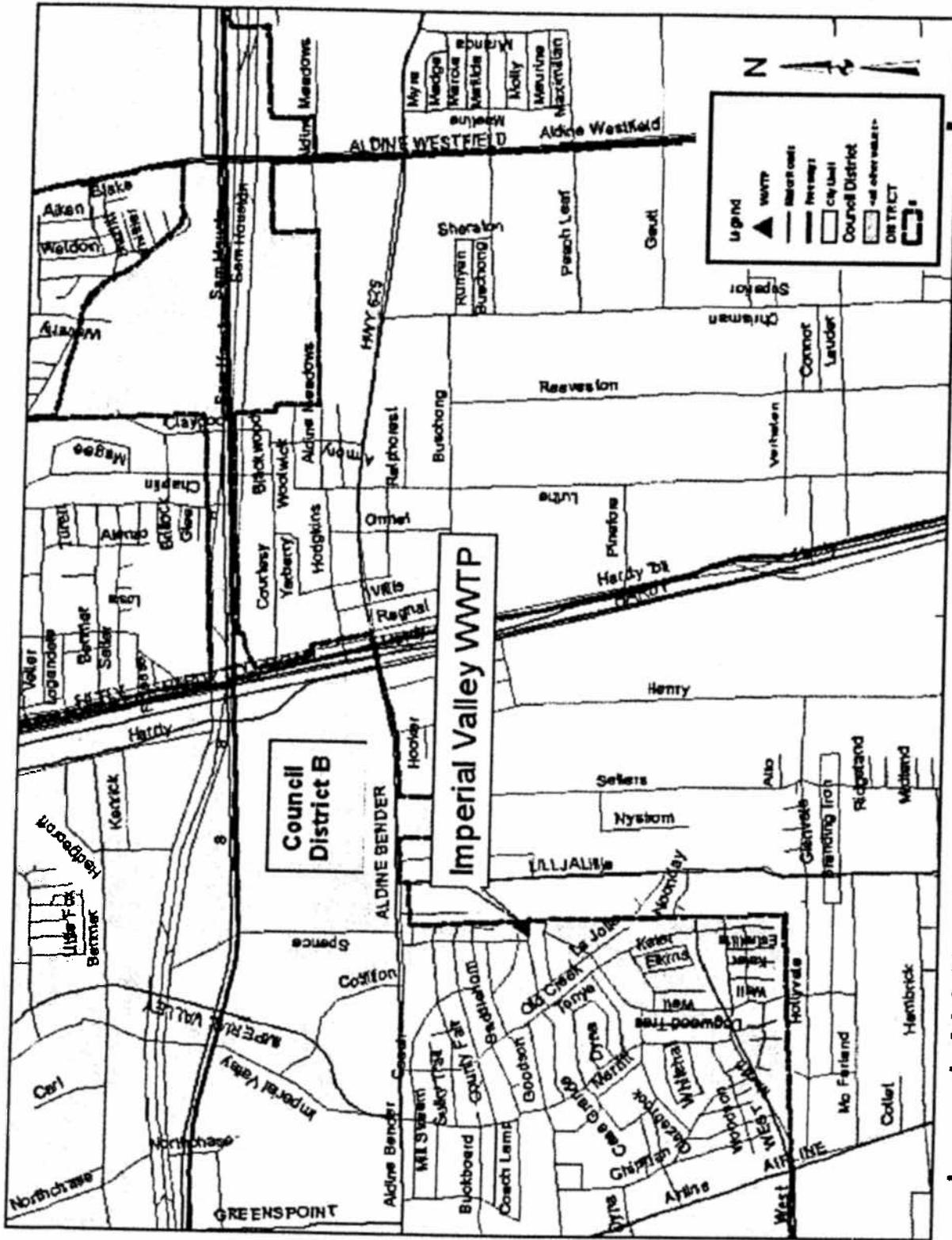
The decreased cost is a result of the difference between planned and measured quantities. This decrease is primarily the result of an underrun in Base Unit Price (Imperial Valley WWTP) Item No. 8 – Remove and Replace Pavement - Base Unit Price (Imperial Valley WWTP) Item No. 13 – Grit Removal @ I.V. Clarifiers, various Extra Unit Price Items, and Cash Allowance, which were not necessary to complete the project.

M/WBE PARTICIPATION: The M/WBE goal established for this project was 18%. According to Mayor's Office of Business Opportunity, the participation was 18.11%. Contractor's M/WBE performance evaluation was rated Satisfactory.

dm SKF MA

DWK:DRM:JTM:SKF:MA:ha

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Imperial Valley Waste Water Treatment Plant - Vicinity Map

Imperial Valley WWTP Key Map 373 W GIMS MAP NO 5364A

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 9888

Subject: Approve the Purchase of Automated Passport Control Kiosks and Support Services from the General Services Administration Schedule 70 Contract through the Cooperative Purchasing Program for the Houston Airport System/S17-H24801

Category #
4

Page 1 of 1

Agenda Item

40 #6

FROM (Department or other point of origin):

Calvin D. Wells
City Purchasing Agent
Finance Department

Origination Date

October 23, 2013

Agenda Date

NOV 13 2013
~~NOV 06 2013~~

DIRECTOR'S SIGNATURE

Calvin D. Wells
For additional information contact:
Justina J. Mann Phone: (281) 230-8086
Joyce Hays Phone: (832) 393-8723

Council District(s) affected
B

Date and Identification of prior authorizing Council Action:

RECOMMENDATION: (Summary)

Approve the purchase of twenty automated passport control kiosks and support services from the General Services Administration (GSA) Schedule 70 Contract through the Cooperative Purchasing Program in the total amount of \$485,739.00 for the Houston Airport System.

Award Amount: \$485,739.00

Finance Budget

\$438,615.80 - HAS - AIF Capital Outlay Fund (8012) - FY14
\$ 17,123.20 - HAS Revenue Fund (8001) - FY14
\$ 30,000.00 - HAS Revenue Fund (8001) - Out Years
\$485,739.00 - Total

SPECIFIC EXPLANATION:

The Director of the Houston Airport System and the City Purchasing Agent recommend that City Council approve the purchase of twenty automated passport control kiosks and three years of 24/7 support services from the General Services Administration (GSA) Schedule 70 contract through the Cooperative Purchasing Program in the total amount of \$485,739.00 for the Houston Airport System and that authorization be given to issue purchase orders, as necessary, to the GSA contractor, GCR, Inc.

The Houston Airport System seeks to continue enhancing the experience of international travelers arriving in the Houston Airport's facilities. The United States Customs & Border Protection's (CBP) primary objective of the proposed technology is to increase the productivity of its resources by moving much of the routine but necessary data collection duties to the passenger while they wait in queue. The Houston branded self-processing kiosks will collect the passenger's passport, flight information and declaration data, take a photo and issue a receipt to the passenger. The passenger will then take the passport and receipt to a CBP officer for verification. This program does not require passengers to register in advance; it will initially be available to U.S citizens arriving at George Bush Intercontinental Airport/Houston (IAH).

Hire Houston First:

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

MWBE Subcontracting

GCR, Inc. has designated the below-named company as its certified M/WBE subcontractor:

<u>Subcontractor</u>	<u>Type of Work</u>	<u>Dollar Amount</u>	<u>Percentage</u>
Diversified Networking Solutions	Manufacturing the Kiosk	\$170,008.68	35%

Buyer: Murdock Smith III

REQUIRED AUTHORIZATION

Finance Department:

Other Authorization:

Other Authorization:

NDT

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 9855

Subject: Purchase of Earth Moving Equipment, Boom Lifts and Trailers through the Houston-Galveston Area Council for the Public Works & Engineering Department.
S40-E24750-H

Category #
1 & 4

Page 1 of 2

Agenda Item

41 #8

FROM (Department or other point of origin):

Calvin D. Wells
City Purchasing Agent
Finance Department

Origination Date

October 04, 2013

Agenda Date

NOV 13 2013

~~NOV 06 2013~~

DIRECTOR'S SIGNATURE

Calvin D. Wells

Council District(s) affected

For additional information contact:

Kenneth Hoglund
Ray DuRousseau

Phone: (832) 393-6901
Phone: (832) 393-8726

Date and Identification of prior authorizing Council Action:

RECOMMENDATION: (Summary)

Approve the purchase of earth moving equipment, boom lifts and trailers through the Houston-Galveston Area Council (H-GAC) in the total amount of \$3,333,687.25 for the Public Works & Engineering Department.

Award Amount: \$3,333,687.25

Finance Budget

[Signature]

- \$ 328,256.00 - Stormwater Fund (Fund 2302)
- \$ 1,027,510.01 - Dedicated Drainage & Street Renewal Fund (Fund 2310)
- \$ 1,977,921.24 - Combined Utility System General Purpose Fund (Fund 8305)
- \$ 3,333,687.25 - Total**

SPECIFIC EXPLANATION:

The Director of the Fleet Management Department and the City Purchasing Agent recommend that City Council approve an award for the purchase of earth moving equipment, boom lifts and trailers through the Interlocal Agreement for Cooperative Purchasing with Houston-Galveston Area Council (H-GAC) in the total amount of \$3,333,687.25 for the Public Works & Engineering Department and that authorization be given to issue purchase orders to the H-GAC contractors as shown below. The new earth moving equipment, boom lifts and trailers will be used citywide by Department personnel to provide services to the citizens of Houston. The funding for the earth moving equipment, boom lifts and trailers is included in the adopted FY14 Equipment Acquisition Plan.

H-GAC Contractors:

Doggett Heavy Machinery Services, LLC: Approve the purchase of seven backhoe loaders, one wheel loader with bucket and ten tag along equipment trailers in the amount of \$1,537,367.00.

Mustang Machinery Company, Ltd d/b/a Mustang Cat: Approve the purchase of one cold planer asphalt milling machine in the amount of \$699,254.01.

Associated Supply Company, Inc.: Approve the purchase of two truck mounted excavators in the amount of \$656,512.00.

One Source Equipment, LP: Approve the purchase of two boom lifts in the amount of \$140,610.00.

John Deere Shared Services, Inc. acting through John Deere Construction Retail Sales Division: Approve the purchase of two skid steer loaders with buckets and six compact excavators in the amount of \$299,944.24.

REQUIRED AUTHORIZATION

Finance Department:

Other Authorization: *[Signature]*

Other Authorization: *[Signature]*

MS

Date: 10/4/2013	Subject: Purchase of Earth Moving Equipment, Boom Lifts and Trailers through the Houston-Galveston Area Council for the Public Works & Engineering Department. S40-E24750-H	Originator's Initials JM	Page 2 of 2
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This new equipment will meet the EPA's current emission standards for equipment with diesel engines. The skid steer loaders, wheel loader, compact excavators, backhoe loaders, cold planer, boom lifts and wheeled excavators will come with a full one year factory warranty and the life expectancy varies from ten to fifteen years. The equipment that will be replaced has reached its life expectancy and will be sent to auction for disposition.

Hire Houston First

This procurement is exempt from the City's Hire Houston First Ordinance. Bids/proposals were not solicited because the departments are utilizing Interlocal or Cooperative Purchasing Agreements for this purchase.

Buyer: Jeff Meekins

PR Nos. 10174034, 10173776, 10173765, 10174204, 10174160, 10174309, 10173746, 10173747, 10173796 and 10173797

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 9842

Subject: Formal Bid Received for Ready Mix Concrete 5-7 Sack Mix for Various Departments
S06-S24632

Category #
4

Page 1 of 2 Agenda Item

42/19

FROM (Department or other point of origin):

Calvin D. Wells
City Purchasing Agent
Finance Department

Origination Date

October 10, 2013

Agenda Date

NOV 13 2013
~~NOV 06 2013~~

DIRECTOR'S SIGNATURE

Calvin D. Wells

Council District(s) affected
All

For additional information contact:

David Guernsey Phone: (832) 395-3640
Desiree Heath Phone: (832) 393-8742

Date and Identification of prior authorizing Council Action:

RECOMMENDATION: (Summary)

Approve an award to Texas Concrete Enterprise Ready Mix, Inc. on its sole bid in an amount not to exceed \$7,679,912.00 for ready mix concrete 5-7 sack mix for various departments.

Estimated Spending Authority: \$7,679,912.00

Finance Budget

\$2,812,225.00 Water & Sewer System Operating Fund (8300)
\$2,581,025.00 Dedicated Drainage & Street Renewal Fund (2310)
\$2,105,950.00 Stormwater Fund (2302)
\$ 140,136.00 General Fund (1000)
\$ 40,576.00 HAS- Revenue Fund (8001)

\$7,679,912.00 Total

SPECIFIC EXPLANATION:

The City Purchasing Agent recommends that City Council approve an award to Texas Concrete Enterprise Ready Mix, Inc. on its sole bid in an amount not to exceed \$7,679,912.00 for ready mix concrete 5 - 7 sack mix for various departments. It is further requested that authorization be given to make purchases, as needed, for a 24-month period with three (3) one (1) year options to extend. This award consisting of various types of ready-to use concrete, will be used by the Houston Airport System and the Public Works & Engineering and Parks & Recreation Departments to repair and maintain streets, sidewalks, runways and or construct new sidewalks and curbs citywide.

This project was advertised in accordance with the requirements of the State of Texas bid laws. Six prospective bidders downloaded the solicitation document from SPD's e-bidding website, and one bid was received. Prior to issuing the solicitation, the Strategic Purchasing Division canvassed the City registered vendor database to identify potential bidders who could possibly provide the items requested. As a result, four (4) potential bidders were identified and notified of the Invitation to Bid. Subsequent to the receipt of the bid, prospective bidders were contacted to determine the reason for the limited response to the ITB. One potential respondent advised that they had personal reasons for not submitting a bid response and another stated they could not fulfill the requirements of the solicitation.

MWBE SUBCONTRACTING:

This bid was issued with a 13% goal for M/WBE participation. **Texas Concrete Enterprise Ready Mix, Inc.** has designated the below-named companies as its certified M/WBE subcontractors:

<u>COMPANY</u>	<u>TYPE OF WORK</u>	<u>DOLLAR AMOUNT</u>	<u>PERCENTAGE</u>
Raul Barba Trucking	Truck Hauling Services	\$537,593.84	7%
Republic Traffic Safety, Inc.	Durable Goods Wholesale Trade	\$460,794.72	6%

REQUIRED AUTHORIZATION

Finance Department:

Other Authorization:

Other Authorization:

Date: 10/10/2013	Subject: Formal Bid Received for Ready Mix Concrete 5-7 Sack Mix for Various Departments S06-S24632	Originator's Initials TR	Page 2 of 2
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HIRE HOUSTON FIRST:

The proposed award requires compliance with the City's "Hire Houston First" ordinance that promotes economic opportunity for Houston businesses and supports job creation. In this case, Texas Concrete Enterprise Ready Mix, Inc. meets the requirements of Hire Houston First.

Buyer Tywana L. Rhone

ESTIMATED SPENDING AUTHORITY:

DEPARTMENT	FY 14	OUT YEARS	TOTAL
Public Works & Engineering	\$1,639,855.00	\$5,859,345.00	\$7,499,200.00
Parks & Recreation	\$ 1,000.00	\$ 139,136.00	\$ 140,136.00
Houston Airport System	\$ 5,360.00	\$ 35,216.00	\$ 40,576.00
Grand Total	\$1,646,215.00	\$6,033,697.00	\$7,679,912.00

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

SUBJECT: Ordinance approving the Fiscal Year 2014 Operating Budget for the City Park Redevelopment Authority

Category #

Page
1 of 1

RCA #

Agenda Item#

43 25

FROM: (Department or other point of origin):

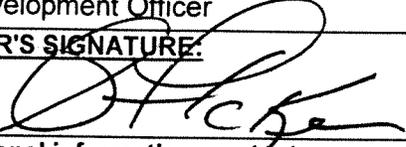
Andrew F. Icken
Chief Development Officer

Origination Date

Agenda Date

~~NOV 06 2013~~

DIRECTOR'S SIGNATURE:



Council Districts affected:

C

NOV 13 2013

copy

For additional information contact:

Ralph De Leon

Phone: (832) 393-0985

Date and identification of prior authorizing Council Action:

Ord. No. 2012-0816, 09/19/12

RECOMMENDATION: (Summary)

City Council adopt an ordinance approving the Fiscal Year 2014 Operating Budget for the City Park Redevelopment Authority.

See BACK up #25 FOR 11-6-13

Amount of Funding: No Funding Required

SOURCE OF FUNDING:

General Fund

Grant Fund

Enterprise Fund

Other (Specify)

SPECIFIC EXPLANATION:

The Administration has undertaken a comprehensive review of proposed FY14 TIRZ budgets and recommends approval of the FY14 Operating Budget for the City Park Redevelopment Authority (the Authority).

- Total Operating Budget for FY14 is \$805,521, which includes \$225,664 for required fund transfers and \$579,857 for project costs.
- The FY14 Operating Budget includes \$19,000 for administration and overhead. The Authority must advise the Chief Development Officer of any budget amendments. Adjustments to the Project Costs in the Operating Budget that exceed \$400,000 require City Council approval.

Attachment: FY14 Operating Budget

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:

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 9851

Subject: Approve an Ordinance Awarding a Contract to the Best Respondent for Janitorial Cleaning and Associated Services for the Various Departments /S46-L24595.

Category #
4

Page 1 of 2

Agenda Item

45 *31*

FROM (Department or other point of origin):

Calvin D. Wells
City Purchasing Agent
Finance Department

Origination Date

September 18, 2013

Agenda Date

~~NOV 06 2013~~
NOV 13 2013

DIRECTOR'S SIGNATURE

Calvin D. Wells

Council District(s) affected
All

For additional information contact:

Jacquelyn L. Nisby Phone: (832) 393-8023
Joyce Hays Phone: (832) 393-8723

Date and Identification of prior authorizing Council Action:

RECOMMENDATION: (Summary)

Approve an ordinance awarding a contract to McLemore Building Maintenance, Inc. on its best value bid in the amount of \$10,231,297.12 and contingencies (10% for unforeseen changes within the scope of work) in the amount of \$1,023,129.71 for a total amount not to exceed \$11,254,426.83 for janitorial cleaning and associated services for the various departments.

Maximum Contract Amount: \$11,254,426.83

Finance Budget

- \$10,452,912.89 - General Fund (Fund 1000)
 - \$ 12,000.00 - Health Special Revenue Fund (Fund 2002)
 - \$ 120,000.00 - Essential Public Health Services Fund (Fund 2010)
 - \$ 237,227.66 - Park Special Revenue Fund (Fund 2100)
 - \$ 64,214.28 - Drainage Street Renewal Fund (Fund 2310)
 - \$ 120,000.00 - Federal Government - Grant Fund (Fund 5000)
 - \$ 228,000.00 - Federal State Local - Pass Through Fund (Fund 5030)
 - \$ 20,072.00 - Water & Sewer System Operating Fund (Fund 8300)
- \$11,254,426.83

SPECIFIC EXPLANATION:

The Director of the General Services Department (GSD) and the City Purchasing Agent recommend that City Council approve an ordinance awarding a three-year contract, with two one-year options to McLemore Building Maintenance, Inc. on its best value bid (BVB) in the amount of \$10,231,297.12 and contingencies (10% for unforeseen changes within the scope of work) in the amount of \$1,023,129.71 for a total amount not to exceed \$11,254,426.83 for janitorial cleaning and associated services for the Various Departments. The City Purchasing Agent or GSD Director may terminate this contract at any time upon 30-days written notice to the contractor.

The scope of work requires the contractors to provide all equipment, labor, materials, supplies, supervision, and transportation necessary to provide cleaning and janitorial services at 108 City facilities. Additional service requirements include porter, recycling, window washing, power-washing and other associated work services as required.

The BVB was advertised in accordance with the requirements of the State of Texas bid laws. Seventy-five prospective bidders downloaded the solicitation document from the Strategic Purchasing Division (SPD) e-bidding website, and as a result, BVBs were received from Unicare Building Maintenance, Inc., OJS Systems, McLemore Building Maintenance, Inc., UBM, HBS National Corp, American Facility Services, MetroClean Commercial Building Services, Pristine Systems, Hallmark Group, Members Building Maintenance, Pristine Systems, All Cleaners, Stevenson Janitorial Services, and CORPCARE, INC. The Evaluation Committee consisted of four evaluators from the City's Legal, Police, Parks and General Services Departments. The BVBs were evaluated based upon the following criteria:

REQUIRED AUTHORIZATION

Finance Department:

Other Authorization:

Other Authorization:

not

Date: 9/18/2013	Subject: Approve an Ordinance Awarding a Contract to the Best Respondent for Janitorial Cleaning and Associated Services for the Various Departments /S46-L24595.	Originator's Initials EA	Page 2 of 2
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- Cost
- Expertise / Experience /Qualifications
- Financial Strength of Offeror
- Labor Relations Plan

McLemore Building Maintenance, Inc. was deemed the best respondent.

M/WBE Subcontracting:

This BVB was issued as a goal-oriented contract with a 20% M/WBE participation level. McLemore Building Maintenance, Inc. has designated the below-named companies as its certified M/WBE subcontractors.

Name	Type of Work	Dollar Amount	Pct
NCC Services, Inc.	Janitorial	\$1,037,611.15	10.14%
Executive Building Maintenance	Janitorial	\$1,106,232.50	10.81%
Cervantes Building Maintenance, Inc.	Janitorial	\$2,052,525.60	20.06%
J & E Specialties, Inc. dba J&E Associates	Janitorial	\$1,747,790.40	17.08%
Joamar Cleaning Services, Inc.	Janitorial	\$869,076.55	8.49%
Flores Window Cleaning	Window - Washing	\$228,913.50	2.24%
Total		\$7,042,149.70	68.83%

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, while supporting job creation. In this case, the contractor meets the requirements of Hire Houston First.

Buyer: Eric Alexander

Estimated Spending Authority

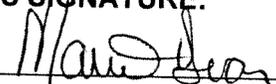
Department	FY14	Out Years	Total
General Services	\$1,389,670.10	\$8,315,052.89	\$9,704,722.99
Public Works	\$14,559.37	\$69,726.91	\$84,286.28
Parks	\$87,949.97	\$477,467.59	\$565,417.56
Health and Human Services	\$135,000.00	\$765,000.00	\$900,000.00
Total	\$1,627,179.44	\$9,627,247.39	\$11,254,426.83

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Approve an ordinance authorizing the appropriation of \$1,489,579.00 for Testing Services Contracts with Tolunay-Wong Engineers Inc., and Aviles Engineering Corporation for the Reconstruction of Taxiway NB at George Bush Intercontinental Airport/Houston (IAH); Project No. 647 Testing (WBS # A-000570-0004-4-01-01 and A-000570-0004-4-02-01)	Category #	Page	Agenda
		1 of 1	Item
		46	# 39

FROM (Department or other point of origin): Houston Airport System	Origination Date October 25, 2013	Agenda Date NOV 06 2013 NOV 13 2013
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DIRECTOR'S SIGNATURE: 	Council District affected: B
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For additional information contact: Kathy Elek <i>kat</i> Phone: 281-233-1826 Samar Mukhopadhyay 281-233-1840	Date and identification of prior authorizing Council action: 9/25/13 (O) 2013-0868
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AMOUNT & SOURCE OF FUNDING: CIP No. A-0570.06 \$1,489,579.00 HAS Aprt Improvement Fund (8011)	Prior appropriations: N/A
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RECOMMENDATION: (Summary) Approve an ordinance authorizing the appropriation of \$1,489,579.00 for testing services contracts with Tolunay-Wong Engineers Inc. and Aviles Engineering Corporation.

PROJECT LOCATION:
Taxiway NB from Taxiway NE to Taxiway NP at George Bush Intercontinental Airport/Houston (IAH).

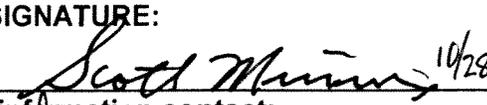
SPECIFIC EXPLANATION:
On September 25, 2013, City Council approved a contract with Spaw Glass for the Reconstruction of Taxiway NB from Taxiway NE to Taxiway NP at George Bush Intercontinental Airport/Houston (IAH).
On September 25, 2013, City Council Ordinance 2013-0868 approved and authorized six professional materials engineering laboratory agreements with the City of Houston for Houston Airport System construction projects.
At the time of the preparation of the RCA for the Reconstruction of Taxiway NB (Project 647), the appropriation of \$1,489,579.00 for testing services was removed.
The passage of this item will approve an ordinance authorizing the intended appropriation of \$1,489,579.00 for professional materials engineering laboratory testing services contracts with Tolunay-Wong Engineers Inc. under Contract No. 4600012368 and Aviles Engineering Corporation Contract No. 4600012370.

TESTING SERVICES:

- Tolunay-Wong Engineers Inc. \$744,789.50
- Aviles Engineering Corporation \$744,789.50

Both contractors will work against the budget using the hourly rates in their contract.

REQUIRED AUTHORIZATION		
Finance Department:	Other Authorization:	Other Authorization:

SUBJECT: Approve a Fourth Amendment to the Interlocal Agreement with Geo-Technology Research Institute (GTRI)		Page 1 of 2	Agenda Item 4740
FROM (Department or other point of origin): General Services Department		Origination Date 10/31/13	Agenda Date NOV 06 2013
DIRECTOR'S SIGNATURE: Scott Minnix  10/28/13		Council District(s) affected: All NOV 13 2013	
For additional information contact: Jacquelyn L. Nisby  Phone: 832-393-8023		Date and identification of prior authorizing Council action: Ordinance No. 2007-1144; October 10, 2007 Ordinance No. 2009-070; February 4, 2009 Ordinance No. 2009-646; July 8, 2009 Ordinance No. 2010-003; January 6, 2010 Ordinance No. 2011-004; January 5, 2011 Ordinance No. 2011-0915; October 26, 2011 Ordinance No. 2012-0210; March 7, 2012	

RECOMMENDATION: Approve a Fourth Amendment to the Interlocal Agreement with GTRI to extend the contract term from November 21, 2013 to December 31, 2014.

Amount and Source of Funding: N/A	Finance Budget:
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SPECIFIC EXPLANATION: On October 10, 2007, Ordinance No. 2007-1144, City Council approved an Interlocal Agreement with GTRI, a State agency operating under the Houston Advanced Research Center (HARC), to assist the City in implementing a Sustainable Development Program that would improve the energy efficiency of City buildings and residential homes, and set a maximum contract amount of \$2,000,000. Under the Agreement, GTRI has been assisting the City of Houston in administering American Recovery and Reinvestment Act (ARRA) grant funds received under the Energy Efficiency and Conservation Block Grant (EECBG), State Energy Conservation Office grants, and Solar America grants.

All grant funds have been spent except the remaining EECBG funds. The EECBG grant expiration deadline has been extended to December 30, 2013. The contract extension will enable GTRI to assist the City through the grant expiration date as well as allow GTRI to assist with close-out activities associated with the EECBG grant which will extend into 2014. Therefore, the General Services Department recommends approval of a Fourth Amendment to the City's Interlocal Agreement with GTRI to extend the contract term from November 21, 2013 to December 31, 2014.

PROJECT LOCATION: Citywide

PREVIOUS HISTORY AND PROJECT DESCRIPTION: On February 4, 2009, Ordinance No. 2009-070, City Council approved an additional allocation of \$150,000 for GTRI to perform third-party engineering analysis of the energy savings measures recommended by T.A.C Americas, Inc. (now known as Schneider Electric Buildings Americas, Inc.) and Siemens Building Technologies, Inc. as a result of their energy audits of City facilities. These third-party engineering reviews are required by Local Government Code, Section 302.005.

REQUIRED AUTHORIZATION		CUIC # 25 HB 2
General Services Department:  Humberto Bautista, P.E. Assistant Director		

Date	SUBJECT: Approve a Fourth Amendment to the Interlocal Agreement with Geo-Technology Research Institute (GTRI)	Originator's Initials HB	Page 2 of 2
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On July 8, 2009, Ordinance No. 2009-646, City Council approved an additional allocation of \$200,000 for GTRI to continue its third-party review of the energy savings measures recommended by T.A.C Americas, Inc. and Siemens Building Technologies, Inc. and to assist the City in securing federal stimulus dollars (ARRA funds) for its energy and environmental projects.

On January 6, 2010, Ordinance No. 2010-003, City Council amended the Interlocal Agreement with GTRI to incorporate ARRA provisions into GTRI's contract to allow GTRI to assist the City in administering the \$22.7M expended under the EECEBG program. Council also allocated an additional \$500,000 out of the ARRA Fund for GTRI to continue to perform third party review analysis.

On January 5, 2011, Ordinance No. 2011-004, City Council increased the maximum contract amount to \$5,700,000 from \$2,000,000 and approved a Second Amendment to incorporate additional ARRA requirements for GTRI to administer the City's first annual Green Office Challenge and to allow GTRI to continue to administer other ARRA funded programs on behalf of the City.

On October 25, 2011, Ordinance No. 2011-0915, City Council approved a Third Amendment to the Interlocal Agreement which extended the contract term for an additional two years to November 21, 2013, and increased the maximum contract amount to \$6,700,000. This action allowed GTRI to directly administer grant funds received for the Houston Permitting Center project and to continue to administer ARRA grant funded programs on behalf of the City.

On March 7, 2012, Ordinance No. 2012-0210, City Council increased the maximum contract amount to \$9,000,000 to allow GTRI to directly administer EECEBG funds earmarked for the City's 5-Star Program. This program uses ARRA funds to incentivize builders, up to \$50,000 per home, to include "super" energy efficient upgrades with a maximum Home Energy Rating System (HERS) rating of 60 in low-income newly constructed residential homes.

SM:HB:JLN:npb

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

SUBJECT: Award Construction Manager At Risk (CMAR) Contract Teal Construction Company New Bureau of Animal Regulation and Care (BARC) Adoption Center WBS No. D-650001-0001-4	Page 1 of 2	Agenda Item <div style="border: 1px solid black; padding: 5px; display: inline-block;"> 48 # </div>
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FROM (Department or other point of origin): General Services Department	Origination Date	Agenda Date NOV 06 2013 NOV 13 2013
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DIRECTOR'S SIGNATURE Scott Minnix 	Council District(s) affected: B NOV 13 2013
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For additional information contact: Jacquelyn L. Nisby Phone: 832-393-8023	Date and identification of prior authorizing Council action:
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RECOMMENDATION: Award CMAR Contract and appropriate funds for the project.

Amount and Source Of Funding: \$3,266,295.00 General Improvement Consolidated Construction Fund (4509) \$2,785,705.00 Reimbursement of Equipment/Projects Fund (1850) \$6,052,000.00 Total Funding	Finance Budget:
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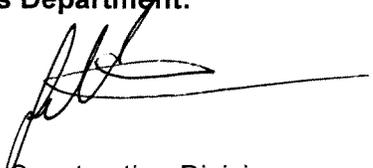
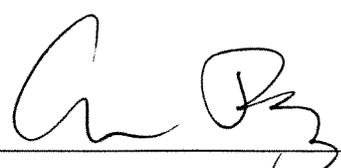
SPECIFIC EXPLANATION: The General Services Department (GSD) recommends that City Council award a CMAR Contract to Teal Construction Company to provide pre-construction and construction phase services for the BARC Adoption Center. It is expected that the Houston BARC Foundation will reimburse the Reimbursement of Equipment/Projects Fund.

On October 12 and October 19, 2012, GSD advertised a Request for Qualifications containing selection criteria that ranked the respondents on experience, technical approach and quality assurance program. The Statements of Qualifications (SOQ) were due on November 1, 2012, and ten firms responded. GSD evaluated and ranked the SOQs. The five highest ranked firms were invited to submit proposals. The proposals were due on January 31, 2013. Satterfield & Pontikes Construction, Inc. (S&P) submitted the lowest proposal in the amount of \$5,112,000.00, which exceeded the project budget.

The City began discussions with the Houston BARC Foundation to contribute funds toward the construction of the project. On July 31, 2013, the City entered into a Contribution Agreement with the Houston BARC Foundation. However, due to the lengthy negotiations between the City and the Houston BARC Foundation, S&P could no longer honor their price and withdrew their proposal. Consequently, the City entered negotiations with the second lowest proposer, Teal Construction Company, who agreed to honor their original proposal price of \$5,192,787.00.

PROJECT LOCATION: 3300 Carr Street (Key Map 454W).

REQUIRED AUTHORIZATION CUIC ID# 25CONS233

General Services Department:  Richard A. Vella Chief of Design & Construction Division	Administration and Regulatory Affairs Department:  Tina Paez Director
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PROJECT DESCRIPTION: BARC currently operates out of three buildings: North Kennel building (Dome), Administration Building and South Kennel building. The current facilities are inadequate to meet the City's growing animal population. This project will construct a new BARC Adoption Center and expand the visitors parking area. The scope of work includes a 1,700 square feet adoption center for 64 puppies; 2,000 square feet kennel building for 32 dogs; and a 7,200 square feet building for the public lobby, administration support, and a future cattery shell space for 120 cats. Site improvements include 43 parking spaces, lighting, landscaping, drainage, sidewalks, and a bridge for light vehicles (ATV Utility). The new kennel building will utilize the LEED™ (Leadership in Energy and Environmental Design) Green Building rating system to achieve certification.

AWARD: It is recommended that City Council award a CMAR contract to Teal Construction Company and appropriate funds for the project, including additional appropriations of \$49,000.00 for design services under the existing contract with Jackson & Ryan Architects, Inc.; \$50,000.00 for engineering and materials testing services under the existing contract with DAE & Associates, LTD DBA Geotech Engineering, Inc.; \$87,611.00 for security services under the existing contract with BL Technology, Inc.; and \$125,000.00 for IT Services.

FUNDING SUMMARY:

\$5,192,787.00	Construction Phase Services
\$456,728.23	8.80% Contingency
\$5,649,515.23	Total Contract Services
\$49,000.00	Design Services
\$50,000.00	Engineering and Materials Testing Services
\$87,611.00	Security Services
\$125,000.00	IT Services
\$90,873.77	Civic Art (1.75%)
\$6,052,000.00	Total Appropriation

CONSTRUCTION GOALS: A 14% MBE goal and 10% SBE have been established for this contract. The contractor has submitted the following certified firms to achieve the goals:

<u>FIRM (MBE)</u>	<u>SCOPE</u>	<u>AMOUNT</u>	<u>% of CONTRACT</u>
Unique Plumbing	Plumbing	\$335,000.00	6.45%
Gonzalez Electric	Electrical	\$436,740.00	8.41%
		\$771,740.00	14.86%

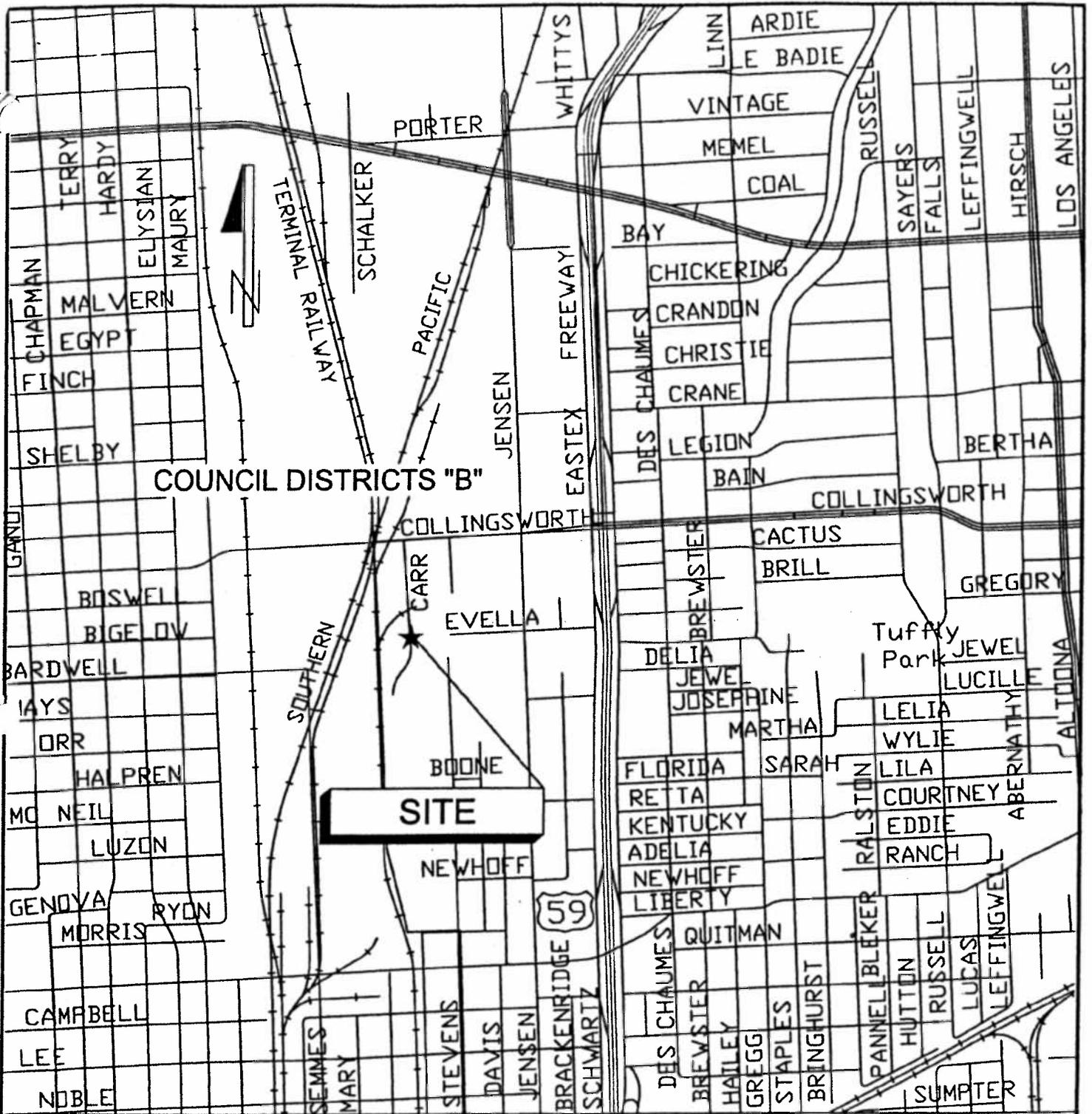
<u>FIRM (SBE)</u>	<u>SCOPE</u>	<u>AMOUNT</u>	<u>% of CONTRACT</u>
Saabs Construction	Masonry	\$511,000.00	9.84%

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.

SM:JLN:RAV:CRC:GO:go

c: Marta Crinejo, Jacquelyn L. Nisby, Tina Paez, Minnette Boesel, Mary M. Villarreal, Morris Scott, Christopher Gonzales, Gabriel Mussio, Martha Leyva, File



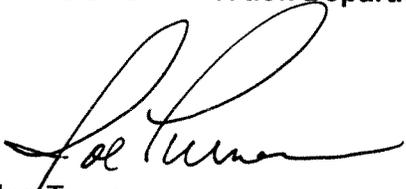
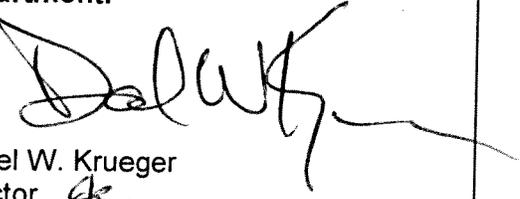
Bureau of Animal Regulation and Care (BARC)
 Facility Expansion / Renovation
 3200 Carr
 Houston, TX 77026

SUBJECT: Appropriate Funds for the Task Order and Job Order (TOC/JOC) Contracting Program for FY2014		Page 1 of 3	Agenda Item 49 #13
FROM (Department or other point of origin): General Services Department		Origination Date 10/31/13	
DIRECTOR'S SIGNATURE: Scott Minnix <i>10/22/13</i> <i>Scott Minnix</i>		Agenda Date NOV 06 2013 NOV 13 2013	
For additional information contact: Jacquelyn L. Nisby <i>JLN</i> Phone: 832-393-8023		Council District(s) affected: All	
		Date and identification of prior authorizing Council action:	

RECOMMENDATION: Appropriate funds for the TOC/JOC Contracting Program for FY2014.

Amount and Source of Funding:	Finance Budget:
<p>\$ 1,531,000.00 General Improvement Consolidated Construction Fund (4509)</p> <p>\$ 702,000.00 Public Library Consolidated Construction Fund (4507)</p> <p>\$ 1,004,000.00 Parks Consolidated Construction Fund (4502)</p> <p>\$ 1,488,000.00 - Police Consolidated Construction Fund (4504)</p> <p>\$ 955,000.00 - Solid Waste Consolidated Construction Fund (4503)</p> <p>\$ 496,500.00 - Public Health Consolidated Construction Fund (4508)</p> <p>\$ 260,000.00 - PWE-W&S System Consolidated Construction Fund (8500) <i>rem 10/28/2013</i></p> <p>\$ 12,000.00 - PWE-W&S System Consolidated Construction Fund (8500)-Salary Recovery <i>rem 10/28/2013</i></p> <p>\$ 6,448,500.00 - Total Appropriation</p>	

REQUIRED AUTHORIZATION CUIC #25CONS227

General Services Department:  Richard A. Vella Chief of Design & Construction Division	Houston Public Library:  Dr. Rhea Brown Lawson, Ph.D. Director	Solid Waste Management Department:  Harry J. Hayes Director
Parks and Recreation Department:  Joe Turner Director	Houston Department of Health and Human Services:  Stephen L. Williams, M.ED, MPA Director	Houston Police Department: Charles A. McClelland, Jr. Chief
Public Works & Engineering Department:  Daniel W. Krueger Director		

DATE	SUBJECT: Appropriate Funds for the Task Order and Job Order (TOC/JOC) Contracting Program for FY2014	Originator's Initials EA	Page 2 of 3
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SPECIFIC EXPLANATION: The General Services Department (GSD) utilizes task order and job order contracts to facilitate minor architectural and engineering design services, mechanical, electrical and plumbing services, roof consulting services, construction, repairs, rehabilitations, or alterations of various City facilities for its client departments. Having these contracts in place allows the City to expedite smaller facility construction projects and can help the City respond quickly to emergency situations. GSD has determined that combining these services and appropriating/allocating funds to the TOC/JOC Program instead of individual contracts will assist the client departments in financial forecasting for their building projects. A consolidated program provides the flexibility to allocate the appropriate amount to design or construction task order contracts when the actual project scope is clearly defined. The funds will be allocated to design task order contracts or construction job order contracts as work orders are issued. Therefore, GSD recommends that City Council appropriate \$6,448,500.00 to the TOC/JOC Program for professional and construction services for the Library, Parks, Solid Waste, Health, General Government, Public Works & Engineering, and Police Departments.

BACKGROUND: The TOC/JOC Program is funded through supplemental allocations from various departmental budgets or appropriations from various bond funds, up to the maximum contract amount, as departments identify projects and specific funding for each project. Fees for each TOC project are negotiated based upon the size and complexity of the tasks involved. JOC work orders are issued and approved in accordance with pre-described and pre-priced tasks as established by the *R.S. Means* Construction Unit Price book.

Currently, GSD utilizes one TOC contractor: Brave / Architecture, Inc (Brave), and four JOC contractors: Hallmark CBIC Joint Venture; P^2MG, LLC; Horizon International Group, LLC; and Weatherproofing Technologies, Inc

Council will be requested to authorize additional design task order contracts and construction job order contracts under future Council actions.

PROJECT LOCATION: Citywide

PROJECT DESCRIPTION: See Attachment

PREVIOUS HISTORY AND PROJECT SCOPE:

TOC CONTRACTOR: On April 30, 2008, Ordinance No. 2008-0374, Council approved a three-year architectural and engineering services task order contract with Brave and delegated authority to the director to approve supplemental allocations up to the maximum contract amount of \$800,000.00. On May 13, 2009, Ordinance No.2009-0416, Council increased the maximum contract amount to \$1,900,000.00 and appropriated additional funds. On February 16, 2011, Ordinance No. 2011-0111, Council approved a First Amendment to the contract to extend the contract term from three to five years to May 9, 2013, and increased the maximum contract amount to \$2,500,000.00. On October 10, 2012, Ordinance No. 2012-0111, Council increased the maximum contract amount to \$3,500,000.00 and appropriated additional funds. On May 1, 2013, Ordinance No. 2013-0368, Council approved a Second Amendment to the contract to extend the contract term for six additional months.

JOC CONTRACTORS: On December 16, 2009, Ordinance No. 2009-1316, City Council awarded two five-year Job Order Contracts to Hallmark CBIC Joint Venture and P^2MG, LLC., and set a maximum contract amount for each contract of \$10,000,00.00. On June 8, 2011, Ordinance No. 2011-0462, City Council awarded three new five-year Job Order Contracts to J.E. Dunn Construction Company; Horizon International Group, LLC; and Weatherproofing Technologies, Inc., and set a maximum contract amount for each contract of \$10,000,00.00. On August 30, 2013, J.E. Dunn's contract was terminated for convenience.

M/WBE/SBE PARTICIPATION:

TOC CONTRACTOR: Brave's task order contract was approved with a 24% M/WBE goal. To date, Brave has achieved 28.65% M/WBE participation.

JOC CONTRACTORS: A 15% MBE goal and 5% SBE goal have been established for each JOC contract. To date, Hallmark CBIC Joint Venture has achieved 21.07% MBE participation and 4.53% SBE participation; P^2MG LLC has achieved 23.37% MBE participation and 5.94% SBE participation; and Horizon International Group, LLC has achieved 18.20% MBE participation and 4.62% SBE participation.

Weatherproofing Technologies, Inc. (WTI) has achieved 9.49% MBE participation and 0.00% SBE participation. WTI was unable to utilize its subcontractors to the fullest extent possible because it performed numerous swimming pool projects for the Houston Parks and Recreation Department that required specialized companies, and a chilled water pipe replacement for the HPD Riesner facility which required the rental of temporary chiller units. The City does not currently have any certified MBE/SBE companies that specialize in swimming pool renovations or certified firms that rent chiller units. WTI met with the Office of Business Opportunity (OBO) to discuss its Good Faith efforts and has added a certified firm to the contract to increase its MBE/SBE participation. As a result, WTI has increased its MBE/SBE participation from 4.52% to 9.49% of its 20% goal as described in the attached correspondence from OBO. WTI will continue to seek opportunities to include sub-contract services in order to achieve its MBE/SBE participation goals by the completion of the contract.

SM:RAV:JLN:EA:ea 

c: Marta Crinejo, Jacquelyn L. Nisby, Chris Gonzalez, Carter Roper, Gary Readore, Kirk Munden, Lisa Johnson, Mark Ross, Calvin Curtis, Celina Ridge, Morris Scott, Ruth Gonzalez, Martha Leyva, Project File 813

SUBJECT: Appropriate Additional Funds for the Professional Environmental Consulting Services Task Order Program for FY 2014
 WBS Nos: D-000073-0098-4, F-000509-0078-4, C-000185-0002-4
 G-000144-0002-4, L-000052-0009-4, E-000163-0001-4
 H-000111-0001-4

Page 1 of 1
 Agenda Item **50**

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

Origination Date
 10/31/13

Agenda Date
~~NOV 06 2013~~

DIRECTOR'S SIGNATURE:
 Scott Minnix *Scott Minnix* 9/17/13

Council Districts affected:
 All NOV 13 2013

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

Date and identification of prior authorizing Council action:

RECOMMENDATION: Appropriate additional funds for the Professional Environmental Consulting Services Task Order Program for FY 2014.

Maximum Contract Amount for each contract: \$600,000.00 – 4 years

Amount and Source of Funding:
 \$114,000.00 – General Improvement Consolidated Construction Fund (4509)
 \$100,000.00 – Parks Consolidated Construction Fund (4502)
 \$118,000.00 – Fire Consolidated Construction Fund (4500)
 \$100,000.00 – Police Consolidated Construction Fund (4504)
 \$ 71,000.00 – Solid Waste Consolidated Construction Fund (4503)
 \$ 50,000.00 – Library Consolidated Construction Fund (4507)
 \$ 50,000.00 – Public Health Consolidated Construction Fund (4508)
\$603,000.00 Total Appropriation

Finance Budget:

SPECIFIC EXPLANATION: On October 10, 2012, Ordinance No. 2012-0900, Council approved 18 professional environmental consulting services task order contracts for the Environmental Task Order Program, and appropriated \$750,000.00. The General Services Department recommends that City Council appropriate an additional \$603,000.00 for the Environmental Task Order Program for FY 2014 for comprehensive environmental consulting services for various City departments. The environmental task order program is funded through supplemental allocations from various departmental budgets or appropriations from various bond funds as departments identify projects and specific funding for each project. Funds are allocated to contracts as task orders are issued.

REQUIRED AUTHORIZATION

CUIC #25GM286

General Services Department:
Humberto Bautista
 Humberto Bautista, P.E.
 Assistant Director

Houston Public Library:
Rhea Brown Lawson
 Rhea Brown Lawson, Ph.D.
 Director

Parks and Recreation Department:
Joe Turner
 Joe Turner
 Director

Houston Police Department:
Charles A. McClelland, Jr.
 Charles A. McClelland, Jr.
 Chief of Police

Houston Fire Department:
Terry A. Garrison
 Terry A. Garrison
 Chief

Solid Waste Management Department:
Harry J. Hayes
 Harry J. Hayes
 Director

Department of Health and Human Services:
Stephen L. Williams
 Stephen L. Williams, M.ED, MPA
 Director

Subject: Appropriate Additional Funds for the Professional Environmental Consulting Services Task Order Program for FY 2014 WBS Nos: D-000073-0098-4, F-000509-0078-4, C-000185-0002-4 G-000144-0002-4, L-000052-0009-4, E-000163-0001-4 H-000111-0001-4	Originator's Initials GM	Page 2 of 2
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The scope of services under the Environmental Task Order Program consists of project planning and site studies for asbestos, lead, mold, and indoor air quality; pre-acquisition environmental site assessments; preparation of construction documents; construction administration and inspection; evaluation and remediation of contaminants; system design; preparation of reports; and environmental testing required for replacement of leaking petroleum storage tanks on City properties.

PROJECT LOCATIONS: Citywide

M/WBE PARTICIPATION: A 20% M/WBE goal has been established for each contract. There is no subcontractor utilization to report on several contracts because many of the assigned projects have not commenced. However, it is anticipated that the consultants will achieve their M/WBE goals by the completion of the contract. To date, each consultant has achieved the following M/WBE participation:

No.	Firm	M/WBE Subcontractor(s)	M/WBE Participation
1	A&B Environmental Services, Inc.	Global Environmental Solutions Xenco Laboratories	0%
2	Arcadis US, Inc.	B&A Laboratories, Inc. (Xenco) Landtech, Inc.	22.33%
3	Brown and Caldwell, Inc.	A&B Environmental Services, Inc. SSCI Environmental & Consulting Killuri Group, Inc.	2%
4	Environmental Consultants Intern'l	Global Environmental Solutions A&B Environmental Services, Inc	2.33%
5	FERN Environmental, LLC	Global Environmental Solutions A&B Environmental Services, Inc	4.74%
6	Hunt & Hunt Engineering Corp	Global Environmental Solutions A&B Environmental Services, Inc	0%
7	QC Laboratories, Inc.	J3 Resources, Inc.	6.50%
8	SSCI Environmental & Consulting, Inc.	A&B Environmental Services, Inc.	0%
9	Terrain Solutions, Inc.	A&B Environmental Services, Inc.	6.87%
10	All Point Environmental, LLC	Global Environmental Solutions Xenco Laboratories	0%
11	ATC Associates, Inc.	Xenco Laboratories A&B Environmental Services, Inc. Global Environmental Solutions	13.21%
12	Enercon Cornerstone Govt. Services, LLC	Xenco Laboratories J3 Resources	0%
13	Environmental Consultants, Inc.dba (ERC)	Global Environmental Solutions A&B Environmental Services, Inc J3 Resources	57.20%
14	Honesty Environmental Services, Inc.	A&B Environmental Services, Inc J3 Resources	41.80%
15	Kleinfelder Central, Inc.	Xenco Laboratories	0%
16	SKA Consulting, Inc.	Terra Nova Consulting, Inc. (ECS)	18.42%
17	Terra Nova Consulting, Inc.	Global Environmental Solutions A&B Environmental Services, Inc	36.09%
18	Tolunay-Wong Engineers, Inc.	A&B Environmental Services, Inc J3 Resources	0%

SM:HB:JLN:GM:FK:fk

c: Marta Crinejo, Jacquelyn L. Nisby, Carlecia Wright, Calvin R. Curtis, Gabriel Mussio, Martha Leyva, File