

**AGENDA - COUNCIL MEETING - TUESDAY - JULY 8, 2014 - 1:30 P. M.**  
**COUNCIL CHAMBER - SECOND FLOOR - CITY HALL**  
**901 BAGBY - HOUSTON, TEXAS**

**INVOCATION AND PLEDGE OF ALLEGIANCE** - Council Member Kubosh

**1:30 P. M. - ROLL CALL**

**ADOPT MINUTES OF PREVIOUS MEETING**

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

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

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

**RECONVENE**

**WEDNESDAY - JULY 9, 2014 - 9:00 A. M.**

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

**9:00 A.M. - 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

**MAYOR'S REPORT**

**CONSENT AGENDA NUMBERS 1 through 40**

**MISCELLANEOUS** - NUMBERS 1 through 10

1. CONFIRMATION of the reappointment of the following to the **HOUSTON MUNICIPAL EMPLOYEES PENSION SYSTEM BOARD OF TRUSTEES**, for three year terms:  
Position 10 - **ADRIAN PATTERSON**  
Position 11 - **RICHARD BADGER**
2. CONFIRMATION of the reappointment of the following to the **REBUILD ADVISORY COMMITTEE BOARD OF DIRECTORS**, for two year terms:  
Position 2 - **KATHY EASTERLY**  
Position 4 - **VERNITA HARRIS**
3. REQUEST from Mayor for confirmation of the appointment or reappointment of the following to the **AUTOMOTIVE BOARD**, for two year terms:  
Position One - **ROBERT "BOBBY" G. KNAPP**, appointment  
Position Two - **RYAN WINKELMANN**, reappointment  
Position Three - **SHELLY E. RICHARDSON**, reappointment  
Position Four - **ERMA PALMER**, reappointment  
Position Five - **MAZEN ALLAHAM**, reappointment  
Position Six - **KEN W. ULMER**, reappointment  
Position Seven - **BENJAMIN KIRKE SANCHEZ**, reappointment  
Position Eight - **CHAU WENG WANG**, reappointment  
Position Nine - **TIMOTHY STRANEY**, reappointment
4. REQUEST from Mayor for confirmation of the appointment of **SHELLEY L. KENNEDY** to Position Twenty-Three of the **HOUSTON CLEAN CITY COMMISSION**, for an unexpired term ending February 1, 2015
5. REQUEST from Mayor for confirmation of the reappointment of the following individuals to the **ELECTRICAL BOARD**, for terms to expire January 2, 2016:  
Position Two - **ELIOT L. DOUCET**, and to serve as Chair  
Position Four - **JIMMIE M. STALLONES, JR.**  
Position Six - **CHAL W. SHRADER**  
Position Eight - **NOLAN R. NEATHERY**  
Position Ten - **JAVIER M. RAMOS**
6. REQUEST from Mayor for confirmation of the appointment of **COUNCIL MEMBER ROBERT GALLEGOS** as a non-voting advisory member to the **BOARD OF DIRECTORS OF THE HOUSTON FIRST CORPORATION**
7. REQUEST from Mayor for confirmation of the appointment of **ERIN DYER** to Position Seven of the **BOARD OF DIRECTORS OF THE GREATER EAST END MANAGEMENT DISTRICT**, for a term to expire June 1, 2017
8. REQUEST from Mayor for confirmation of the reappointment of the following individuals to the **BOARD OF METROPOLITAN TRANSIT AUTHORITY**, for terms to expire April 7, 2016:  
Position One - **GILBERT ANDREW GARCIA**  
Position Two - **ALLEN DALE WATSON**  
Position Three - **JUDGE DWIGHT E. JEFFERSON**  
Position Four - **DIANN L. LEWTER**  
Position Five - **CHRISTOF SPIELER**
9. REQUEST from Mayor for confirmation of the appointment of **KARIN R. MARSHALL** to Position Seven of the **MILLER THEATRE ADVISORY BOARD**, for a term to expire April 24, 2017
10. RECOMMENDATION from Chief of Police for extension of Injury on Duty Leave for **Houston Police Officer WARREN JONES**

**AGENDA - JULY 9, 2014 - PAGE 3**

**ACCEPT WORK** - NUMBERS 11 and 12

11. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$172,410.80 and acceptance of work on contract with **CONGO LLC** for Wastewater System/Substitute Service Support-Peden and Bomar, Package 2 - 22.58% under the original contract amount - **DISTRICT C - COHEN**
12. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$3,058,509.11 and acceptance of work on contract with **REPIPE CONSTRUCTION, LTD.** for Sanitary Sewer Rehabilitation by Cured-In-Place Pipe Method (4258-41) - 2.85% over the original contract amount and under the 5% contingency amount - **DISTRICTS C - COHEN; D - BOYKINS; E - MARTIN; F - NGUYEN; H - GONZALEZ; I - GALLEGOS and K - GREEN**

**PROPERTY** - NUMBERS 13 through 16

13. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Robert L. Pacini, Terra Realty Equities, L.P., for the sale of ±3,444 square feet of fee-owned property, located within Lots 11B and 12B, Block 21, located in Houston Railway Addition Number 4, also known as Leeland Park Addition, out of the Luke Moore Survey, A-51, Parcel SY14-077 - **DISTRICT D - BOYKINS**
14. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Mary Lou Henry, TBG Partners, on behalf of New Nurseries, LLC. (F. Taylor Moore, Owner and Managing Partner) and Stephen Kelso, authorizing the disclaimer of 1) Rose Avenue, from Bingle Road to Lockfield Street; 2) the remaining one-half of Lockfield Street, from Pinemont Drive to Cherry Street; and 3) an unnamed street adjacent to Lot 28, from Pinemont Drive to Rose Avenue, all located within the Rosslyn Addition, out of the Joseph Box Survey, Parcels SY14-126A, SY14-126B and SY14-126C **DISTRICT C - COHEN**
15. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Lance Hoffman, BEC-LIN Engineering, L.P., on behalf of EastGroup Properties (Brent Wood, Vice President), and Billipp/World Houston, L.P. (J. Andrew Billipp, President), for abandonment and sale of Embassy Plaza Drive, from Vickery Drive west to its terminus and a 10-foot-wide water line easement, in and conveyance of a 10-foot-wide sanitary sewer easement and a 30-foot-wide storm sewer easement, all located within Reserve A-1, Block 1 and Reserve L, Block 6, World Houston Intercontinental Business Center Section 6, out of the Mary E. Colby Survey, A-1649 and the William Lloyd Survey, A-1407, Parcels SY14-090, SY14-108, SY14-119, DY14-042, DY14-044 and LY14-038 - **DISTRICT B - DAVIS**
16. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Barry Hunsworth, Century Engineering, Inc., on behalf of KAVAC, LLC, (Terry Fisher, President), for abandonment and sale of a 10-foot-wide prescriptive sanitary sewer easement, located within Lots 7 and 8, Block 11, of the West Heights Subdivision, out of the John Austin Two League Grant Survey, Parcel SY14-102 **DISTRICT C - COHEN**

**PURCHASING AND TABULATION OF BIDS** - NUMBERS 17 through 22A

17. **RESCUED PETS MOVEMENT INC** for Animal Transport Operations for the BARC Division of the Administration & Regulatory Affairs Department - \$265,000.00 - BARC Special Revenue Fund
18. **DIGITAL SANDBOX, INC** for Software Enhancements and Support Services from the General Services Administration Schedule 70 Contract through the Cooperative Purchasing Program for the Mayor's Office of Public Safety and Homeland Security - \$490,400.00 - Grant Fund

**PURCHASING AND TABULATION OF BIDS** - continued

19. **EAGLE COPTERS LTD.** for Goodrich External Rescue Hoist Kit for the Houston Police Department - \$217,059.00 - Grant Fund
20. ORDINANCE appropriating \$67,987.25 out of Parks Consolidated Construction Fund for Construction Services for Installation of Ball Field Lighting for the General Services Department on behalf of the Houston Parks & Recreation Department
  - a. **MUSCO SPORTS LIGHTING, LLC** for Construction Services for Ball Field Lighting (Milby Park) through the Texas Local Government Purchasing Cooperative (BuyBoard) for the General Services Department on behalf of the Houston Parks & Recreation Department - \$302,845.00 and contingencies for a total amount not to exceed \$317,987.25 - Parks Special Revenue and Parks Consolidated Construction Funds
21. ORDINANCE appropriating \$410,748.55 out of Parks Consolidated Construction Fund for Construction Services for Installation of Ball Field Lighting for the General Services Department on behalf of the Houston Parks & Recreation Department
  - a. **MUSCO SPORTS LIGHTING, LLC** for Construction Services for Ball Field Lighting (Keith Weiss Park) through the Texas Local Government Purchasing Cooperative (BuyBoard) for the General Services Department on behalf of the Houston Parks & Recreation Department - \$398,785.00 and contingencies for a total amount not to exceed \$410,748.55 - Parks Consolidated Construction Fund
22. ORDINANCE appropriating \$65,892.00 out of Equipment Acquisition Consolidated Fund for Purchase of Light-, Medium- and Heavy-Duty Cabs and Chassis and Truck Bodies for Various Departments
  - a. **CHASTANG ENTERPRISES, INC d/b/a CHASTANG FORD** for Light-, Medium- and Heavy-Duty Cabs and Chassis and Truck Bodies for Various Departments - \$1,113,016.00 - Equipment Acquisition Consolidated, Stormwater and Other Funds

**RESOLUTIONS AND ORDINANCES** - NUMBERS 23 through 40

23. RESOLUTION approving amendments to the bylaws of **HOUSTON MEDIA SOURCE** and making other provisions related to the subject
24. ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of a prescriptive sanitary sewer easement from Nicholson Street to Lawrence Street located in Block 39, Houston Heights Addition, John Austin Survey, A-1, Harris County, Texas; vacating and abandoning the easement to JLB Block 39, L.P., owner, in consideration of owner's payment to the City of \$55,500.00, and other consideration - **DISTRICT C - COHEN**
25. ORDINANCE approving the Project Plan and Reinvestment Zone Financing Plan for Reinvestment Zone Number Twenty-Four, City of Houston, Texas (Greater Houston Zone) **DISTRICTS D - BOYKINS; H - GONZALEZ; I - GALLEGOS and K - GREEN**
26. ORDINANCE approving and authorizing Lease Agreement between the City of Houston and **CB&I, INC** for certain premises at George Bush Intercontinental Airport/Houston - **DISTRICT B - DAVIS**

**RESOLUTIONS AND ORDINANCES** - continued

27. ORDINANCE approving and authorizing Lease Agreement between the City of Houston and **FAMIGLIA DEBARTOLO, LLC** for certain premises at George Bush Intercontinental Airport/Houston - **DISTRICT B - DAVIS**
28. ORDINANCE approving and authorizing an international facilities agreement by and between the City of Houston and **SCANDINAVIAN AIRLINES of NORTH AMERICA, INC** at George Bush Intercontinental Airport/Houston - **DISTRICT B - DAVIS**
29. ORDINANCE approving and authorizing agreement for Legal Services between the City of Houston and **SUSMAN GODFREY L.L.P.** for representation of the City in pursuit of claims against Towers Watson & Co f/n/a Towers Perrin Associated with actuarial work related to HFD Relief and Retirement Fund and impacting the City of Houston; providing a maximum contract amount - \$970,000.00 - General Fund
30. ORDINANCE approving and authorizing agreements to reimburse **ALDINE INDEPENDENT SCHOOL DISTRICT; ALIEF INDEPENDENT SCHOOL DISTRICT; AMIGOS POR VIDA - FRIENDS for LIFE PUBLIC CHARTER SCHOOL; ANNUNCIATION ORTHODOX SCHOOL; CLEAR CREEK INDEPENDENT SCHOOL DISTRICT; GALENA PARK INDEPENDENT SCHOOL DISTRICT; PASADENA INDEPENDENT SCHOOL DISTRICT; RIVER OAKS BAPTIST SCHOOL; SPRING BRANCH INDEPENDENT SCHOOL DISTRICT; ST. JOHN'S SCHOOL; ST. VINCENT de PAUL SCHOOL/ARCHDIOCESE of GALVESTON; HOUSTON GATEWAY ACADEMY; HOUSTON INDEPENDENT SCHOOL DISTRICT; HUFFMAN INDEPENDENT SCHOOL DISTRICT; JOHN PAUL II CATHOLIC SCHOOL; KATY INDEPENDENT SCHOOL DISTRICT and FORT BEND INDEPENDENT SCHOOL DISTRICT** for payment of School Crossing Guards from the Child Safety Fund - \$3,300,000.00
31. ORDINANCE amending Ordinance No. 2014-0092 to increase the maximum contract amount to Letter of Agreement between the City of Houston and **THE HOUSTON RECOVERY CENTER LGC**, a Texas Local Government Corporation; approving and authorizing first amendment to the above-mentioned Letter of Agreement - \$1,127,159.00 - Essential Public Health Services Fund
32. ORDINANCE releasing certain territory consisting of approximately 87.09 acres in Waller County, adjacent to the extraterritorial jurisdiction of the City of Waller, Texas, in the vicinity of U.S. 290 and Hempstead Road, from the extraterritorial jurisdiction of the City of Houston
33. ORDINANCE awarding contract to **ALLIANCE HEALTH RESOURCES MOBILE DIVISION, LTD** for Occupational Medical Testing Services for Various Departments; providing a maximum contract amount - \$1,213,808.00 - General and Other Funds
34. ORDINANCE authorizing the sale of certain real property consisting of approximately 19.39 acres of land located at 800 and 815 Dorsett Street, being a part of the John Brown Survey, Abstract Number 8, Houston, Harris County, Texas, and identified as Parcels SY14-127 and SY14-128; declaring Parcels SY14-127 and SY14-128 surplus; appointing two independent appraisers to determine the Fair Market Value of Parcels SY14-127 and SY14-128; approving and authorizing Listing Agreement between the City of Houston and **CUSHMAN & WAKEFIELD OF TEXAS, INC**, for the marketing and sale of Parcels SY14-127 and SY14-128 - **DISTRICT H - GONZALEZ**

**RESOLUTIONS AND ORDINANCES** - continued

35. ORDINANCE awarding construction contract to **GADBERRY CONSTRUCTION COMPANY, INC** for TIGER Project #1 - White Oak Path: Alabonson Rd. to Antoine Dr. Link; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for contingencies relating to construction of facilities financed by the Federal Government Grant - USDOT TIGER Discretionary Fund and other Government Grant Funds Houston Parks Board Fund - \$1,881,000.00 - **DISTRICT A - STARDIG**
36. MUNICIPAL Setting Designation Ordinance prohibiting the use of designated groundwater beneath a tract of land containing 9.66 acres commonly known as **21147 SH 249, HOUSTON, HARRIS COUNTY, TEXAS**; supporting issuance of Municipal Setting Designation by the Texas Commission on Environmental Quality; providing for severability - **DISTRICT A - STARDIG**
37. ORDINANCE consenting to the addition of 19.4657 acres of land to **BAMMEL UTILITY DISTRICT**, for inclusion in its district
38. ORDINANCE consenting to the creation of **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 537**, and authorizing the district to issue bonds for road facilities within the City of Houston subject to certain conditions - **DISTRICT C - COHEN**
39. ORDINANCE consenting to the addition of 18.35 acres of land to **RICEWOOD MUNICIPAL UTILITY DISTRICT**, for inclusion in its district
40. ORDINANCE granting to **TNT WASTE CONTAINER SERVICE, LLC, A Texas Limited Liability Company**, the right, privilege, and franchise to collect, haul, and transport solid waste and industrial waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions **FIRST READING**

**END OF CONSENT AGENDA**

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

**NON CONSENT AGENDA** - NUMBER 41

**MISCELLANEOUS**

41. **SET A PUBLIC HEARING DATE** on the re-adoption of Article XII Chapter 32, Code of Ordinances, City of Houston, regarding Standards of Care for the Houston Parks & Recreation Department youth recreation programs  
**HEARING DATE - 9:00 A. M. - WEDNESDAY - JULY 16, 2014**

**AGENDA - JULY 9, 2014 - PAGE 7**

**MATTERS HELD** - NUMBERS 42 through 44

42. Consideration of proposed amendments to Item 42A below, submitted in writing on June 25, 2014 by Council Members Stardig, Davis, Martin, Pennington, Gonzalez, Gallegos, Laster and Green, as set forth in the attached Exhibits 1-17 - **TAGGED BY COUNCIL MEMBER GONZALEZ**
- a. RECOMMENDATION from Director Finance Department to approve the Fiscal Year 2015-2019 Capital Improvement Plan (CIP) and establish a charge of \$75.00 plus postage for the adopted CIP documents and a charge of \$5.00 plus postage for a CD version  
**TAGGED BY COUNCIL MEMBER GONZALEZ**  
This was Item 1 on Agenda of June 25, 2014
43. Consideration of proposed amendments to Item 43A below, submitted in writing on June 25, 2014 by Council Members Davis, Green, Costello and Bradford, as set forth in the attached Exhibits 18-22 - **TAGGED BY COUNCIL MEMBERS GREEN and COSTELLO**
- a. RESOLUTION adopting guidelines for the City's participation in public-private partnerships  
**TAGGED BY COUNCIL MEMBERS GREEN and COSTELLO**  
This was Item 21-1 on Agenda of June 25, 2014
44. ORDINANCE appropriating \$2,195,350.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **LEM CONSTRUCTION CO., INC** for E. Coli Compliance—Chlorination Systems for Turkey Creek, Westway, and Kingwood West Wastewater Treatment Plants; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required documents to the city; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering, testing, CIP Cost Recovery, and contingencies relating to construction of facilities financed by Water & Sewer System Consolidated Construction Fund - **DISTRICTS A - STARDIG; E - MARTIN and G - PENNINGTON** - **TAGGED BY COUNCIL MEMBER MARTIN**  
This was Item 52 on Agenda of June 25, 2014

**MATTERS TO BE PRESENTED BY COUNCIL MEMBERS** - Council Member Bradford 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 2<sup>nd</sup> FLOOR - TUESDAY  
JULY 8, 2014 - 2:00 PM*

**NON-AGENDA**

1MIN	1MIN	1MIN
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DR. ALKEBU MOTAPA - 5022 Cosby - 77021 - 713-741-5150 – July 4, Celebration love healing Family World – Love You

2MIN	2MIN	2MIN
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MS. MARGARET LAIR – 11106 Vailview – 77016 – 832-290-0839 – Need assistance in picking up stray dogs

3MIN	3MIN	3MIN
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MR. ARMANDO ALEJANDRO – 6829 Avenue T – 77011 – 713-443-0180 – Safety on Streets – need sidewalks and improvements

MR. RAY FIELDS – 5910 Jackwood – 77074 – 713-297-1397 – Economic development

MS. CARLA WADE – 10130 Ripple Lake Dr. – 77026 – 281-702-1605 – City of Houston water Department

MR. MIKE SMITH – 10501 Holly Springs – 77042 – 832-884-5285 – Air conditioner permit

MR. DWAYNE REYNOLDS – Homeless – No phone - Need a home – some place to stay

MR. JOSEPH OMO OMUARI – 3939 N. Freeway – 77022 – 713-478-1321 – 2009-2014 Obama allocated \$11 billion for grants what happen HUD

MR. GRIFF GRIFFIN – 5327 Winding Way Dr. – 77091 – 713-503-8044 – Metro HOV signage to extend late hours

MS. SHERRY LEWIS – 5123 Wickview Ln. – 77052 – 713-828-4797 – Motorized vehicle in parks

MR. WILLIAM HENRY – 6464 San Felipe, No. 1390 – 77057 – 281-433-2695 – Inspection of buildings on regular basis

MR. JACOB PADILLA – 10722 Chadwick – 77029 – 832-540-10222 – Nieto park

MR. RANDALL KALLIENEN – 5011 Broadway – 77012 – 713-320-3785 – Civil Rights

MR. TERRANCE RANDLE – 210 Wilcrest Dr. – 77042 – 832-388-6151 – Injustice

MR. GENO MOUTON – 5210 Amy St. – 77028 – 832-875-3831 – Falsely accused

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

MR. MARK RODRIGUEZ – 23 Delmar – 77011 - 832-816-9673 – Bridge on Harrisburg

MS. KATHLEEN GUNTER – 7315 Banyan – 77028 – 832-882-9775 – Abandoned property

MS. DEMITAJO BROWN – 7515 Funbonnet Ln. - 77064 – 832-614-4118 – Legal Justice for myself within the Disability Law

MS. JARED MEATORS – 1223 W. Gray – 77098 – 404 -545-1737 – Public Works responsiveness

MS. KIM SHAW – 9200 Bissonnet, No. 906 – 77074 – 832-245-8241 – Houston Housing Authority

**PREVIOUS**

1MIN	1MIN	1MIN
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PRESIDENT JOSEPH CHARLES - Post Office Box 524373 - 77052-4373 - C/Government - HPD - Under Arrest by Temp Chief Sheriff J Charles - H/County - TX

MR. JAMES PARTSCH-GALVAN – 1611 Holman – 77004 – 713-528-2607 – Applying for a job at HPD Canine Division



JUL 09 2014

MOTION NO. 2014 0630

MOTION by Council Member Gonzalez that nominations for Positions 10 and 11 of the Houston Municipal Employees Pension System Board of Trustees, for three year terms, be closed.

Seconded by Council Member Bradford and carried.

Mayor Parker, Council Members Stardig, Davis, Cohen, Boykins, Martin, Nguyen, Pennington, Gonzalez, Gallegos, Laster, Green, Costello, Robinson, Kubosh, Bradford and Christie voting aye  
Nays none

PASSED AND ADOPTED this 25th day of June 2014.

Pursuant to Article VI, Section 6 of the City Charter, the effective date of the foregoing motion is July 1, 2014.

City Secretary

Council Member Gonzalez nominated Adrian Patterson for Reappointment to Position 10.

Council Member Pennington nominated Richard Badger for Reappointment to Position 11.

2  
JUL 09 2014

MOTION NO. 2014 0631

MOTION by Council Member Bradford that nominations for Positions 2 and 4 of the Rebuild Advisory Committee Board of Directors, for two year terms, be closed.

Seconded by Council Member Gonzalez and carried.

Mayor Parker, Council Members Stardig, Davis, Cohen,  
Boykins, Martin, Nguyen, Pennington, Gonzalez, Gallegos,  
Laster, Green, Costello, Robinson, Kubosh, Bradford and  
Christie voting aye  
Nays none

PASSED AND ADOPTED this 25th day of June 2014.

Pursuant to Article VI, Section 6 of the City Charter, the  
effective date of the foregoing motion is July 1, 2014.

City Secretary

Council Member Cohen nominated Kathy Easterly for Reappointment to Position 2.

Council Member Boykins nominated Vernita Harris for Reappointment to Position 4.



ANNISE D. PARKER  
MAYOR

OFFICE OF THE MAYOR  
CITY OF HOUSTON  
TEXAS

3  
JUL 09 2014

COPY TO EACH MEMBER OF COUNCIL:

CITY SECRETARY: 6-16-14  
date

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

June 10, 2014

The Honorable City Council  
City of Houston

Dear Council Members:

Pursuant to the City of Houston Code of Ordinances, Section 8-17, as amended, I am appointing or reappointing the following individuals to the Automotive Board for a two-year term, subject to Council confirmation:

Robert "Bobby" G. Knapp, appointment to Position One;  
Ryan Winkelmann, reappointment to Position Two;  
Shelly E. Richardson, reappointment to Position Three;  
Erma Palmer, reappointment to Position Four;  
Mazen Allaham, reappointment to Position Five;  
Ken W. Ulmer, reappointment to Position Six, and to serve as Chair;  
Benjamin Kirke Sanchez, reappointment to Position Seven;  
Chau Weng Wang, reappointment to Position Eight; and  
Timothy Straney, reappointment to Position Nine.

The résumés of the appointees are attached for your review.

Sincerely,

A handwritten signature in cursive script that reads "Annise D. Parker".

Annise D. Parker  
Mayor

AP:JC:jsk

Attachments

cc: Lt. Dana Hitzman, Automobile Dealers Enforcement Detail, HPD

RECEIVED  
JUN 16 2014  
CITY SECRETARY



ANNISE D. PARKER  
MAYOR

OFFICE OF THE MAYOR  
CITY OF HOUSTON  
TEXAS

4

JUN 09 2014

June 10, 2014

COPY TO EACH MEMBER OF COUNCIL:

CITY SECRETARY: 6-12-14  
date

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

The Honorable City Council  
City of Houston, Texas

Dear Council Members:

Pursuant to Section 39-32 of the City of Houston Code of Ordinances, I am nominating the following individual for appointment to the Houston Clean City Commission, subject to Council confirmation:

Shelley L. Kennedy, appointment to Position Twenty-Three, for an unexpired term ending February 1, 2015.

The résumé of the nominee is attached for your review.

Sincerely,

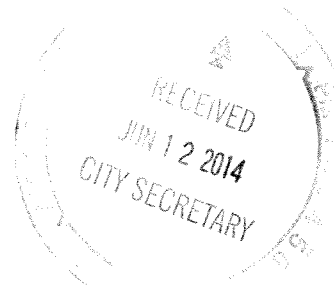
A handwritten signature in cursive script that reads "Annise D. Parker".

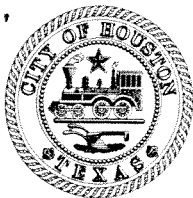
Annise D. Parker  
Mayor

AP:JC:jsk

Attachments

cc: Ms. Robin Blut, Executive Director, Keep Houston Beautiful





ANNISE D. PARKER  
MAYOR

OFFICE OF THE MAYOR  
CITY OF HOUSTON  
TEXAS

5  
JUL 09 2014

June 10, 2014

COPY TO EACH MEMBER OF COUNCIL:

CITY SECRETARY: 6-12-14  
date

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

The Honorable City Council  
City of Houston, Texas

Dear Council Members:

Pursuant to city of Houston Electrical Code Section 203, I am reappointing the following individuals to the Electrical Board, subject to Council confirmation:

Eliot L. Doucet, reappointment to Position Two, for a term to expire January 2, 2016,  
and to serve as Chair;  
Jimmie M. Stallones, Jr., reappointment to Position Four, for a term to expire January 2, 2016;  
Chal W. Shrader, reappointment to Position Six, for a term to expire January 2, 2016;  
Nolan R. Neathery, reappointment to Position Eight, for a term to expire January 2, 2016;  
and  
Javier M. Ramos, reappointment to Position Ten, for a term to expire January 2, 2016.

The résumés of the nominees are attached for your review.

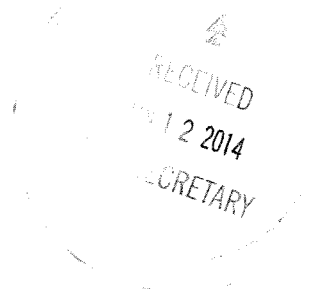
Sincerely,

Annise D. Parker  
Mayor

AP:JC:jsk

Attachments

cc: Mr. N.A. Weiman, Division Manager, Code Enforcement, Public Works and  
Engineering Department





ANNISE D. PARKER  
MAYOR

OFFICE OF THE MAYOR  
CITY OF HOUSTON  
TEXAS

6

09 2014

June 10, 2014

COPY TO EACH MEMBER OF COUNCIL:

CITY SECRETARY: 6-12-14  
date

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

The Honorable City Council  
City of Houston

Dear Council Members:

Pursuant to Article VI of the Amendment to Certificate of Formation of Houston First Corporation approved by Ordinance No. 2012-1049 and filed with the Texas Secretary of State on April 1, 2013, I hereby appoint Council Member Robert Gallegos to the Board of Directors as a non-voting advisory member, subject to Council confirmation

The résumé of the Council Member Gallegos is attached for your review.

Sincerely,

A handwritten signature of Annise D. Parker in cursive script.

Annise D. Parker  
Mayor

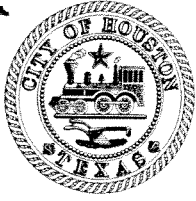
AP:JC:jsk

Attachment

cc: Ms. Dawn Ullrich, Executive Director, Houston First Corporation  
Mr. Richard J. Campo, Chair, Houston First Corporation

RECEIVED  
12 2014  
SECRETARY

6



ANNISE D. PARKER  
MAYOR

OFFICE OF THE MAYOR  
CITY OF HOUSTON  
TEXAS

7  
JUL 09 2014

COPY TO EACH MEMBER OF COUNCIL:

CITY SECRETARY: 6-12-14  
date

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

June 10, 2014

The Honorable City Council  
City of Houston, Texas

Dear Council Members:

Pursuant to Chapter 3807 of the Texas Special District Local Laws Code, I am nominating the following individual for appointment to the Board of Directors of the Greater East End Management District, as recommended by the District Board of Directors, subject to Council confirmation.

Erin Dyer, appointment to Position Seven, for a term to expire June 1, 2017.

The résumé of the nominee is attached for your review.

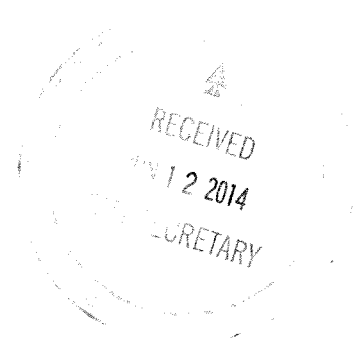
Sincerely,

Annise D. Parker  
Mayor

AP:JC:jsk

Attachment

cc: Ms. Diane Schenke, President, Greater East End Management District  
Ms. Jeanne H. McDonald, Attorney for the Greater East End Management District





ANNISE D. PARKER  
MAYOR

OFFICE OF THE MAYOR  
CITY OF HOUSTON  
TEXAS

8  
JUL 09 2014

June 16, 2014

COPY TO EACH MEMBER OF COUNCIL:

CITY SECRETARY: 6-17-14  
date

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

The Honorable City Council  
Houston, Texas

Dear Council Members:

Pursuant to Chapter 451 and Subchapter K of the Texas Transportation Code, I am submitting the following names for reappointment, subject to Council confirmation, as City of Houston appointees to the Board of the Metropolitan Transit Authority.

Gilbert Andrew Garcia, reappointment to Position One, for a term to expire April 7, 2016;

Allen Dale Watson, reappointment to Position Two, for a term to expire April 7, 2016;

Judge Dwight E. Jefferson, reappointment to Position Three, for a term to expire April 7, 2016;

Diann L. Lewter, reappointment to Position Four, for a term to expire April 7, 2016; and  
Christof Spieler, reappointment to Position Five, for a term to expire April 7, 2016.

The résumés of the appointees are attached for your review.

Sincerely,

A handwritten signature in cursive script that reads "Annise D. Parker".

Annise D. Parker  
Mayor

AP:JC:jsk

Attachments

cc: Mr. Tom C. Lambert, President and Chief Executive Officer (CEO), Metropolitan  
Transit Authority







ANNISE D. PARKER  
MAYOR

OFFICE OF THE MAYOR  
CITY OF HOUSTON  
TEXAS

9

JUN 09 2014

June 12, 2014

COPY TO EACH MEMBER OF COUNCIL:

CITY SECRETARY: 6-17-14  
date

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

The Honorable City Council  
City of Houston

Dear Council Members:

Pursuant to Houston Code of Ordinances, Sections 32-243 through 32-244, I am nominating the following individual for appointment to the Miller Theatre Advisory Board, subject to Council confirmation:

Karin R. Marshall, appointment to Position Seven, for a term to expire April 24, 2017.

The résumé of the nominee is attached for your review.

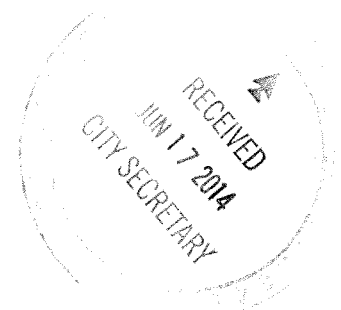
Sincerely,

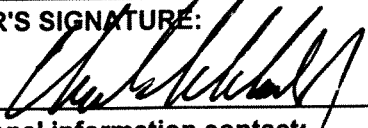
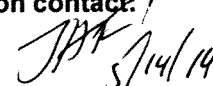
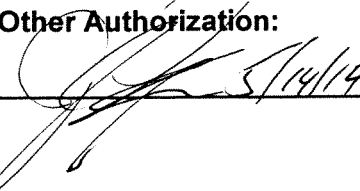
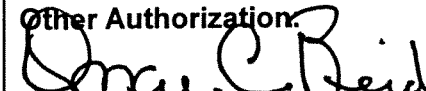
Annise D. Parker  
Mayor

AP:JC:jsk

Attachments

cc: Ms. Cissy Segall Davis, Managing Director, Miller Theatre Advisory Board  
Mr. Rodney E. Nathan, Chair, Miller Theatre Advisory Board



<b>SUBJECT:</b> Motion to extend Injury on Duty Leave for classified member of the Houston Police Department.	<b>Category # 3</b>	<b>Page</b> 1 of 1	<b>Agenda Item #</b> 10
<b>FROM: (Department or other point of origin):</b> Charles A. McClelland, Jr., Chief of Police Houston Police Department	<b>Origination Date</b> May 14, 2014		<b>Agenda Date</b> JUL 09 2014
<b>DIRECTOR'S SIGNATURE:</b> 	<b>Council Districts affected:</b>		
<b>For additional information contact:</b> Joseph A. Fenninger, CFO & Deputy Director  5/14/14	(713) 308-1770		<b>Date and identification of prior authorizing Council Action:</b>
<b>RECOMMENDATION: (Summary)</b>  Approve a Motion for extension of Injury on Duty leave (Salary Continuation) for Houston Police Officer Warren Jones.			
<b>Amount of Funding:</b> N/A		<b>F &amp; A Budget:</b>	
<b><u>SPECIFIC EXPLANATION</u></b>  The Chief of Police for the Houston Police Department requests City Council to approve a motion for the extension of Injury on Duty leave for Officer Warren Jones. Officer Jones was originally injured on July 10, 2012, when he slipped and fell on the pavement striking the left side of his body. As a result, Officer Jones sustained injuries to his left shoulder, left hip and lower back. Officer Jones underwent extensive medical treatment which included several surgeries, physical therapy, cervical epidural steroid injections and pain management. Officer Jones returned to active duty on July 17, 2013.  Officer Jones subsequently took off work from August 15, 2013 through October 7, 2013 due to hip replacement surgery on his left hip. Officer Jones returned to active duty on October 8, 2013. Initially, the City's Third Party Administrator (TPA) opined that Officer Jones' disability benefits were denied because the hip replacement was not a direct result of the July 10, 2012 incident; rather, it was related to an injury occurring on November 2001. However, on January 20, 2014, a Required Medical Examination concluded that Officer Jones' hip replacement was indeed causally related to the July 10, 2012 incident.  Officer Jones completed one year of Injury on Duty leave on July 17, 2013. After the initial year, City Council approval is required. This request is to extend Officer Jones Injury on Duty leave from August 15, 2013 through October 7, 2013 for a total of 55 days (440 hours).  cc: Anna Russell, City Secretary Marta Crinejo, Agenda Director Janet Rowe, Sergeant – HPD Professional Development Command Human Resources Department Records  COP#			
<b>REQUIRED AUTHORIZATION</b>			
<b>F&amp;A Director:</b>	<b>Other Authorization:</b>  5/14/14	<b>Other Authorization:</b> 	

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

**SUBJECT:** Accept Work for Wastewater System/Substitute Service  
Support-Peden and Bomar, Package 2  
WBS# R-002011-0083-4

Page  
1 of 1

Agenda Item  
#

11

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

Department of Public Works and Engineering

**Origination Date**

6/30/14

**Agenda Date**

JUL 09 2014

**DIRECTOR'S SIGNATURE**

Daniel W. Krueger, P.E.

**Council District affected:**

C

**For additional information contact:**

Jason Iken, P.E.

Senior Assistant Director

Phone: (832) 395-4989

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

Ordinance No. 2012-500, dated 05/30/2012

**RECOMMENDATION: (Summary)**

Pass a motion to approve the final contract amount of \$172,410.80, which is 22.58% under the original contract amount, accept the work, and authorize final payment.

**Amount and Source of Funding:** No additional funding required. *M.P. 6/11/2014*  
Original appropriation of \$254,400.00 for construction and contingencies from Water and Sewer System  
Consolidated Construction Fund No. 8500.

**SPECIFIC EXPLANATION:**

**PROJECT NOTICE/JUSTIFICATION:** This project was part of the Neighborhood Back Lot Wastewater Substitute Service Program and was required to provide the relocation of sanitary sewer service lines from back lots to front lots.

**DESCRIPTION/SCOPE:** This project consisted of the relocation of sanitary sewer service lines for 84 properties on Peden and Bomar from Montrose Blvd. to Stanford, Damon Court from Grant to Crocker, Welch and Willard from Stanford to Hopkins, and Stanford from Bomar to Peden. The project was awarded to Congo LLC with an original contract amount of \$222,684.00. The Notice to Proceed date was 07/03/2012 and the project had 270 calendar days for completion.

**LOCATION:** The project was located at various locations within Council District C.

**CONTRACT COMPLETION AND COST:** The contractor, Congo LLC, has completed the work under the contract. The contract was completed within the contract time. The final cost of the project is \$172,410.80, a decrease of \$50,273.20 or 22.58% under the original contract amount. Fewer service relocations were needed than anticipated.

**MWDBE PARTICIPATION:** No City M/WBE participation goal was established for this project as the contract amount did not exceed the threshold of \$1,000,000.00 required for a goal oriented contract per Section 15-82 of the Code of Ordinances.

DWK:JC:JI:DR:MB:LT:al

Attachments

Project File WW 5035-03

**REQUIRED AUTHORIZATION**

CUIC ID# 20JAI504

Finance Department

**Other Authorization:**

**Other Authorization:**

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

11

# COUNCIL DISTRICT LIST - WW 5035-03

W.O. No.	Address	Key Map	Council District 2011	Council District 2012
1	700/702 PEDEN	493N	D	C
2	701 PEDEN	493N	D	C
3	708 PEDEN	493N	D	C
4	711 PEDEN	493N	D	C
5	712 PEDEN	493N	D	C
6	714/716 PEDEN	493N	D	C
7	715 PEDEN	493N	D	C
8	718 PEDEN	493N	D	C
9	719 PEDEN	493N	D	C
10	801 / 803 PEDEN	493N	D	C
11	802 PEDEN	493N	D	C
12	807 PEDEN	493N	D	C
13	902 PEDEN	493N	D	C
14	905 PEDEN	493N	D	C
15	906 PEDEN	493N	D	C
16	909 PEDEN	493N	D	C
17	910 PEDEN	493N	D	C
18	913 PEDEN	493N	D	C
19	917 PEDEN	493N	D	C
20	918/920 PEDEN	493N	D	C
21	921 PEDEN	493N	D	C
22	922 PEDEN	493N	D	C
23	926 PEDEN	493N	D	C
24	927 / 925 PEDEN	493N	D	C
25	1009 PEDEN	493N	D	C
26	1012 PEDEN	493N	D	C
27	1013 PEDEN	493N	D	C
28	1014 PEDEN	493N	D	C
29	1015 PEDEN	493N	D	C
30	1016 PEDEN	493N	D	C
31	1017 PEDEN	493N	D	C
32	1020 PEDEN	493N	D	C
33	601 / 605 BOMAR ST	493N	D	C
34	609 BOMAR ST	493N	D	C

W/O No.	Address	Key/Map	Council District 2011	Council District 2012
35	619 BOMAR ST	493N	D	C
36	628 BOMAR ST	493N	D	C
37	703 BOMAR	493N	D	C
38	709 BOMAR	493N	D	C
39	713 BOMAR	493N	D	C
40	719 BOMAR	493N	D	C
41	720 BOMAR	493N	D	C
42	801 BOMAR	493N	D	C
43	802 BOMAR	493N	D	C
44	803 / 803.5 BOMAR	493N	D	C
45	804 BOMAR	493N	D	C
46	805 / 805.5 BOMAR	493N	D	C
47	806 BOMAR	493N	D	C
48	807 BOMAR	493N	D	C
49	808 BOMAR	493N	D	C
50	902 BOMAR	493N	D	C
51	904 BOMAR	493N	D	C
52	905 BOMAR	493N	D	C
53	908 BOMAR	493N	D	C
54	911 BOMAR	493N	D	C
55	1001 BOMAR	493N	D	C
56	1002 BOMAR	493N	D	C
57	1003 BOMAR	493N	D	C
58	1004 BOMAR	493N	D	C
59	801 DAMON COURT	493N	D	C
60	805 DAMON COURT	493N	D	C
61	806 DAMON CT	493N	D	C
62	811 DAMON COURT	493N	D	C
63	914 DAMON COURT	493N	D	C
64	915 DAMON COURT	493N	D	C
65	919 DAMON COURT	493N	D	C
66	920 DAMON COURT	493N	D	C
67	923 / 925 DAMON COURT	493N	D	C
68	924 DAMON COURT	493N	D	C
69	605 WILLARD	493N	D	C
70	608 WILLARD	493N	D	C
71	612 WILLARD ST	493N	D	C
72	602/604 WELCH	493N	D	C

W/O No.	Address	Key Map	Council District 2014	Council District 2012
73	603 WELCH	493N	D	C
74	606 WELCH	493N	D	C
75	609 WELCH	493N	D	C
76	610 WELCH ST	493N	D	C
77	612 / 614 WELCH	493N	D	C
78	613 WELCH	493N	D	C
79	615 WELCH	493N	D	C
80	1704 STANFORD	493N	D	C
81	1707 STANFORD	493N	D	C
82	1810 STANFORD	493N	D	C
83	1812 STANFORD	493N	D	C
84	1814 STANFORD	493N	D	C

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

**SUBJECT:** Accept Work for Sanitary Sewer Rehabilitation by Cured-In-Place Pipe Method  
WBS# R-000295-0027-4

**Page**  
1 of 1

**Agenda Item**  
#

12

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

Department of Public Works and Engineering

**Origination Date**

6/30/14

**Agenda Date**

JUL 09 2014

**DIRECTOR'S SIGNATURE**

  
Daniel W. Krueger, P.E.

**Council District affected:**

C, D, E, F, H, I and K

**For additional information contact:**

Jason Iken, P.E.

Senior Assistant Director

Phone: (832) 395-4989

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

Ordinance No. 2009-1028, dated 10/21/2009

**RECOMMENDATION: (Summary)**

Pass a motion to approve the final contract amount of \$3,058,509.11, which is 2.85% over the original contract amount and under the 5% contingency amount, accept the work, and authorize final payment.

**Amount and Source of Funding:** No additional funding required.

Original appropriation of \$3,167,584.00 for construction and contingencies from Water and Sewer System Consolidated Construction Fund No. 8500. *M.P. 6/17/2014*

**SPECIFIC EXPLANATION:**

**PROJECT NOTICE/JUSTIFICATION:** Under this project, the contractor provided sanitary sewer rehabilitation by cured-in-place pipe method to deteriorated sewer collection systems throughout the City.

**DESCRIPTION/SCOPE:** This project consisted of sanitary sewer rehabilitation by cured-in-place pipe method. The project was awarded to RePipe Construction, LTD. with an original contract amount of \$2,973,889.82. The Notice to Proceed date was 12/10/2009 and the project had 540 calendar days for completion.

**LOCATION:** The project was located at various locations within Council Districts C, D, E, F, H, I and K.

**CONTRACT COMPLETION AND COST:** The contractor, RePipe Construction, LTD., has completed the work under the contract. The contract was completed within the contract time. The final cost of the project is \$3,058,509.11, an increase of \$84,619.29 or 2.85% over the original contract amount. More cured-in-place pipe was needed than anticipated.

**MWDBE PARTICIPATION:** The MWDBE goal for this project was 21%. According to the Office of Business Opportunity, the actual participation was 22.21%. The contractor was awarded an "Outstanding" rating from the Office of Business Opportunity.

*UB LT*  
DWK:JC:JI:DR:MB:LT:al  
Attachments

**Project File 4258-41**

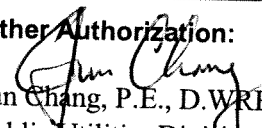
**REQUIRED AUTHORIZATION**

**CUIC ID# 20JAI517**

**Finance Department**

**Other Authorization:**

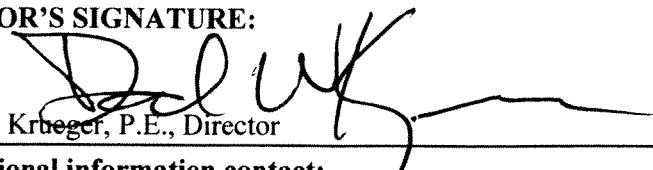


**Other Authorization:**

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

12

4258-41	Sanitary Sewer Rehabilitation by Cured-In-Place Pipe Method				
WBS No. R-000295-0027-4	RePipe Construction, LTD.				
WORK ORDER	KEY MAP	SUBDIVISION	BASIN	Old Council Dist.	New Council Dist.
4	493S	MONTROSE	AS086	D	C
2	452E	OAK FOREST	IA060	A	C
7	452R	GARDEN OAKS	II060	D	C,H
6	533B	CRESCENT ISLAND	AS071	D	D
8	572Q	SOUTH END GARDENS	AS021	D	D,K
3	295Z	KINGWOOD PLACE	MG001	E	E
5	576L	GENOA ACRES	WCP01	E	E
9	487Z	TOM BROWN	CC004	G	F
1	575G	SOUTH HOUSTON GARDENS	EH344	I	I
10	572S	WESTBROOK	WE012	D	K



<b>SUBJECT:</b> Request for the sale of ±3,444 square feet of fee-owned property, located within Lots 11B and 12B, Block 21, located in Houston Railway Addition Number 4, also known as Leeland Park Addition, out of the Luke Moore Survey, A-51. <b>Parcel SY14-077</b>	<b>Page</b> <u>1</u> of <u>1</u>	<b>Agenda Item #</b> <u>13</u>
<b>FROM (Department or other point of origin):</b> Department of Public Works and Engineering	<b>Origination Date</b> 6/30/14	<b>Agenda Date</b> JUL 09 2014
<b>DIRECTOR'S SIGNATURE:</b>  Daniel W. Krueger, P.E., Director	<b>Council District affected:</b> D  <b>Key Map:</b> 493Z	
<b>For additional information contact:</b> Nancy P. Collins  Phone: (832) 395-3130 Senior Assistant Director-Real Estate	<b>Date and identification of prior authorizing Council Action:</b>	

**RECOMMENDATION: (Summary)** It is recommended City Council approve a motion authorizing the sale of ±3,444 square feet of fee-owned property, located within Lots 11B and 12B, Block 21, located in Houston Railway Addition Number 4, also known as Leeland Park Addition, out of the Luke Moore Survey, A-51. **Parcel SY14-077**

**Amount and Source of Funding:** Not Applicable

**SPECIFIC EXPLANATION:**

Robert L. Pacini, Terra Realty Equities, L.P., 3200 Southwest Freeway, Suite 1400, Houston, Texas, 77027, requested the sale of ±3,444 square feet of fee-owned property, located within Lots 11B and 12B, Block 21, located in Houston Railway Addition Number 4, also known as Leeland Park Addition, out of the Luke Moore Survey, A-51. The applicant owns all lots on Block 21, with the exception of the subject property.

This is Part One of a two-step process in which the applicant will first receive a City Council authorized Motion acknowledging the concept of the subject request. Upon the applicant satisfactorily completing all transaction requirements including those enumerated below, the Department of Public Works and Engineering will forward a subsequent recommendation to City Council requesting passage of an Ordinance effecting the sale. The Joint Referral Committee reviewed and approved this request. Therefore, it is recommended:

1. The City sell ±3,444-square-feet of fee-owned property, located within Lots 11B and 12B, Block 21, Houston Railway Addition Number 4, also known as Leeland Park Addition, out of the Luke Moore Survey, A-51;
2. The applicant be required to furnish the Department of Public Works and Engineering with a durable, reproducible (Mylar) survey plat and field notes of the affected property;
3. The Legal Department be authorized to prepare the necessary transaction documents; and
4. Inasmuch as the value of the property interest is expected to exceed \$50,000.00, that the value be established by an independent appraiser appointed by the Director of Public Works and Engineering.

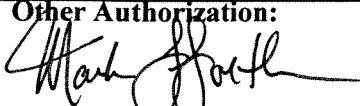
DWK:NPC:ja3

c: Marta Crinejo  
David Feldman  
Terry A. Garrison  
Daniel Menendez, P.E.  
Patrick Walsh, P.E.

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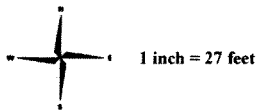
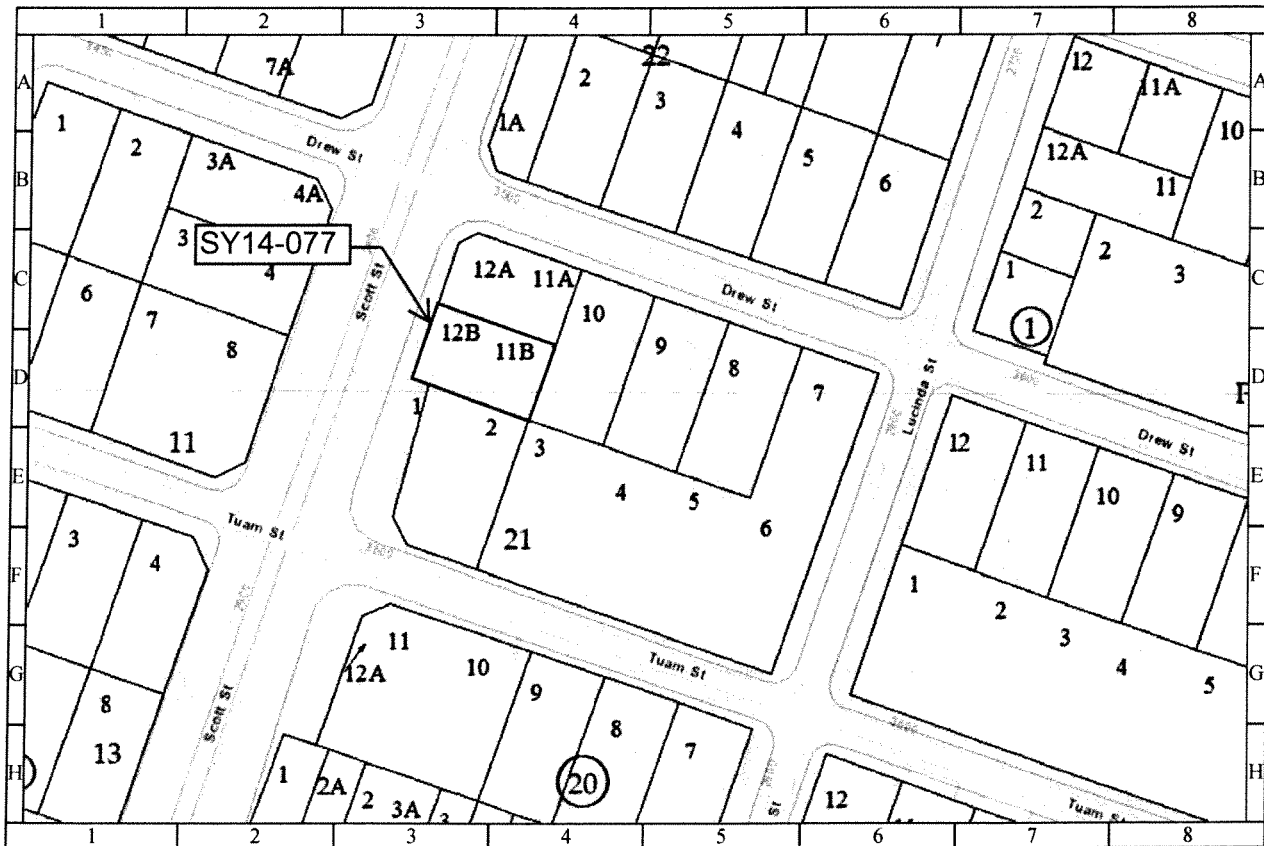
CUIC #20JA9452

**REQUIRED AUTHORIZATION**

<b>Finance Department:</b>	<b>Other Authorization:</b>	<b>Other Authorization:</b>  Mark L. Loethen, P.E., CFM, PTOE Deputy Director Planning and Development Services Division
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### Parcel Map

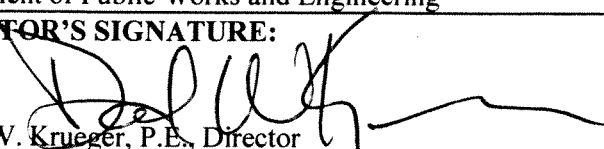



Request for the sale of ±3,444 square feet of fee-owned property, located within Lots 11B and 12B, Block 21, located in Houston Railway Addition Number 4, also known as Leeland Park Addition, out of the Luke Moore Survey, A-51. **Parcel SY14-077**



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

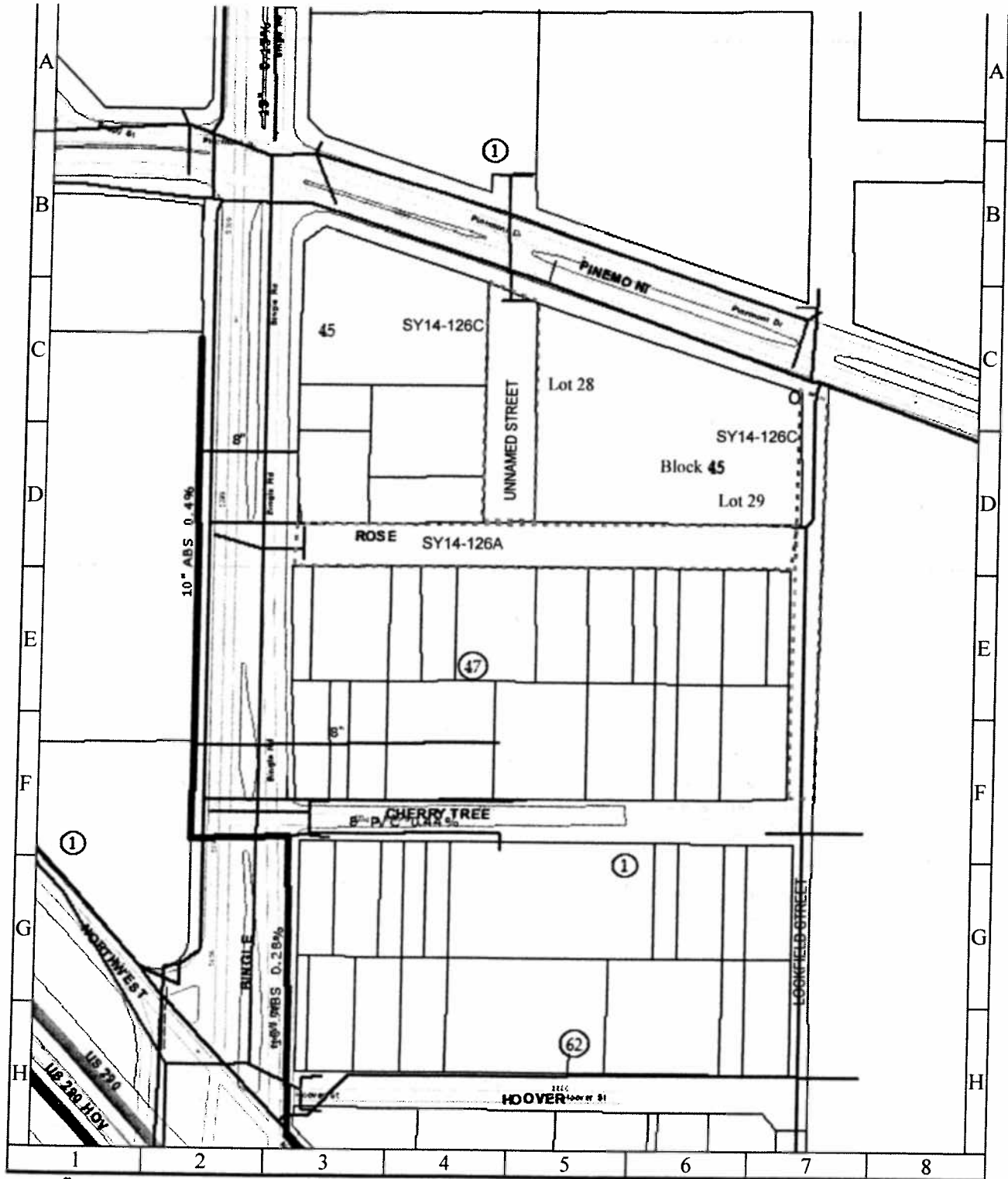
DISCLAIMER: THIS MAP REPRESENTS THE BEST INFORMATION AVAILABLE TO THE CITY.  
THE CITY DOES NOT WARRANT ITS ACCURACY OR COMPLETENESS.  
FIELD VERIFICATIONS SHOULD BE DONE AS NECESSARY.



<b>SUBJECT:</b> Request for the disclaimer of: 1) Rose Avenue, from Bingle Road to Lockfield Street; 2) the remaining one-half of Lockfield Street, from Pinemont Drive to Cherry Street; and 3) an unnamed street adjacent to Lot 28, from Pinemont Drive to Rose Avenue, all located within the Rosslyn Addition, out of the Joseph Box Survey. <b>Parcels SY14-126A, SY14-126B, and SY14-126C</b>		<b>Page</b> <u>1</u> of <u>1</u>	<b>Agenda Item #</b>  14
<b>FROM (Department or other point of origin):</b>  Department of Public Works and Engineering		<b>Origination Date</b> 6/30/14	<b>Agenda Date</b> JUL 09 2014
<b>DIRECTOR'S SIGNATURE:</b>  Daniel W. Krueger, P.E., Director		<b>Council District affected:</b> C  <b>Key Map:</b> 451E	
<b>For additional information contact:</b>  Nancy P. Collins  <b>Phone:</b> (832) 395-3130 Senior Assistant Director-Real Estate		<b>Date and identification of prior authorizing Council Action:</b>	
<b>RECOMMENDATION: (Summary)</b> It is recommended City Council approve a Motion authorizing the disclaimer of: 1) Rose Avenue, from Bingle Road to Lockfield Street; 2) the remaining one-half of Lockfield Street, from Pinemont Drive to Cherry Street; and 3) an unnamed street adjacent to Lot 28, from Pinemont Drive to Rose Avenue, all located within the Rosslyn Addition, out of the Joseph Box Survey. <b>Parcels SY14-126A, SY14-126B, and SY14-126C</b>			
<b>Amount and Source of Funding:</b> Not Applicable			
<b>SPECIFIC EXPLANATION:</b> Mary Lou Henry, TBG Partners, 3050 Post Oak Blvd., Suite 1100, Houston, Texas 77056, on behalf of New Nurseries, LLC. (F. Taylor Moore, Owner and Managing Partner) and Stephen Kelso, requested the disclaimer of: 1) Rose Avenue, from Bingle Road to Lockfield Street; 2) the remaining one-half of Lockfield Street, from Pinemont Drive to Cherry Street; and 3) an unnamed street adjacent to Lot 28, from Pinemont Drive to Rose Avenue, all located within the Rosslyn Addition, out of the Joseph Box Survey. The Legal Department determined that any right the City may have to the streets within the Rosslyn Addition would be derived from annexation through Harris County. However, any previous dedication of the streets in the Rosslyn Addition was not accepted by Harris County, and the streets were abandoned prior to the annexation of the property by the City. It was determined the streets were never accepted by the City for street purposes, but were used for utility purposes. Therefore, prescriptive easements needed to be abandoned and the abandonment and sale of the prescriptive easements is being processed in a separate transaction. New Nurseries, LLC, one of the property owners, plans to use its portion of the subject properties to construct a nursery growing yard. Stephen Kelso, one of the property owners, plans to use his portion of the streets to extend his property line.  The Joint Referral Committee reviewed the request and determined the request pertaining to street right-of-way interests could be processed as a disclaimer.  Therefore, it is recommended City Council approve a Motion disclaiming, releasing, and relinquishing the City's right, title, interest, claim, and demand in and to: 1) Rose Avenue, from Bingle Road to Lockfield Street; 2) the remaining one-half of Lockfield Street, from Pinemont Drive to Cherry Street; and 3) an unnamed street adjacent to Lot 28, from Pinemont Drive to Rose Avenue, all located within the Rosslyn Addition, out of the Joseph Box Survey.  DWK:NPC:tp  c: Jun Chang, P.E., D.WRE      Terry A. Garrison      Patrick Walsh, P.E. Marta Crinejo      Daniel Menendez      Jeffrey Weatherford, P.E., PTOE			
p:\tp\sy14-126.rcal.doc		CUIC #20TP9493	
<b>REQUIRED AUTHORIZATION</b>			
<b>Finance Department:</b>	<b>Other Authorization:</b>	<b>Other Authorization:</b>  Mark L. Loethen, P.E., CFM, PTOE Deputy Director Planning and Development Services Division	

# PARCEL MAP

Disclaimer of: 1) Rose Avenue, from Bingle Road to Lockfield Street; 2) the remaining one-half of Lockfield Street, from Pinemont Drive to Cherry Street; and 3) an unnamed street adjacent to Lot 28, from Pinemont Drive to Rose Avenue, all located within the Rosslyn Addition, out of the Joseph Box Survey.



1 inch = 49 feet

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

DISCLAIMER: THIS MAP REPRESENTS THE BEST INFORMATION AVAILABLE TO THE CITY.



TO: Mayor via City Secretary

## REQUEST FOR COUNCIL ACTION

**SUBJECT:** Request for the abandonment and sale of Embassy Plaza Drive, from Vickery Drive west to its terminus and a 10-foot-wide water line easement, and conveyance of a 10-foot-wide sanitary sewer easement and a 30-foot-wide storm sewer easement, all located within Reserve A-1, Block 1 and Reserve L, Block 6, World Houston International Business Center Section 6, out of the Mary E. Colby Survey A-1649 and the William Lloyd Survey, A-1407. **Parcels SY14-090, SY14-108, SY14-119, DY14-042, DY14-044, and LY14-038**

Page  
1 of 2

Agenda Item #

15

**FROM (Department or other point of origin):****Origination Date****Agenda Date**

Department of Public Works and Engineering

6/30/14

JUL 09 2014

**DIRECTOR'S SIGNATURE:****Council District affected:** B

CS

Daniel W. Krueger, P.E., Director

**Key Map:** 374Q/374U**For additional information contact:****Date and identification of prior authorizing Council Action:**Nancy P. Collins Phone: (832) 395-3130  
Senior Assistant Director-Real Estate

**RECOMMENDATION: (Summary)** It is recommended City Council approve a motion authorizing the abandonment and sale of Embassy Plaza Drive, from Vickery Drive west to its terminus and a 10-foot-wide water line easement, in and conveyance of a 10-foot-wide sanitary sewer easement and a 30-foot-wide storm sewer easement, all located within Reserve A-1, Block 1 and Reserve L, Block 6, World Houston International Business Center Section 6, out of the Mary E. Colby Survey A-1649 and the William Lloyd Survey, A-1407. **Parcels SY14-090, SY14-108, SY14-119, DY14-042, DY14-044, and LY14-038**

**Amount and****Source of Funding:** Not Applicable**SPECIFIC EXPLANATION:**

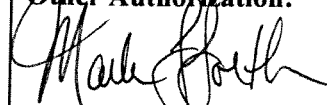
Lance Hoffman, BEC-LIN Engineering, L.P., 10401 Westoffice Drive, Houston, Texas, 77042, on behalf of EastGroup Properties (Brent Wood, Vice President), and Billipp/World Houston, L.P. (J. Andrew Billipp, President), requested the abandonment and sale of Embassy Plaza Drive, from Vickery Drive west to its terminus and a 10-foot-wide water line easement, and conveyance of a 10-foot-wide sanitary sewer easement and a 30-foot-wide storm sewer easement, all located within Reserve A-1, Block 1 and Reserve L, Block 6, World Houston International Business Center Section 6, out of the Mary E. Colby Survey A-1649 and the William Lloyd Survey, A-1407. The applicants plan to construct a private driveway to connect their property to Vickery Drive on the subject property.

This is Part One of a two-step process in which the applicant will first receive a City Council authorized motion acknowledging the concept of the subject request. Upon the applicant satisfactorily completing all transaction requirements including those enumerated below, the Department of Public Works and Engineering will forward a subsequent recommendation to City Council requesting passage of an ordinance effecting the sale. The Joint Referral Committee reviewed and approved this request. Therefore, it is recommended:

1. The City abandon and sell Embassy Plaza Drive, from Vickery Drive west to its terminus and a 10-foot-wide water line easement, and the applicant convey a 10-foot-wide sanitary sewer easement and a 30-foot-wide storm sewer easement, all located within Reserve A-1, Block 1 and Reserve L, Block 6, World Houston International Business Center Section 6, out of the Mary E. Colby Survey A-1649 and the William Lloyd Survey, A-1407;

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CUIC #20CJS9466

**REQUIRED AUTHORIZATION****Finance Department:****Other Authorization:****Other Authorization:**

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

Planning and Development Services Division

5

<b>Date:</b>	<b>Subject:</b> Request for the abandonment and sale of Embassy Plaza Drive, from Vickery Drive west to its terminus and a 10-foot-wide water line easement, and conveyance of a 10-foot-wide sanitary sewer easement and a 30-foot-wide storm sewer easement, all located within Reserve A-1, Block 1 and Reserve L, Block 6, World Houston International Business Center Section 6, out of the Mary E. Colby Survey A-1649 and the William Lloyd Survey, A-1407. <b>Parcels SY14-090, SY14-108, SY14-119, DY14-042, DY14-044, and LY14-038</b>	<b>Originator's Initials</b>	<b>Page 2 of 2</b>
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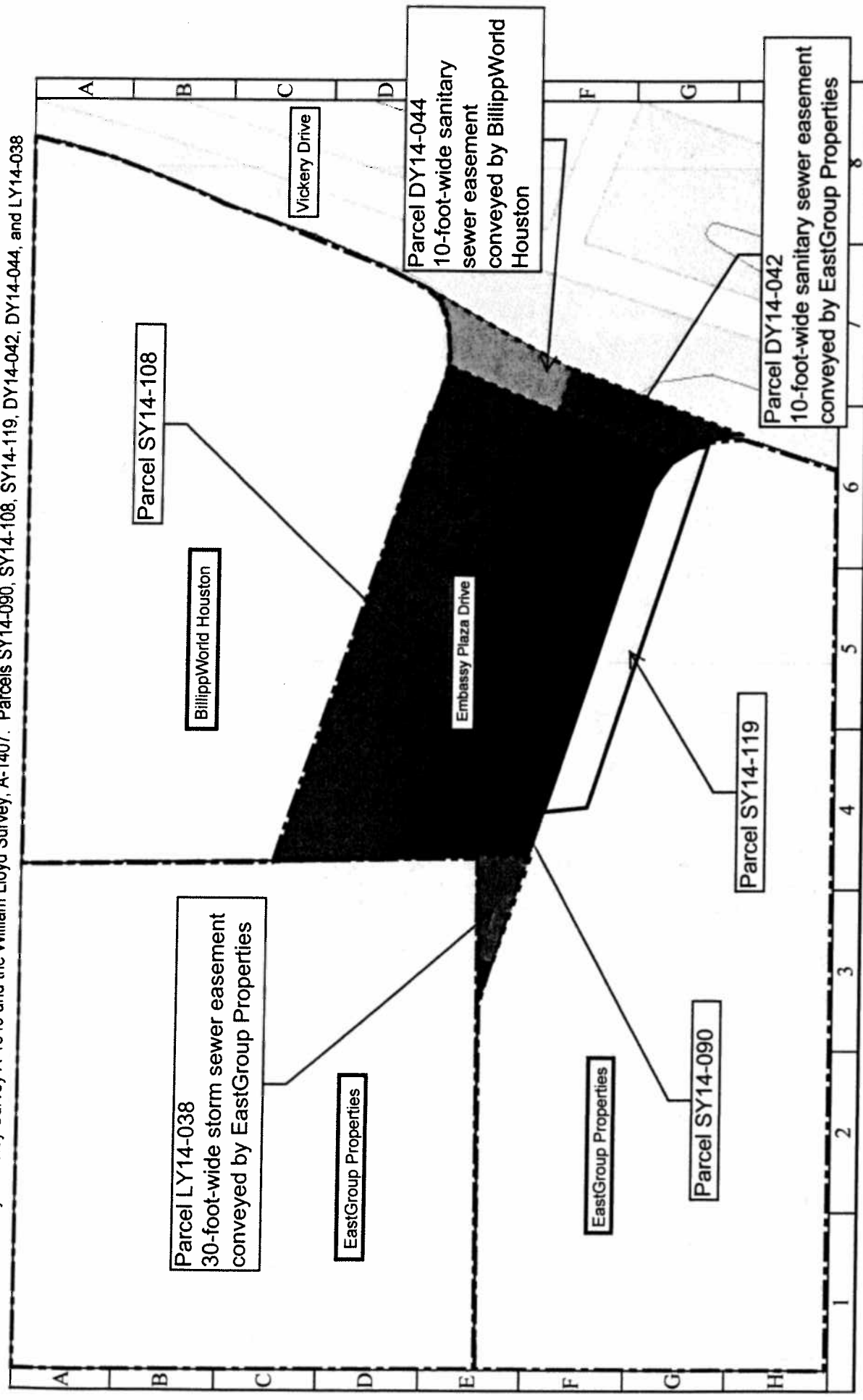
2. The applicants be required to furnish the Department of Public Works and Engineering with a durable, reproducible (Mylar) survey plat and field notes of the affected property;
3. The applicants be required to: (a) convert the existing 24-inch-wide storm sewer line and two storm sewer inlets located within Embassy Plaza Drive to private service, (b) construct a new storm sewer inlet in Vickery Drive north of Embassy Plaza Drive, and connect it to the 24-inch-wide storm sewer line in Vickery Drive, (c) cut, plug, and abandon the existing 12-inch water main located within the subject 10-foot-wide water line easement (d) pay the depreciated value of the storm sewer line, two inlets, and water line to be abandoned, and (e) complete all of the foregoing items at no cost to the City and under the proper permits obtained through the Office of the City Engineer and separate from any other project permits;
4. The applicants be required to: (a) remove the existing sidewalk north of the Embassy Plaza Drive, (b) reduce the radii for the existing curb turns into the Embassy Plaza Drive to meet the standards of the City of Houston Design Manual, and (c) complete all of the foregoing items at no cost to the City and under the proper permits obtained through the Office of the City Engineer and separate from any other project permits;
5. The applicants be required to prepare drawings that show all public utilities (storm sewer and water) that are to be abandoned, relocated, and/or constructed as part of this abandonment request and submit the drawings to the Office of the City Engineer for plan review and approval. A copy of the Motion shall be attached to the plan set when it is submitted for plan review;
6. The applicants be required to provide letters of no objection from each of the privately owned utility companies for the street being abandoned;
7. The Legal Department be authorized to prepare the necessary transaction documents; and
8. Inasmuch as the value of the City's property interests are not expected to exceed \$1,000,000.00, that the value be established by an independent appraiser appointed by the Director of Public Works and Engineering.

DWK:NPC:cs

c: Jun Chang, P.E., D.WRE  
Marta Crinejo  
Eric Dargan  
David Feldman  
Terry A. Garrison  
Daniel Menendez, P.E.  
Patrick Walsh, P.E.  
Jeffrey Weatherford, P.E., PTOE

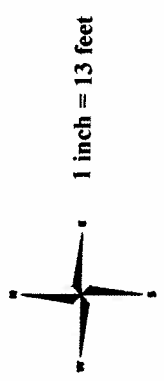
Parcel Map

Abandonment and sale of Embassy Plaza Drive, from Vickery Drive west to its terminus and a 10-foot-wide water line easement, and conveyance of a 10-foot-wide sanitary sewer easement and a 30-foot-wide storm sewer easement, all located within Reserve A-1, Block 1 and Reserve L, Block 6, World Houston International Business Center Section 6, out of the Mary E. Colby Survey A-1649 and the William Lloyd Survey, A-1407. Parcels SY14-090, SY14-108, SY14-119, DY14-042, DY14-044, and LY14-038



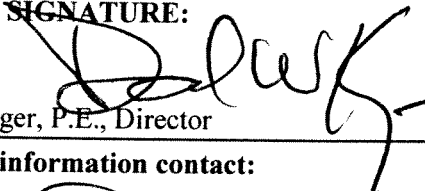
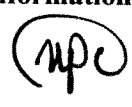
**CITY OF HOUSTON**  
 Department of Public Works and Engineering  
 Geographic Information & Management System (GIMS)

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



TO: Mayor via City Secretary

## REQUEST FOR COUNCIL ACTION

<b>SUBJECT:</b> Request for the abandonment and sale of a 10-foot-wide prescriptive sanitary sewer easement, located within Lots 7 and 8, Block 11, of the West Heights Subdivision, out of the John Austin Two League Grant Survey. <b>Parcel SY14-102</b>	<b>Page</b> <u>1</u> of <u>2</u>	<b>Agenda Item #</b>  16
<b>FROM (Department or other point of origin):</b>  Department of Public Works and Engineering	<b>Origination Date</b>  6/30/14	<b>Agenda Date</b>  JUL 09 2014
<b>DIRECTOR'S SIGNATURE:</b>  Daniel W. Krueger, P.E., Director	<b>Council District affected:</b> C  bam	
<b>For additional information contact:</b>  Nancy P. Collins Senior Assistant Director-Real Estate Phone: (832) 395-3130	<b>Key Map:</b> 492D  <b>Date and identification of prior authorizing Council Action:</b>	

**RECOMMENDATION: (Summary)** It is recommended City Council approve a Motion authorizing the abandonment and sale of a 10-foot-wide prescriptive sanitary sewer easement, located within Lots 7 and 8, Block 11, of the West Heights Subdivision, out of the John Austin Two League Grant Survey. **Parcel SY14-102**

**Amount and****Source of Funding:** Not Applicable**SPECIFIC EXPLANATION:**

Barry Hunsworth, Century Engineering, Inc., 3030 South Gessner, Suite 100, Houston, Texas, 77063, on behalf of KAVAC, LLC, (Terry Fisher, President), requested the abandonment and sale of a 10-foot-wide prescriptive sanitary sewer easement, located within Lots 7 and 8, Block 11, of the West Heights Subdivision, out of the John Austin Two League Grant Survey. The applicant plans to utilize the subject area for construction of a single family home.

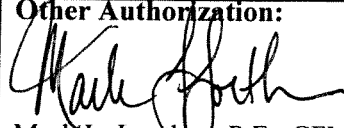
This is Part One of a two-step process in which the applicant will first receive a City Council authorized Motion acknowledging the concept of the subject request. Upon the applicant satisfactorily completing all transaction requirements including those enumerated below, the Department of Public Works and Engineering will forward a subsequent recommendation to City Council requesting passage of an Ordinance effecting the sale. The Joint Referral Committee reviewed and approved this request. Therefore, it is recommended:

1. The City abandon and sell a 10-foot-wide prescriptive sanitary sewer easement, located within Lots 7 and 8, Block 11, of the West Heights Subdivision, out of the John Austin Two League Grant Survey;
2. The applicant be required to furnish the Department of Public Works and Engineering with a durable, reproducible (Mylar) survey plat and field notes of the affected property;
3. The applicant be required to (a) cut, plug, and abandon the 8-inch sanitary sewer line, from its intersection with the 54-inch sanitary sewer line in Alexander Street east to manhole #II128040, (b) construct a new manhole in Alexander Street connecting the existing 8-inch sanitary sewer line to the 54-inch sanitary sewer line, (c) relocate any existing service connections to the 54-inch sanitary sewer line in Alexander Street, (d) complete the foregoing items at no cost to the City and under the proper permits issued by the Office of the City Engineer, and (e) provide a Certificate of Final Completion issued by the Office of the City Engineer;

p:\bam\sy14-102.rcl.doc

CUIC #20BAM9476

**REQUIRED AUTHORIZATION**

<b>Finance Department:</b>	<b>Other Authorization:</b>	<b>Other Authorization:</b>  Mark L. Loether, P.E., CFM, PTOE Deputy Director Planning and Development Services Division
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<b>Date:</b>	<b>Subject:</b> Request for the abandonment and sale of a 10-foot-wide prescriptive sanitary sewer easement, located within Lots 7 and 8, Block 11, of the West Heights Subdivision, out of the John Austin Two League Grant Survey. <b>Parcel SY14-102</b>	<b>Originator's Initials</b> <i>Bam</i>	<b>Page</b> <u>2</u> of <u>2</u>
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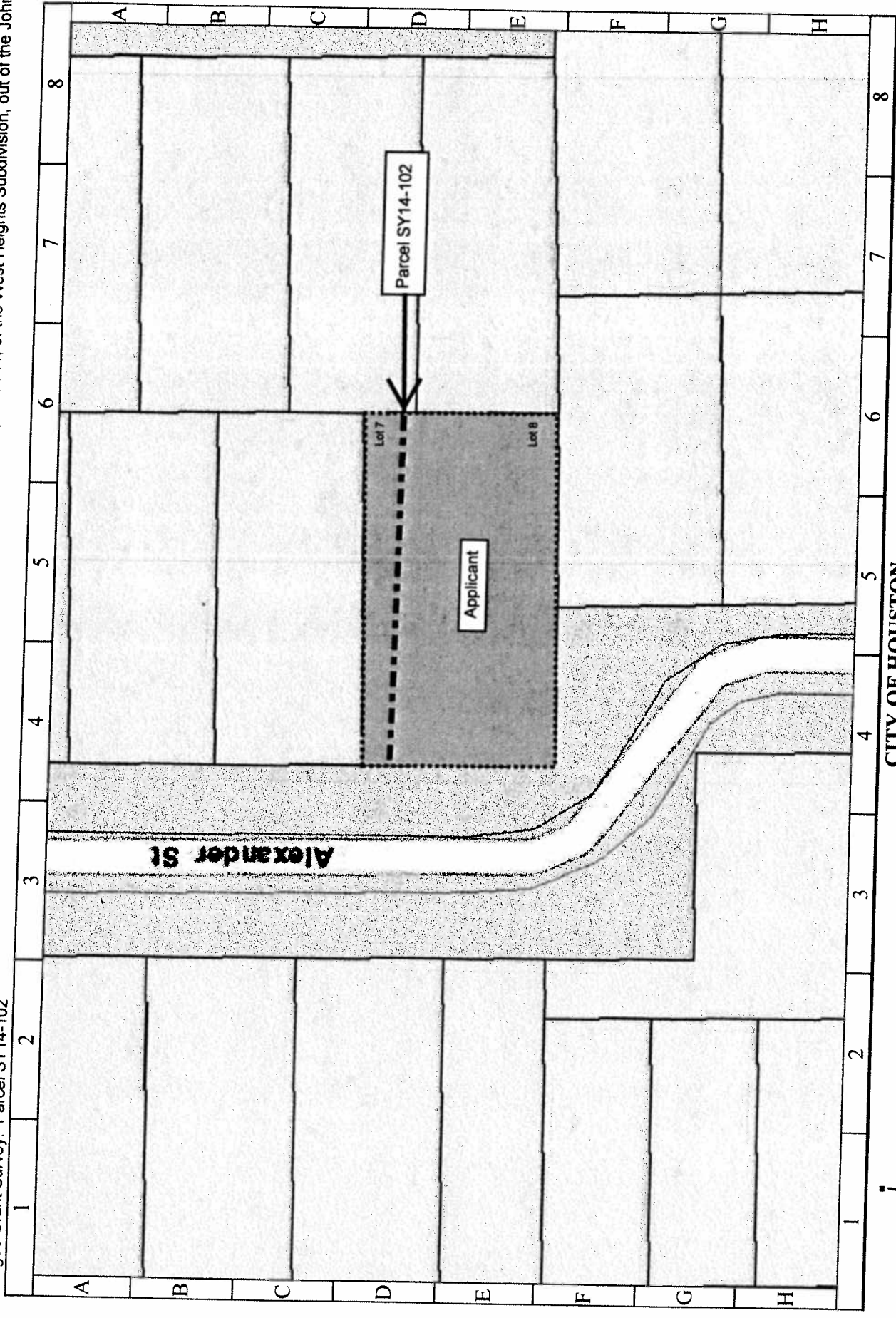
4. The applicant be required to prepare drawings that show all public utilities (sanitary sewer) that are to be abandoned, relocated, and/or constructed as part of this project and submit a drawing to the Office of the City Engineer for plan review and approval. A copy of the Motion shall be attached to the plan set when it is submitted for plan review;
5. The Legal Department be authorized to prepare the necessary transaction documents; and
6. Inasmuch as the value of the property interests is not expected to exceed \$50,000.00, that the value be established by staff appraisal, according to City policy.

DWK:NPC:bam

c: Jun Chang, P.E., D.WRE  
Marta Crinejo  
David Feldman  
Terry A. Garrison  
Daniel Menendez, P.E.  
Patrick Walsh, P.E.

PARCEL MAP

SUBJECT: Abandonment and sale of a 10-foot-wide prescriptive sanitary sewer easement, located within Lots 7 and 8, Block 11, of the West Heights Subdivision, out of the John Austin Two League Grant Survey. Parcel SY14-102



1 inch = 15 feet

CITY OF HOUSTON

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

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



**REQUEST FOR COUNCIL ACTION**

**TO:** Mayor via City Secretary

**RCA#**

**Subject: APPROVE A MOTION AUTHORIZING THE ISSUANCE OF PURCHASE ORDERS TO RESCUED PETS MOVEMENT INC., A 501(c)(3) NOT-FOR-PROFIT ORGANIZATION, FOR ANIMAL TRANSPORT OPERATIONS FOR THE BARC DIVISION OF THE ADMINISTRATION & REGULATORY AFFAIRS DEPARTMENT**

**Category #**

**Page 1 of 2**

**Agenda Item**

17

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

Tina Paez, Director  
Administration & Regulatory Affairs Department

**Origination Date**

June 27, 2014

**Agenda Date**

**JUL 09 2014**

**DIRECTOR'S SIGNATURE**

**Council District(s) affected:**

All

**For additional information contact:**

Greg Damianoff Phone: (713) 229-7321  
Charles Jackson Phone: (713) 229-7312

**Date and Identification of prior authorizing**

**Council Action:**

N/A

**RECOMMENDATION: (Summary)**

Approve a motion authorizing the issuance of purchase orders to Rescued Pets Movement Inc., a 501(c)(3) not-for-profit organization, for Animal Transport Operations for BARC in the not to exceed amount of \$265,000.

**Amount of Funding:** \$265,000 – BARC Special Revenue Fund

**FIN Budget**

**SOURCE OF FUNDING:** N/A

**SPECIFIC EXPLANATION:**

The Administration & Regulatory Affairs Department (ARA) recommends that City Council approve a motion authorizing the issuance of purchase orders to Rescued Pets Movement Inc., ("RPM") a 501(c)(3) not-for-profit organization, for Animal Transport Operations for BARC in the not to exceed amount of \$265,000.

BARC annually intakes approximately 25,000 dogs and cats. While we have made great strides in saving these animals through adoption events and increased foster and rescue relationships, these measures alone are not sufficient. Accordingly, in FY14 we piloted an initiative with RPM, an all-volunteer organization that transports animals from Houston and Greater Houston area shelters to other 501(c)(3) not-for-profit, "no kill", animal welfare organizations that have a demand for adoptable pets.

The transport pilot surpassed all expectations. Since September 2013, RPM has transported 2,300 animals to various "no kill" organizations in Colorado. As a result of the transport initiative, BARC achieved a live release rate of more than 70% in January, February, and March 2014, setting an all-time shelter live release record.

The cost for transport, to date, is approximately \$80,000. All transport to date has been funded through private contributions earmarked by the donors for this purpose. However, private donations cannot continue to fund this program from year-to-year, and we need a more reliable source of funding. BARC's FY15 adopted budget includes \$332,000 for the live release initiative, including the transport portion, which will allow 6,000 additional animals to be saved and transported to other parts of the country for adoption.

Under this agreement, RPM will be responsible for finding communities that have demand, building relationships with "no kill" organizations in those communities, and safely transporting the animals to those organizations, pursuant to their defined standard operating procedures. RPM will act as a traditional rescue group, meaning that the ownership of every animal will be transferred to RPM prior to the animal leaving BARC. Each animal will be accompanied with a health certificate.

If not for the heroic efforts of RPM, BARC would have been unable to support our FY14 record-breaking levels of live release. RPM can take the most susceptible cases, like sick and underweight animals, and find fosters for them until they are healthy and ready to be transported.

**REQUIRED AUTHORIZATION**

**FIN Department:**

**Other Authorization:**

**Other Authorization:**

Date: 06/27/2014	Subject: <b>APPROVE A MOTION AUTHORIZING THE ISSUANCE OF PURCHASE ORDERS TO RESCUED PETS MOVEMENT INC., A 501(c)(3) NOT-FOR-PROFIT ORGANIZATION, FOR ANIMAL TRANSPORT OPERATIONS FOR THE BARC DIVISION OF THE ADMINISTRATION &amp; REGULATORY AFFAIRS DEPARTMENT</b>	Originator's Initials TP	Page 2 of 2
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This recommendation is made pursuant to Chapter 252, Section 252.022 (a) (2), "a procurement necessary to preserve or protect the public health and safety of the municipality's residents," of the Texas Local Government Code for exempted procurements.

**Hire Houston First**

This procurement is exempt from the City's Hire Houston First Ordinance. Bids/proposals were not solicited because this is an award subject to the health and safety exception of the Texas Local Government Code, referenced above.

Attachment: MWBE Zero-Percentage goal document approved by the Office of Business Opportunity.

**Estimated Spending Authority**

Department	FY2015	Out Years	Total
Administration & Regulatory Affairs	\$140,000	\$125,000	\$265,000



**CITY OF HOUSTON**  
OFFICE  
of  
**BUSINESS OPPORTUNITY**

**Goal Modification  
Request Form**

To: Assistant Director  
Office of Business Opportunity

Solicitation Number: NA

Estimated Dollar Amount: \$ 265,000

From: Tina Paez  
Requestor's Name/Title  
Administration and Regulatory Affairs  
Department

Type of Solicitation: Bid ☐ Proposal ☐ Other ☒

**Name and Intent of this Solicitation:** Approve a motion authorizing the issuance of purchase orders to Rescued Pets Movement Inc., a 501(c)(3) not-for-profit organization, for Animal Transport Operations for BARC in the not to exceed amount of \$265,000

**PREVIOUS CONTRACT (if any):** Yes ☐ No ☒

Goal on Last Contract: NA Was Goal Met: Yes ☐ No ☐

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

Why wasn't goal achieved: \_\_\_\_\_

**PLEASE SELECT THE TYPE OF GOAL MODIFICATION REQUESTED FROM THE OPTIONS BELOW** (*Waiver, Reduced Goal, Goal Revision After Advertisement, OR Cooperative or Inter-Local Agreement*)

**WAIVER**

I am requesting a waiver of the MWBE Goal: Yes ☒ No ☐

**Reason for waiver:**

- ☐ A public or administrative emergency exists which requires the goods or services to be provided with unusual immediacy;
- ☐ The service or goods requested are of such a specialized, technical or unique nature as to require the City department to be able to select its contractor without application of MWSBE provisions (such as contracts for expert witnesses, certain financial advisors or technical consultants);
- ☒ If application of MWSBE provisions would impose an unwarranted economic burden or risk on the City or unduly delay acquisition of the goods or services, or would otherwise not be in the best interest of the City; or



# **REQUEST FOR COUNCIL ACTION**

**TO:** Mayor via City Secretary

**RCA# 10154**

**Subject:** Purchase of Software Enhancements and Support Services from the General Services Administration Schedule 70 Contract through the Cooperative Purchasing Program for the Mayor's Office of Public Safety and Homeland Security. S55-E25086

Category #  
4

Page 1 of 1

Agenda Item

18

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

Calvin D. Wells  
City Purchasing Agent  
Finance Department

**Origination Date**

June 24, 2014

**Agenda Date**

JUL 09 2014

**DIRECTOR'S SIGNATURE**

*Calvin D. Wells*  
For additional information contact: by: C. J. [Signature]  
Dennis Storemski Phone: (832) 393-0875  
Joyce Hays Phone: (832) 393-8723

**Council District(s) affected**  
All

**Date and Identification of prior authorizing Council Action:**  
CM 2013-0753

**RECOMMENDATION: (Summary)**

Approve the purchase of software enhancement and support services from the General Services Administration (GSA) Schedule 70 Contract through the Cooperative Purchasing Program in the total amount not to exceed \$490,400.00 for the Mayor's Office of Public Safety and Homeland Security.

Award Amount: \$ 490,400.00

**Finance Budget**

*[Signature]*

\$490,400.00 - Texas Division of Emergency Management (pass-through from DHS) (Fund 5030)

**SPECIFIC EXPLANATION:**

The Director of the Mayor's Office of Public Safety and Homeland Security and the City Purchasing Agent recommend that City Council approve the purchase of software enhancements and support services from the General Services Administration (GSA) Schedule 70 contract through the Cooperative Purchasing Program in the total amount of \$490,400.00 for the Mayor's Office of Public Safety and Homeland Security and that authorization be given to issue purchase orders, as necessary, to the GSA contractor, Digital Sandbox, Inc.

The Mayor's Office of Public Safety and Homeland Security seek to enhance the Digital Sandbox system, a proprietary risk management software system that Houston administers for the 13 counties of the Houston-Galveston Area Council (H-GAC) region. These enhancements will expand capabilities for the police, fire and emergency management personnel. The risk management system will provide the City of Houston and H-GAC counties throughout the region a set of tools to better evaluate an asset's vulnerabilities, risks and hazards. Risk-based resource allocation is required under the National Preparedness Guidelines. Furthermore, the National Infrastructure Protection Plan requires state and local governments to utilize risk management methodologies in their implementation of infrastructure protection efforts.

**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: Joseph Badell

Attachment: MWBE Zero-Percentage Goal Document approved by the Office of Business Opportunity

**REQUIRED AUTHORIZATION**

Finance Department:

Other Authorization:

Other Authorization:

*MS*

8

# REQUEST FOR COUNCIL ACTION

RCA# 10167

TO: Mayor via City Secretary

Subject: Approve the Purchase of a Goodrich External Rescue Hoist Kit for the Houston Police Department S55-H25095

Category #  
4

Page 1 of 1

Agenda Item

19

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

Calvin D. Wells  
City Purchasing Agent  
Finance Department

**Origination Date**

June 24, 2014

**Agenda Date**

JUL 09 2014

**DIRECTOR'S SIGNATURE**

*Calvin D. Wells*

**For additional information contact:**

Joseph A. Fenninger Phone: (713) 308-1770  
Joyce Hays Phone: (832) 393-8723

**Council District(s) affected**

All

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

**RECOMMENDATION: (Summary)**

Approve the purchase of a Goodrich external rescue hoist kit from Eagle Copters Ltd. in an amount not to exceed \$217,059.00 for the Houston Police Department.

Award Amount: \$217,059.00

**Finance Budget**

\$217,059.00 - Port Security Grant Pass - Through Fund ( 5000 )

**SPECIFIC EXPLANATION:**

The Chief of The Houston Police Department and the City Purchasing Agent recommend that City Council approve the purchase of a Goodrich External Rescue Hoist Kit in an amount not to exceed \$217,059.00 for the Houston Police Department (HPD) and authorization be given to issue a purchase order to Eagle Copters Ltd.

The City purchased from Eagle Copters Ltd. a Bell 412 EP multi-mission helicopter for HPD that serves the greater Houston region with aerial search, rescue capabilities, aerial fighting and expeditious deployment of first responders of Bomb Squad, Hazmat, Special Response Teams and Special Weapons And Tactics (SWAT) teams. This new hoist will be used as a replacement in the event that the current hoist becomes inoperative or is required to be sent for inspections and overhauls affecting the full operational capacity of the multi-mission helicopter.

The new hoist when not in use on the helicopter will be installed on a training tower within the Air Support Division of HPD for ground-based hoist operation training.

**Hire Houston First**

Hire Houston First does not apply to this expenditure, because it involves the use of federal funds and is subject to specific procurement rules of the federal government.

Buyer: Joseph Badell

Attachment: MWBE-Zero-Percent Goal Document approved by the Office of Business Opportunity

**REQUIRED AUTHORIZATION**

Finance Department:

Other Authorization:

*6/26/14*

Other Authorization:

RECEIVED

JUN 23 2014



CITY OF HOUSTON  
OFFICE  
of  
BUSINESS OPPORTUNITY

OBO  
Goal Modification  
Request Form

To: Assistant Director  
Office of Business Opportunity

Solicitation Number: 10188295

Estimated Dollar Amount: \$217,059.00

From: Tim Crabb/Senior Contract Administrator  
Requestor's Name/Title  
Police  
Department

Type of Solicitation: Bid ☒ Proposal ☐ Other ☐

Name and Intent of this Solicitation: HPD Air Support purchase of a 600 lb Goodrich Hoist Kit to be utilized by our department Bell 412 EP multi-mission helicopter serving the greater Houston region with aerial search & rescue for first responders (SWAT, Bomb Squad, Special Response Teams, Hazmat).

PREVIOUS CONTRACT (if any): Yes ☐ No ☒

Goal on Last Contract: Was Goal Met: Yes ☐ No ☐

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

Why wasn't goal achieved: \_\_\_\_\_

PLEASE SELECT THE TYPE OF GOAL MODIFICATION REQUESTED FROM THE OPTIONS BELOW (Waiver, Reduced Goal, Goal Revision After Advertisement, OR Cooperative or Inter-Local Agreement)

WAIVER

I am requesting a waiver of the MWBE Goal: Yes ☒ No ☐

Reason for waiver:

- ☐ A public or administrative emergency exists which requires the goods or services to be provided with unusual immediacy;
- ☒ The service or goods requested are of such a specialized, technical or unique nature as to require the City department to be able to select its contractor without application of MWSBE provisions (such as contracts for expert witnesses, certain financial advisors or technical consultants);
- ☐ If application of MWSBE provisions would impose an unwarranted economic burden or risk on the City or unduly delay acquisition of the goods or services, or would otherwise not be in the best interest of the City; or





☐ If the possible MWSBE participation level based on MWSBE availability would produce negligible MWSBE participation.

☐ Other: \_\_\_\_\_

**Detailed Explanation of waiver reason:** Purchase of a 600 lb. Hoist Kit for the HPD Air Support Division to be direct/drop shipped by the manufacturer with no opportunity for MWBE participation.

**REDUCED GOAL (To be completed by the department prior to advertisement)**

I am requesting a MWBE contract-specific goal below the following citywide goals:

Construction (34%); Professional Services (24%); Purchasing (11%)

Yes ☐ No ☐ If yes, complete a Contract-Specific Goal Setting Worksheet and submit with this form.

**GOAL REVISION AFTER ADVERTISEMENT**

I am requesting a revision of the MWBE Goal: Yes ☐ No ☐

Original Goal: \_\_\_\_\_ New Proposed Goal: \_\_\_\_\_

Advertisement Date: \_\_\_\_\_ Number of Solicitations Received: \_\_\_\_\_ Estimated Dollar Amount: \$ \_\_\_\_\_

**Detailed reason for request:** \_\_\_\_\_

**COOPERATIVE OR INTER-LOCAL AGREEMENT**

Is this a Cooperative/Inter-Local Purchasing Agreement? Yes ☐ No ☐ Goal Requested: \_\_\_\_\_

If yes, what type: \_\_\_\_\_ Yes ☐ No ☐

Did Department explore opportunities for using certified firms? Yes ☐ No ☐ N/A ☐

If no, please explain why not: \_\_\_\_\_

**Concurrence:**

[Signature]  
Department Initiator

6-23-14  
Date

[Signature]  
Department Director or Designee

6-23-14  
Date

**Approved by:**

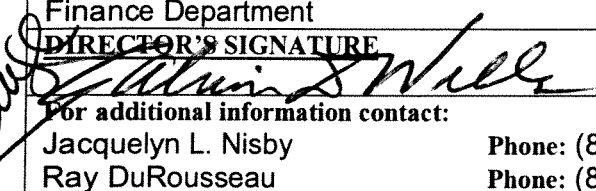
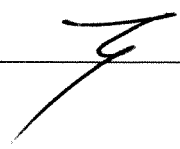
[Signature]  
OBO Assistant Director or Designee

6/24/14  
Date

OBO Tracking #: W-188

OBO Reason: Drop shipment

R

REQUEST FOR COUNCIL ACTION			
TO: Mayor via City Secretary		RCA# 9957	
<b>Subject:</b> Approve the Purchase of Construction Services for Ball Field Lighting through the Texas Local Government Purchasing Cooperative for the General Services Department on Behalf of the Houston Parks and Recreation Department - WBS No. F-000707-0001-4		Category # 4	Page 1 of 2  20-20A
<b>FROM (Department or other point of origin):</b> Calvin D. Wells City Purchasing Agent Finance Department		Origination Date  May 23, 2014	Agenda Date  JUL 09 2014
<b>DIRECTOR'S SIGNATURE</b> 		Council District(s) affected 1	
<b>For additional information contact:</b> Jacquelyn L. Nisby Phone: (832) 393-8023 Ray DuRousseau Phone: (832) 393-8726		Date and Identification of prior authorizing Council Action:	
<b>RECOMMENDATION: (Summary)</b> Approve an ordinance appropriating \$67,987.25 out of the Parks Consolidated Construction Fund (Fund 4502) and approve the purchase of construction services for installation of ball field lighting through the Texas Local Government Purchasing Cooperative (BuyBoard) in the amount of \$302,845.00 and contingencies (5% for unforeseen changes within the scope of work) in the amount of \$15,142.25 for a total amount not to exceed \$317,987.25 for the General Services Department on behalf of the Houston Parks and Recreation Department.			
Award Amount: \$317,987.25			Finance Budget 
\$250,000.00 - Park Special Revenue Fund (Fund 2100) \$ 67,987.25 - Parks Consolidated Construction Fund (Fund 4502)  \$317,987.25 - Total			
<b>SPECIFIC EXPLANATION:</b> The Director of the General Services Department and the City Purchasing Agent recommend that City Council approve an ordinance appropriating \$67,987.25 out of the Parks Consolidated Construction Fund (Fund 4502) and approve the purchase of construction services for installation of ball field lighting through the Interlocal Agreement for Cooperative Purchasing with the Texas Local Government Purchasing Cooperative (BuyBoard) in the amount of \$302,845.00 and contingencies (5% for unforeseen changes within the scope of work) in the amount of \$15,142.25 for a total amount not to exceed \$317,987.25 for the General Services Department on behalf of the Houston Parks and Recreation Department, and that authorization be given to issue purchase orders, as required, to the BuyBoard contractor, Musco Sports Lighting, LLC.  This procurement will provide new field lighting for the soccer field. The new lighting system will allow park users to have extended playing time. The lights are energy efficient, can be controlled remotely and have a twenty-five year product assurance and warranty program.  The scope of work requires the construction contractor to provide all labor, materials, equipment, supervision and transportation necessary to provide construction services to improve ball field lighting at Milby Park, located at 2001 Central, Houston, TX. The contractor shall be required to saw-cut approximately 60 LF of asphalt pavement across the existing driveway, properly dispose of the spoils, install new electrical conduit and restore the asphalt pavement to its previous condition, subsequent to the installation of the electrical conduit. The contractor shall also be required to furnish and install: 1) four - pre-cast concrete bases; 2) four - 70' galvanized steel poles and lights with security fixtures; 3) new electrical system with control link; 4) power poles and transformers; 5) repair damage to ground caused during construction; and 6) provide as built drawings upon completion of installation. Also, the contractor shall be required to install conduit to the picnic pavilion and Texas			
<b>REQUIRED AUTHORIZATION</b>			
Finance Department:		Other Authorization:	Other Authorization:

910A

<b>Date:</b> 5/23/2014	<b>Subject:</b> Approve the Purchase of Construction Services for Ball Field Lighting through the Texas Local Government Purchasing Cooperative for the General Services Department on Behalf of the Houston Parks and Recreation Department - WBS No. F-000707-0001-4 S50-C24850E	<b>Originator's Initials</b> AL	Page 2 of 2
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Commission on Environmental Quality monitoring station. Materials and workmanship shall be warranted for one-year and the contractor shall have 90 calendar days to complete the work on this project upon receipt of the notice to proceed.

**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. This procurement is exempt from the City's Hire Houston First Ordinance because the department is utilizing an Interlocal or Cooperative Purchasing Agreement for this purchase.

**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. This procurement is exempt from the City's 'Pay or Play' Program because the department is utilizing an Interlocal or Cooperative Purchasing Agreement for this purchase.

Buyer: Art Lopez

# REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 10123

**Subject:** Approve the Purchase of Construction Services for Ball Field Lighting through the Texas Local Government Purchasing Cooperative (BuyBoard) for the General Services Department on Behalf of the Houston Parks and Recreation Department S50-C24850E

Category #  
4

Page 1 of 2

Agenda Item

21+21A

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

Calvin D. Wells  
City Purchasing Agent  
Finance Department

**Origination Date**

May 23, 2014

**Agenda Date**

JUL 09 2014

**DIRECTOR'S SIGNATURE**

*Calvin D. Wells*

**Council District(s) affected**  
B

**For additional information contact:**

Jacquelyn L. Nisby  
Ray DuRousseau

Phone: (832) 393-8023  
Phone: (832) 393-8726

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

**RECOMMENDATION: (Summary)**

Approve an ordinance appropriating \$410,748.55 out of the Parks Consolidated Construction Fund (Fund 4502) and approve the purchase of construction services for installation of ball field lighting through the Texas Local Government Purchasing Cooperative (BuyBoard) in the amount of \$398,785.00 and contingencies (3% for unforeseen changes within the scope of work) in the amount of \$11,963.55 for a total amount not to exceed \$410,748.55 for the General Services Department on behalf of the Houston Parks and Recreation Department.

Award Amount: \$410,748.55

**Finance Budget**

\$410,748.55 - Parks Consolidated Construction Fund (Fund 4502) - WBS No. F-504A06-0006-4

**SPECIFIC EXPLANATION:**

The Director of the General Services Department and the City Purchasing Agent recommend that City Council approve an ordinance appropriating \$410,748.55 out of the Parks Consolidated Construction Fund (Fund 4502) and approve the purchase of construction services for installation of ball field lighting through the Interlocal Agreement for Cooperative Purchasing with the Texas Local Government Purchasing Cooperative (BuyBoard) in the amount of \$398,785.00 and contingencies (3% for unforeseen changes within the scope of work) in the amount of \$11,963.55 for a total amount not to exceed \$410,748.55 for the General Services Department on behalf of the Houston Parks and Recreation Department, and that authorization be given to issue purchase orders, as required, to the BuyBoard contractor, Musco Sports Lighting, LLC.

This procurement will provide new field lighting for the soccer fields. The new lighting system will allow park users to have extended playing time. The lights are energy efficient, can be controlled remotely and have a twenty-five year product assurance and warranty program.

The scope of work requires the construction contractor to provide all labor, materials, equipment, supervision and transportation necessary to provide construction services to improve ball field lighting at Keith Weiss Park, located at 12300 Aldine-Westfield, Houston, TX. The contractor shall also be required to furnish and install: 1) eight - pre-cast concrete bases; 2) eight - 70' galvanized steel poles and lights with security fixtures; 3) new electrical system with control link; 4) power poles and transformers; 5) repair damage to ground caused during construction; and 6) provide as built drawings upon completion of installation. Materials and workmanship shall be warranted for one-year and the contractor shall have 90 calendar days to complete the work on this project upon receipt of the notice to proceed.

**REQUIRED AUTHORIZATION**

Finance Department:

Other Authorization:

Other Authorization:

NOT

22+1A

<b>Date:</b> 5/23/2014	<b>Subject:</b> Approve the Purchase of Construction Services for Ball Field Lighting through the Texas Local Government Purchasing Cooperative (BuyBoard) for the General Services Department on Behalf of the Houston Parks and Recreation Department S50-C24850E	<b>Originator's Initials</b> AL	<b>Page 2 of 2</b>
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**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. This procurement is exempt from the City's Hire Houston First Ordinance because the department is utilizing an Interlocal or Cooperative Purchasing Agreement for this purchase.

**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. This procurement is exempt from the City's 'Pay or Play' Program because the department is utilizing an Interlocal or Cooperative Purchasing Agreement for this purchase.

Buyer: Art Lopez

# REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 10074

Subject: Formal Bids Received for Light-, Medium- & Heavy-Duty Cabs and Chassis and Truck Bodies for Various Departments

Category #  
4

Page 1 of 2

Agenda Item

S40-N24734

22-22A

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

Calvin D. Wells  
City Purchasing Agent  
Finance Department

Origination Date

May 22, 2014

Agenda Date

JUL 09 2014

**DIRECTOR'S SIGNATURE**

*Calvin D. Wells*

Council District(s) affected  
All

For additional information contact:

Kenneth Hoglund

Phone: (832) 393-6901

Ray DuRousseau

Phone: (832) 393-8726

Date and Identification of prior authorizing Council Action:

**RECOMMENDATION: (Summary)**

Approve an ordinance authorizing the appropriation of \$65,892.00 out of the Equipment Acquisition Consolidated Fund (1800) and approve the award to Chastang Enterprises, Inc. d/b/a Chastang Ford on its low bid in the amount of \$1,113,016.00 for light-, medium- and heavy-duty cabs and chassis and truck bodies for various departments.

Award Amount: \$1,113,016.00

Finance Budget

- \$ 65,892.00 - Equipment Acquisition Consolidated Fund (1800)
- \$ 56,972.00 - Stormwater Fund (2302)
- \$ 230,319.00 - Dedicated Drainage & Street Renewal Fund (2310)
- \$ 759,833.00 - Combined Utility System General Purpose Fund (8305)

\$1,113,016.00 - Total

**SPECIFIC EXPLANATION:**

The Director of the Fleet Management Department and the City Purchasing Agent recommend that City Council approve an ordinance authorizing the appropriation of \$65,892.00 out of the Equipment Acquisition Consolidated Fund (1800). It is further recommended that City Council approve an award to Chastang Enterprises, Inc. d/b/a Chastang Ford on its low bid in the amount of \$1,113,016.00 for light-, medium- and heavy-duty cabs & chassis and truck bodies for the various Departments and that authorization be given to issue purchase orders. These trucks will be used citywide by Department personnel to provide services to the citizens of Houston. The funding for these vehicles is included in the adopted FY14 Equipment Acquisition Plan.

This project was advertised in accordance with the requirements of the State of Texas bid laws. Ten prospective bidders downloaded the solicitation from the Strategic Procurement Division's e-bidding site and two bids were received as outlined below.

<u>Company</u>	<u>Amount</u>
1. Chastang Enterprises, Inc. d/b/a Chastang Ford	\$1,113,016.00
2. Caldwell Country Ford	\$1,262,328.00

This purchase will consist of nine 10,000-lb Gross Vehicle Weight Rating (GVWR) cab & chassis mounted with service bodies, thirteen 13,700-lb GVWR cab & chassis mounted with service bodies, one 16,500-lb GVWR cab & chassis mounted with a service body, one 16,500-lb GVWR cab & chassis mounted with a 36-ft aerial manlift body, four 16,500-lb -GVWR cab & chassis mounted with a fully enclosed 132" stand-up height utility bodies and one 18,000-lb GVWR cab & chassis mounted with a stakebed body and crane.

The new trucks will meet the EPA's current emission standards for trucks equipped with gasoline and diesel engines. The cabs and chassis will come with warranties that range from three years/36,000 miles to five years/60,000 miles. The truck bodies will come with warranties that range from one to three years. The life expectancy of these trucks is seven

**REQUIRED AUTHORIZATION**

Finance Department:

Other Authorization:

Other Authorization:

10X

23123

Date: 5/22/2014	Subject: Formal Bids Received for Light-, Medium- & Heavy-Duty Cabs and Chassis and Truck Bodies for Various Departments  S40-N24734	Originator's Initials JM	Page 2 of 2
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years or 100,000 miles. The trucks that will be replaced have reached their life expectancy and will be sent to auction for disposition.

**MWBE Subcontracting:**

Because these trucks are manufactured with factory installed options and are shipped directly to the manufacturer's authorized dealer, the only M/WBE potential for these trucks is the purchase and installation of non-factory options such as truck bodies and associated equipment. The bid was advertised with an 11% M/WBE goal for the purchase of non-factory options. With the review and approval of the Office of Business Opportunity, the M/WBE goal was modified to 10.42%. Thus, to the extent possible, the supplier listed below has agreed to subcontract the purchase and installation of non-factory options and has designated General Truck Body Manufacturing, Inc. as their certified M/WBE subcontractor.

Recommended Supplier	Item No. with M/WBE Goal	Award Amount	M/WBE Supplier	M/WBE Participation Amount	Percentage
Chastang Enterprises, Inc.	1 and 6	\$283,342.00	General Truck Body Manufacturing, Inc.	\$115,990.00	40.93%
	Total Award Amount	\$1,113,016.00		Total Award M/WBE %	10.42%

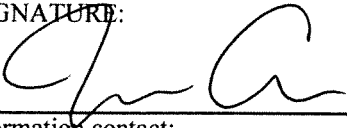
**Hire Houston First**

This procurement 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.

Item No. 4 will not be awarded.

Buyer: Jeff Meekins

## REQUEST FOR COUNCIL ACTION

SUBJECT: A Resolution to Amend the Bylaws of Houston Media Source		Page 1 of	Agenda Item # 23
FROM (Department or other point of origin): Jenn Char, Director of External Affairs, Office of the Mayor		Origination Date July 1, 2014	Agenda Date JUL 09 2014
DIRECTOR'S SIGNATURE: 		Council District affected: All	
For additional information contact: Jenn Char Phone: 832-393-0814		Date and identification of prior authorizing Council action: Ordinance No. 86-1733	
<u>RECOMMENDATION:</u> (Summary) Adopt a resolution approving amended bylaws for Houston Media Source			
Amount and Source of Funding: Not Applicable			
<u>SPECIFIC EXPLANATION:</u> <p>Houston Media Source ("HMS") was incorporated on behalf of the City of Houston under the Texas Non-Profit Corporation Act for the purpose of coordinating, developing and administering all public and educational access activities for access to those cable channels available to the City as a result of cable television franchise agreements and not reserved by the City for municipal access activities. HMS acts as a public trustee in administration of such access in the community interest.</p> <p>The amendments include the name change of HMS from Access Houston to Houston Media Source, previously effected by an amendment to its charter, changing the number of directors from 15 to 11, moving the board of directors' meetings from monthly to quarterly, splitting the Secretary/Treasurer position into individual positions, and adding provisions required by the City's Administrative Procedure No. 2-10 (which is applicable to all City non-profit and local government corporations) and the Texas Open Meetings Act.</p>			
<b>REQUIRED AUTHORIZATION</b>			
Other Authorization:	Other Authorization:	Other Authorization:	



**SUBJECT:** Ordinance authorizing the abandonment and sale of a 10-foot-wide prescriptive sanitary sewer easement, from Nicholson Street to Lawrence Street, located within Block 39, Houston Heights Addition, out of the John Austin Survey, A-1. **Parcel SY13-058**

Page  
1 of 1

Agenda Item #

24

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

Origination Date

Agenda Date

6/30/14

JUL 09 2014

Department of Public Works and Engineering

**DIRECTOR'S SIGNATURE:**

Council District affected: C

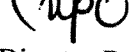
Key Map: 452V

DD

Daniel W. Krueger, P.E., Director

**For additional information contact:**

**Date and identification of prior authorizing Council Action:** C.M. 2013-0378 (6/12/13)

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

**RECOMMENDATION: (Summary)** It is recommended City Council approve an Ordinance authorizing the abandonment and sale of a 10-foot-wide prescriptive sanitary sewer easement, from Nicholson Street to Lawrence Street, located within Block 39, Houston Heights Addition, out of the John Austin Survey, A-1. **Parcel SY13-058**

**Amount and Source of Funding:** Not Applicable

**SPECIFIC EXPLANATION:**

By Motion 2013-0378, City Council authorized the subject transaction. Since passage of the Motion, Heights Block 39, LLC, (Jonathan Grenader, Manager), sold the abutting property to JLB Block 39 L.P., [JLB Block 39 GP L.P., (Bay W. Miltenberger, Manager), General Partner]. JLB Block 39 L.P., the current abutting property owner, plans to construct a 300-unit multi-family residential apartment complex in the location of the subject easement.

JLB Block 39 L.P. has complied with the transaction requirements, has accepted the City's offer, and has rendered payment in full.

The City will abandon and sell to JLB Block 39 L.P.:

**Parcel SY13-058**

6,000 square feet of sanitary sewer easement \$55,500.00  
Valued at \$9.25 per square foot

**TOTAL ABANDONMENT AND SALE**

**\$55,500.00**

Therefore, it is recommended City Council approve an ordinance authorizing the abandonment and sale of a 10-foot-wide prescriptive sanitary sewer easement, from Nicholson Street to Lawrence Street, located within Block 39, Houston Heights Addition, out of the John Austin Survey, A-1.

DWK:NPC:dob

c: Jun Chang, P.E., D.WRE  
Marta Crinejo  
Daniel Menendez, P.E.  
Patrick Walsh, P.E.

LTS #12312

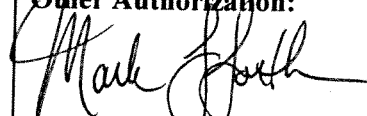
CUIC #20DOB071

**REQUIRED AUTHORIZATION**

**Finance Department:**

**Other Authorization:**

**Other Authorization:**



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

STATE PLANE  
GRID COORDINATES:

EPC  
X: 3107.448.10  
Y: 13,858,823.92  
EPC  
X: 3107.440.92  
Y: 13,858,972.73

Abandonment and sale of a 10-foot-wide prescriptive sanitary sewer easement, from Nicholson Street to Lawrence Street, located within Block 39, Houston Heights Addition, out of the John Austin Survey, A-1. Parcel SY13-058

WEST 24TH AVENUE  
(70' ROW)  
(VOL. 1-A, PG. 114, H.C.M.R.)

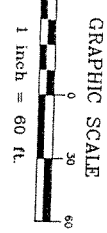
WEST 24TH AVENUE  
(70' ROW)  
(VOL. 1-A, PG. 114, H.C.M.R.)

SET  
FND 1/2" R BEARS  
FND 1/2" L BEARS

SET  
FND 1/2" R BEARS  
FND 1/2" L BEARS  
SET 1/2" R BEARS  
SET 1/2" L BEARS

VICINITY MAP: 1" = 12 MI

LINE	BEARING	DISTANCE
L1	N02°45'30"W	10.00'
L2	S02°45'30"E	10.00'



NICHOLSON STREET  
(100' ROW)  
(VOL. 1-A, PG. 114, H.C.M.R.)

BLOCK 40

- NOTES:
- There is a separate Metes and Bounds description of this Sanitary Sewer Easement.
  - Corners have not been staked.
  - Bearings cited herein are based on the Texas State Plane Coordinate System, South Central Zone, NAD 83, coordinates shown here are grid and may be converted to surface applying a combined scale factor of 0.999870017



CITY OF HOUSTON  
PUBLIC WORKS AND  
ENGINEERING DEPARTMENT

APPROVAL

DATE

SURVEY SECTION

RIGHT OF WAY SECTION

KEY MAP NO. 452V

GIMS MAP NO. 5359d

AN EXHIBIT OF A 0.1377 ACRE (6,000 SQ. FT.)

ABANDONMENT & SALE OF A  
10' PRESCRIPTIVE SANITARY SEWER EASEMENT  
BLOCK 39, HOUSTON HEIGHTS ADDITION  
JOHN AUSTIN SURVEY, A-1  
HARRIS COUNTY, TEXAS

**TERRA**  
SURVEYING CO., INC.

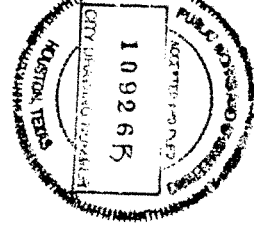
3000 WILCREST DRIVE  
SUITE 210  
HOUSTON, TEXAS 77042  
(713) 993-0327  
FAX (713) 993-9231

KEY MAP: 452V
FIELD BOOK: 13-05
SCALE: 1"=60'
JOB NO. 1617-1304
DATE: 4/25/13
DRAWN BY: CW
CHECKED BY: GC
DWG. NO.

JOB NO.

WBS NO.

C.M. NO.



ABBREVIATIONS LEGEND:

CM	ABSTRACT NUMBER
ESMT	CONTROL MONUMENT
FND	FOUND
ROCK	ROCK
HOAR	HARBOR
MAP	MAP RECORDS
IRON	IRON PIPE
IRON	IRON PIPE
NO	NUMBER

NOT TO SCALE

POINT OF BEGINNING

PER RECORDS DRAWINGS

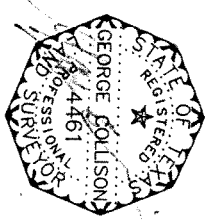
RIGHT OF WAY

SET 5/8" IRON ROD W/CAP

30 FT

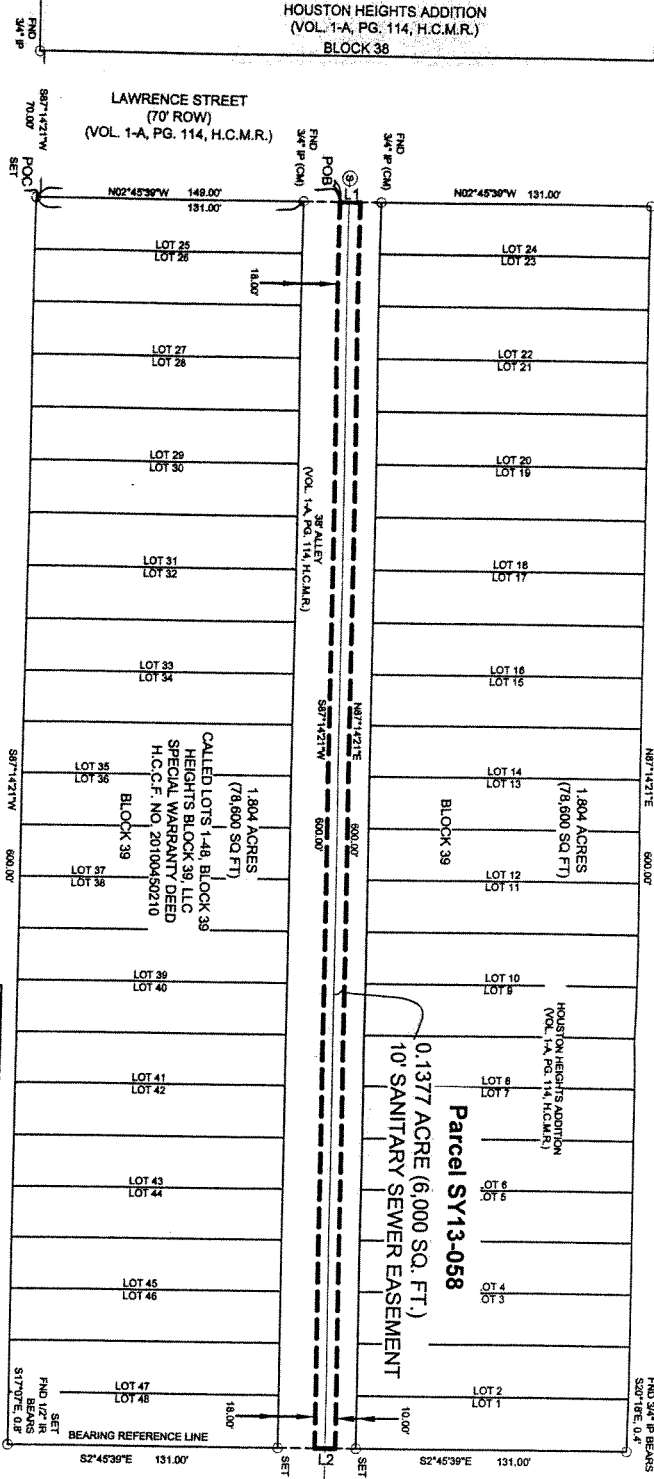
SANITARY SEWER

WITH CAP STAMPED



WEST 24TH AVENUE  
(70' ROW)  
(VOL. 1-A, PG. 114, H.C.M.R.)

HOUSTON HEIGHTS ADDITION  
(VOL. 1-A, PG. 114, H.C.M.R.)  
BLOCK 41



# **REQUEST FOR COUNCIL ACTION**

**TO: Mayor via City Secretary**

**RCA #**

**SUBJECT:** Ordinance approving a Final Project Plan and Reinvestment Zone Financing Plan for Tax Increment Reinvestment Zone Number Twenty-Four (Greater Houston Zone).

**Category #**

**Page**  
1 of 1

**Agenda Item#**

25

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

Andrew F. Icken  
Chief Development Officer

**Origination Date**

6/30/14

**Agenda Date**

JUL 09 2014

**DIRECTOR'S SIGNATURE:**



**Council Districts affected:**

D, H, I, K

**For additional information contact: Phone:**

Ralph De Leon (832) 393-0985

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

Ord. No. 2010-0265, 04/07/10, Ord. No. 2011-0074, 02/02/11, Ord. No. 2011-0296, 04/27/11, Ord. No. 2012-1048, 12/12/12

**RECOMMENDATION: (Summary)**

City Council adopt an Ordinance approving a Final Project Plan and Reinvestment Zone Financing Plan for Tax Increment Reinvestment Zone Number Twenty-Four (Greater Houston Zone).

**Amount of Funding:** No Funding Required

**SOURCE OF FUNDING:**

☐ General Fund

☐ Grant Fund

☐ Enterprise Fund

☒ N/A

**SPECIFIC EXPLANATION:**

On December 12, 2012, City Council (City) approved the creation of Tax Increment Reinvestment Zone Number Twenty-Four (Greater Houston Zone) and was presented with a Preliminary Zone Project and Reinvestment Zone Financing Plan for the Greater Houston Zone. On June 13, 2014, the Board of Directors of the Greater Houston Zone approved a Final Plan (Plan) and recommended forwarding the Plan to the City for consideration. The Plan was found to comply with Chapter 311 of the Texas Tax Code and to be consistent with the land uses and development goals of the preliminary plan considered by City Council when it created the Greater Houston Zone.

The Plan details projects to be implemented by the Greater Houston Zone, located in the central Houston and South Loop area and including provisions needed to stimulate and revitalize vacant, undeveloped or underdeveloped areas within the Zone.

To support the Greater Houston Zone's and the City's efforts in this regard, the Administration recommends that City Council approve the Final Project Plan and Reinvestment Zone Financing Plan for the Greater Houston Zone.

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

**REQUIRED AUTHORIZATION**

**Other Authorization:**

**Other Authorization:**

**Other Authorization:**


26

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Lease Agreement between the City of Houston and CB&I, Inc. – George Bush Intercontinental Airport/Houston (IAH).	Category #	Page 1 of 2	Agenda Item # 26
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FROM (Department or other point of origin): Houston Airport System	Origination Date June 23, 2014	Agenda Date JUL 09 2014
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DIRECTOR'S SIGNATURE: 	Council District affected: B
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For additional information contact: Kathy Elek Phone: 281-233-1826 Ian Wadsworth INW 281-233-1682	Date and identification of prior authorizing Council action: N/A
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AMOUNT & SOURCE OF FUNDING: REVENUE: \$204,000 annually	Prior appropriations: N/A
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**RECOMMENDATION: (Summary)** Enact an ordinance approving and authorizing the execution of a Lease Agreement between the City of Houston and CB&I, Inc. for premises at George Bush Intercontinental Airport/Houston (IAH).

**SPECIFIC EXPLANATION:** CB&I, Inc. (Lessee) has requested to lease a hangar and land located at 17650 Chanute Rd., George Bush Intercontinental Airport/Houston (IAH).

The pertinent terms and conditions of this Lease Agreement (Lease) are as follows:

1. Leased Premises: Approximately 4.975 acres (approximately 216,730 square feet) of improved land, including approximately 24,898 square feet of hangar space, at 17650 Chanute Rd.
2. New Investment: Lessee shall expend not less than \$300,000 to improve the Leased Premises during the initial term. If the option period is exercised and approved, Lessee will expend not less than \$75,000 in capital investment for each option period year, for a cumulative total of \$675,000.
3. Term: Three (3) years with one 9-year option period that is exercisable at the discretion of the Lessee, unless terminated sooner in accordance with the terms of the Lease.
4. Rent: Based on independent appraisals, rent will be \$204,000 annually (\$17,000 monthly). Rent will increase by 3% annually over the prior year's rent.
5. Use: Corporate Base Operation, maintenance, storage and self-fueling of Lessee's owned and leased aircraft.
6. Performance Security: Lessee will provide a cash deposit, performance bond or an irrevocable Letter of Credit in the amount of \$51,000.

REQUIRED AUTHORIZATION

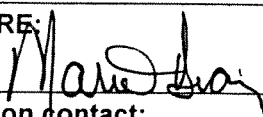
Finance Department:	Other Authorization:	Other Authorization:
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<b>Date</b> June 23, 2014	<b>Subject:</b> Lease Agreement between the City of Houston and CB&I, Inc. – George Bush Intercontinental Airport/Houston (IAH).	<b>Originator's Initials</b> AM	<b>Page</b> 2 of 2
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7. **Maintenance and Utilities:** Lessee shall assume the entire responsibility, cost and expense for all repair and maintenance of the leased premises and shall be responsible for all utilities and fees.
8. **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.
9. **Other:** Lessee shall comply with all federal, state and local environmental laws and all airport policies and procedures.

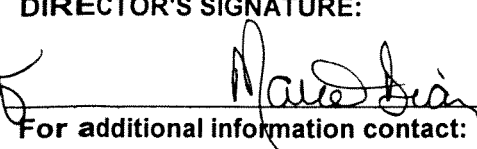
TO: Mayor via City Secretary

## REQUEST FOR COUNCIL ACTION

<b>SUBJECT:</b> Lease Agreement between the City of Houston and Famiglia Debartolo, LLC - George Bush Intercontinental Airport/Houston (IAH).		<b>Category #</b>	<b>Page</b> 1 of 1	<b>Agenda Item #</b> 27
<b>FROM (Department or other point of origin):</b> Houston Airport System		<b>Origination Date</b> June 20, 2014		<b>Agenda Date</b> JUL 09 2014
<b>DIRECTOR'S SIGNATURE:</b> 		<b>Council District affected:</b> B		
<b>For additional information contact:</b> Kathy Elek <i>Kae</i> Phone: 281-233-1826 Ian Wadsworth <i>IW</i> 281-233-1682 <i>TAC</i>		<b>Date and identification of prior authorizing Council action:</b> N/A		
<b>AMOUNT &amp; SOURCE OF FUNDING:</b> <b>REVENUE:</b> \$19,813.32 annually		<b>Prior appropriations:</b> N/A		
<b>RECOMMENDATION: (Summary)</b> Enact an ordinance approving and authorizing a Lease Agreement between the City of Houston and Famiglia Debartolo, LLC at George Bush Intercontinental Airport /Houston (IAH).				
<b>SPECIFIC EXPLANATION:</b> Famiglia Debartolo, LLC ("Lessee") has requested to lease office and warehouse space for its operations at George Bush Intercontinental Airport /Houston (IAH). The pertinent terms and conditions of the Lease are as follows:				
1. Premises:	Approximately 3,600 square feet of office and warehouse space at 18506 Lee Road, IAH.			
2. Term:	The term is for ten (10) years. The Lessee or the Director shall have the right to terminate this lease upon 30 days' prior written notice to the other party.			
3. Rental:	Rent shall be \$19,813.32 per year and shall escalate 3% annually over the prior year's rental rate.			
4. Use:	The space is to be used for office space and storage of food products and inventory for Lessee's operations at IAH.			
5. Maintenance and Utilities:	Lessee shall assume the entire responsibility, cost and expense for all maintenance of the leased premises and shall be responsible for all utilities or service to the leased premises.			
6. Indemnification:	Lessee shall indemnify and hold the City harmless and shall provide the required insurance in the limits as stated in the lease.			
7. Other:	Lessee shall comply with all federal, state and local environmental laws and airport policies and procedures.			
<b>REQUIRED AUTHORIZATION</b>				
<b>Finance Department:</b>		<b>Other Authorization:</b>		<b>Other Authorization:</b>

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

<b>SUBJECT:</b> International Facilities Agreement –Scandinavian Airlines of North America, Inc. - George Bush Intercontinental Airport/Houston (IAH)		<b>Category #</b>	<b>Page</b> 1 of 2	<b>Agenda Item #</b>  28
<b>FROM (Department or other point of origin):</b> Houston Airport System		<b>Origination Date</b> June 27, 2014		<b>Agenda Date</b> JUL 09 2014
<b>DIRECTOR'S SIGNATURE:</b> 		<b>Council District affected:</b> B		
<b>For additional information contact:</b>  Kathy Elek <i>Kae</i> Phone: 281/233-1826 Ian Wadsworth <i>IW</i> 281/233-1682		<b>Date and identification of prior authorizing Council action:</b> 05/07/2014 (O) 2014-0408; 10/23/2013 (O) 2013-0953; 10/27/2011 (O) 2011-0883; 01/20/10 (O) 2010-0031; 04/18/2007 (O) 2007-0483; 08/16/2006 (O) 2006-0856; 08/17/2005 (O) 2005-967		
<b>AMOUNT &amp; SOURCE OF FUNDING:</b> REVENUE: \$603,705 Annually		<b>Prior appropriations:</b> N/A		

**RECOMMENDATION:** Enact an ordinance approving and authorizing the execution of the International Facilities Agreement with Scandinavian Airlines of North America, Inc. at George Bush Intercontinental Airport/Houston (IAH).

**SPECIFIC EXPLANATION:** The International Facilities Agreement (IFA) defines the terms and conditions by which the airlines may use the airfield for aircraft operations, lease space in Terminal D and have common use of aircraft gates and the Federal Inspection Services (FIS) area at George Bush Intercontinental Airport/Houston (IAH).

The IFA with Scandinavian Airlines of North America, Inc. (SAS) is similar to IFAs with Korean Air Lines Co. that was approved by City Council on May 7, 2014; Air China Limited and Turkish Airlines that were approved by City Council on October 23, 2013; Atlas Air Inc. and Aeroenlaces Nacionales VivaAerobus, S.A de C.V that were approved by City Council on October 27, 2011; Emirates, Singapore Airlines Limited and Qatar Airways O.C.S.C. that were approved by City Council on January 20, 2010; Aerovias de Mexico S.A. de C.V. (Aeromexico), Societe Air France, British Airways, PLC, Deutsche Lufthansa AG and TACA International Airlines, S.A. that were approved by City Council on April 18, 2007; KLM Royal Dutch Airlines that was approved on August 16, 2006; and Continental Airlines, Inc. that was approved by City Council on August 17, 2005.

The pertinent terms and conditions of the IFA with SAS are as follows:

- 1) Leased Premises** - Approximately 127 square feet of exclusive operations/administrative space and the common use of aircraft gates, FIS area, ticket counters, baggage make-up and security checkpoint pursuant to access and assignment procedures.

REQUIRED AUTHORIZATION

<b>Finance Department:</b>	<b>Other Authorization:</b>	<b>Other Authorization:</b>
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<b>Date</b> June 27, 2014	<b>SUBJECT:</b> International Facilities Agreement – Scandinavian Airlines of North America, Inc. - George Bush Intercontinental Airport/Houston (IAH)	<b>Originator's Initials</b>	<b>Page 2 of 2</b>
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**2) Rental -**

Approximately \$10,400 per year for exclusive operations/administrative space; \$320,800 per year for gate, ticket counter, baggage make-up, APM charge, security checkpoint, and FIS area common use; and \$272,500 per year in landing fees.

**3) Term -**

Month to Month; however in no event shall this agreement extend beyond June 30, 2015. The Director or airline may terminate this agreement at any time without cause upon thirty (30) days written notice to the other party.

On January 29, 2014, City Council passed the Carrier Incentive Program for the Houston Airport System. Under the Carrier Incentive Program, SAS is eligible to receive various incentives, including abatement of landing fees, turn charges (terminal rental charges), and FIS charges, as well as marketing support.





**REQUEST FOR COUNCIL ACTION****TO:** Mayor via City Secretary**SUBJECT:** An ordinance authorizing an agreement with **Susman Godfrey L.L.P.** for representation of the City in a commercial dispute with Towers Watson & Co. f/n/a Towers Perrin.**Category #****Page**  
1 of 1**Agenda Item #**  
  
29**FROM: (Department or other point of origin):**  
Legal Department**Origination Date**

6/30/14

**Agenda Date**

JUL 09 2014

**DIRECTOR'S SIGNATURE:**

David M. Feldman

**Council Districts affected:**

All

**For additional information contact:**

Lynette Fons-Legal

832-393-6282

**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 **Susman Godfrey L.L.P.**, for representation of the City in a commercial dispute with Towers Watson & Co. f/n/a Towers Perrin.

**AMOUNT AND SOURCE OF FUNDING:**

\$610,000.00 Initial Allocation and \$970,000.00 Maximum Contract Amount to be paid from the General Fund.

**Budget:****SPECIFIC EXPLANATION:**

City seeks to retain Susman Godfrey, L.L.P. ("Firm") to represent the City's interests in a highly complex commercial dispute between the City and Towers Watson & Co. f/n/a Towers Perrin (Towers), a company whose actuarial work pertaining to the Houston Firefighters Relief and Retirement Fund has had a significant negative impact on the City's financial health. Litigation is anticipated and Firm will serve as counsel through all phases of discovery and trial. Firm will perform its work for a fee of \$720,000, to be paid in twenty-four equal monthly installments, plus a contingent fee of thirty-three and one third percent (33.33%) of any settlement or net judgment amount. The \$720,000 fee together with any litigation expenses incurred by the City during the pendency of the action will be recouped by the City before calculation of Firm's contingent fee. To the extent Firm advances expenses associated with their representation of the City, Firm will be reimbursed for same in accordance with the City policy on reimbursement of expenses, and the amount of \$250,000 is allocated for that purpose.

No settlement or resolution of the dispute will be undertaken without the approval of the City Attorney and the City Attorney has the ability to terminate the agreement for convenience.

Susman Godfrey L.L.P., a Houston firm focusing on high-stakes complex litigation, enjoys a stellar reputation and is recognized as one of the nation's leading boutique law firms. The Firm has unique abilities and their experience includes successful resolution of litigation against members of the actuary profession. The Firm has performed work on a pro bono basis for the City. The fee arrangement agreed to by the Firm reflects the Firm's willingness to share the City's risk in the subject litigation. Qualified City certified MWBE firms will be retained by Firm where feasible.

**REQUIRED AUTHORIZATION****Finance Director:****Other Authorization:****Other Authorization:**

# **REQUEST FOR COUNCIL ACTION**

**TO:** Mayor via City Secretary

**Subject:** Authorize and approve agreements with seventeen schools/districts relating to the School Crossing Guard Program.

Category #

Page 1 of 1

Agenda Item

**30**

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

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

**Origination Date**

June 26, 2014

**Agenda Date**

**JUL 09 2014**

**DIRECTOR'S SIGNATURE**

**For additional information contact:**

Joseph A. Fenninger  
CFO & Deputy Director Phone: (713) 308-1700

**Council District(s) affected**  
All

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

**RECOMMENDATION: (Summary)**

Approve an ordinance approving agreements to reimburse seventeen schools/districts for school crossing guard services.

Estimated Spending Authority \$3,300,000

**Finance Budget**

\$3,300,000 Child Safety Fund (2209)

**SPECIFIC EXPLANATION:**

Chapter 106 of the Texas Local Government Code requires the City of Houston to establish a Child Safety Fund to be used primarily for reimbursing public, parochial and private schools for school crossing guard services. Schools are reimbursed based on the submitted expenditures pursuant to City Ordinance Section 16-8. The funds are collected as part of vehicle registrations and fees from tickets related to certain parking and truancy violations. The City of Houston pays out 100% of all revenues that come into this fund. The City has no obligation for paying out more from the fund than the fund takes in from revenue.

It is recommended that City Council approve the agreements with the seventeen schools listed below. The agreements are for a five-year term. Additional agreements with schools/districts may be brought before City Council for approval at a later date upon approval by their administrative bodies.

- |  |   |
|--|---|
| 1. St. Vincent de Paul Catholic School             | 16. Pasadena Independent School District      |
| 2. St. John's School                               | 17. Spring Branch Independent School District |
| 3. River Oaks Baptist School                       |   |
| 4. John Paul II Catholic School                    |   |
| 5. Houston Gateway Academy                         |   |
| 6. Annunciation Orthodox School                    |   |
| 7. Amigos Por Vida Friends for Life Charter School |   |
| 8. Aldine Independent School District              |   |
| 9. Alief Independent School District               |   |
| 10. Clear Creek Independent School District        |   |
| 11. Fort Bend Independent School District          |   |
| 12. Galena Park Independent School District        |   |
| 13. Houston Independent School District            |   |
| 14. Huffman Independent School District            |   |
| 15. Katy Independent School District               |   |

**REQUIRED AUTHORIZATION**

Finance Department:

Other Authorization:

Other Authorization:

TO: Mayor via City Secretary REQUEST FOR COUNCIL ACTION

<b>SUBJECT:</b> An ordinance authorizing a First Amendment to a Letter of Agreement (LOA) between the City of Houston and Houston Recovery Center LGC (Sobering Center) for additional services, a term extension and an increase of the maximum contract amount.	<b>Category #</b>	<b>Page</b> 1 of 1	<b>Agenda Item #</b> <i>31</i>
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<b>FROM (Department or other point of origin):</b> Department of Health and Human Services	<b>Origination Date</b> 06/05/2014	<b>Agenda Date</b> JUL 09 2014
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<b>DIRECTOR'S SIGNATURE</b> <i>Stephen Williams</i>	<b>Council District affected:</b> All
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<b>For additional information contact:</b> Kathy Barton Telephone: 832-393-5045 Cell: 713-826-5801	<b>Date and identification of prior authorizing Council action:</b> 2014-0092; 02/05/2014
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**RECOMMENDATION:** Approving an ordinance authorizing a First Amendment to a Letter of Agreement (LOA) between the City of Houston and Houston Recovery Center LGC (Sobering Center) for additional services, a term extension and an increase of the maximum contract amount.

<b>Amount of Funding:</b> New Maximum Contract Amount: \$ 4,060,491.00 Original Maximum: \$2,933,332.00 Total Funding Increase: \$1,127,159.00 Fund: 2010 - Essential Public Health Services	<b>Finance Department:</b>
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**SOURCE OF FUNDING:** ☐ General Fund ☐ Grant Fund ☐ Enterprise Fund  
☒ Other (Specify): Essential Public Health Services

The Houston Department of Health and Human Services (HDHHS) requests City Council to approve an ordinance authorizing a first amendment to a Letter of Agreement (LOA) between the City of Houston and Houston Recovery Center LGC (Sobering Center) for: 1) additional services, 2) an increase from three to four one-year automatic renewal periods, and 3) an increase in the maximum contract amount from \$2,933,332.00 to \$ 4,060,491.00. Total funding increase is \$ 1,127,159.00. The LOA was approved February 5, 2014 under Ordinance No. 2014-0092. The LOA was effective December 11, 2013 for one year with three automatic one-year renewal periods. The new termination date will extend the term of the LOA from December 11, 2017 to December 11, 2018.

Objectives of the Sobering Center under the original LOA provided for coordinated, recovery focused services responsive to the priority needs of the population service and 2) an increase in the number of people with substance abuse use disorders discharged from the Sobering Center with a commitment to sustained recovery with long term support.

This amendment will allow for added recovery support services at a minimum of two (2) City of Houston multi-service centers. Services to be provided include but are not limited to:

- o Providing individual face-to-face and telephone recovery coaching services
- o Providing continuing education and training for sobering center staff
- o Providing recovery support groups at community sites
- o Serve as a referral resource for the sobering center staff
- o Sponsor recovery-focused activities at community sites

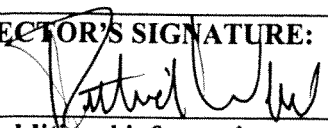
The Sobering Center will be paid in the specified increments as outlined in the original LOA with the newly added recovery support services paid at the rate stated in the new Attachment D of the first amendment.

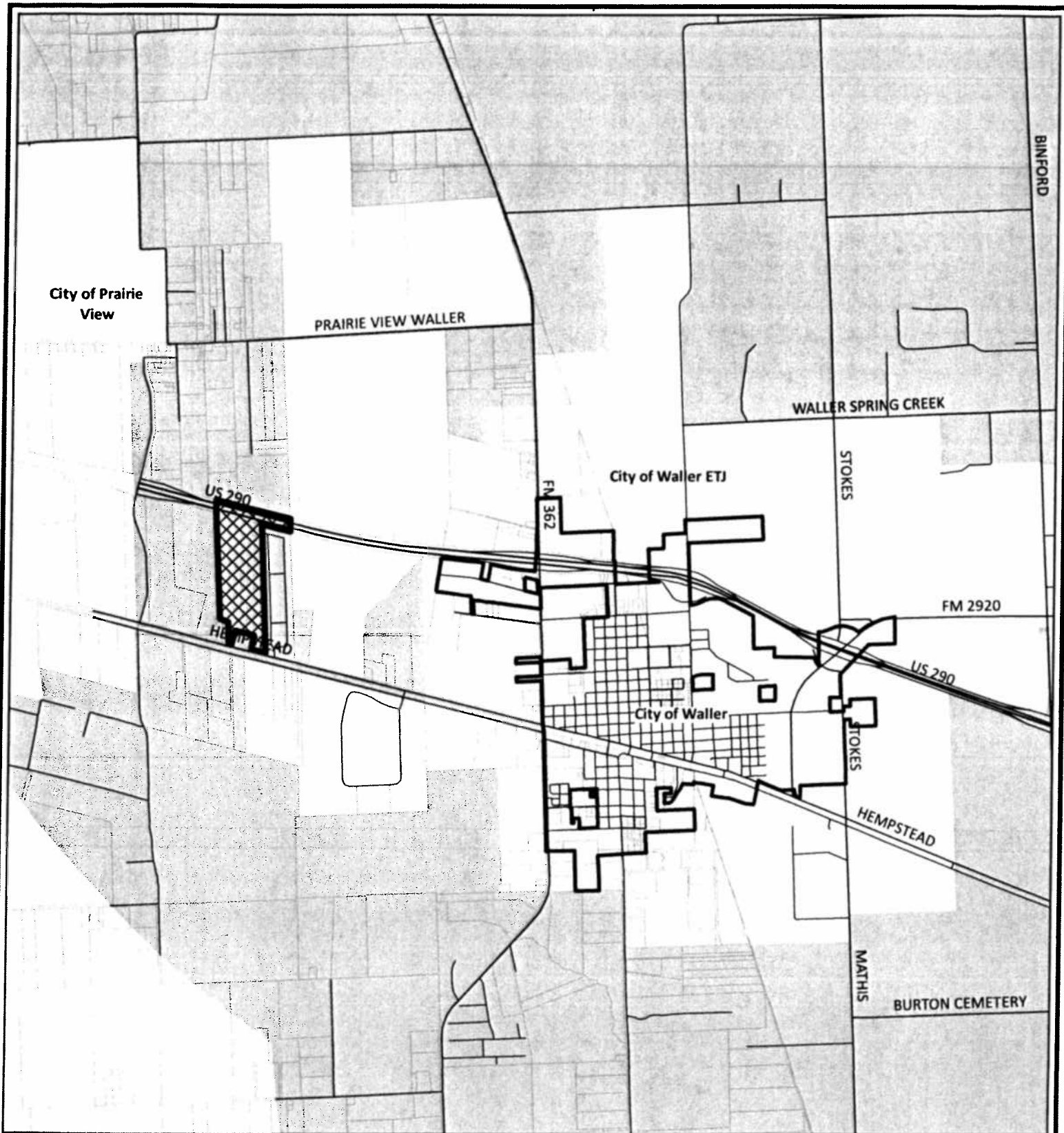
cc: Finance Department  
Legal Department  
Agenda Director

**REQUIRED AUTHORIZATION**






<b>Finance Department</b> <i>Janet King for Kelly Dowe</i>	<b>Other Authorization:</b>	<b>Other Authorization:</b>
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**TO: Mayor via City Secretary    REQUEST FOR COUNCIL ACTION**

<b>SUBJECT:</b> Ordinance for the release of approximately 87.09 acres in Waller County from the Extraterritorial Jurisdiction of the City of Houston		<b>Category #</b>	<b>Page</b> 1 of 1	<b>Agenda Item #</b> 32
<b>FROM (Department or other point of origin):</b> Planning & Development Department		<b>Origination Date</b> April 11, 2014		<b>Agenda Date</b> JUL 09 2014
<b>DIRECTOR'S SIGNATURE:</b> 		<b>Council District affected:</b> ETJ		
<b>For additional information contact:</b> Nicole Smothers Phone: 713-837-7856		<b>Date and identification of prior authorizing Council action:</b> N/A		
<b>RECOMMENDATION: (Summary)</b> That Council pass the ordinance releasing approximately 87.09 acres of land as well as approximately 2,030 feet of right-of-way on US Hwy 290 in northern Waller County from the City of Houston's ETJ				
<b>Amount and Source of Funding:</b>			<b>Finance Budget:</b>	
<b>SPECIFIC EXPLANATION:</b>  Upon request from the City of Waller and the property owner, the Department is recommending the City of Houston release from its Extraterritorial Jurisdiction, two tracts of land totaling approximately 87.09 acres, as well as approximately 2,030 feet of right-of-way on US Hwy 290. The release of this portion of US Hwy 290 will connect the release tracts to the existing ETJ of the City of Waller and, upon release, the property will become part of Waller's ETJ. The Planning Department recommends approval for the following reasons: <ul style="list-style-type: none"><li>◆ Due to its distance from any other city limit, annexation is not feasible for this area.</li><li>◆ The property is located more than 40 miles from the nearest City of Houston water or wastewater facility and, because of its size, is not a likely candidate for the creation of a stand-alone utility district. Upon release, the City of Waller will annex the property into its city limits and be able to provide utility services.</li><li>◆ Such a release will not impair the City's ability to annex any other territory in northeastern Waller County, nor will it result in the loss of significant revenue producing properties in the acreage in question.</li><li>◆ Such a release will not impair the City of Houston's mobility in the present or in the future.</li></ul> This recommendation has also been discussed with the Public Works & Engineering Department's Public Utilities Division and they have no objection to this release.  cc:     David Feldman Marta Crinejo Sameera Mahendru Anna Russell				
<b>REQUIRED AUTHORIZATION</b>				
<b>Finance Director:</b>	<b>Other Authorization:</b>		<b>Other Authorization:</b>	



## Proposed Waller County ETJ Release

-  Waller City Limit
-  Roads
-  Proposed ETJ Release
-  WCAD Parcels
-  City of Houston ETJ

Source: City of Houston GIS Database,  
WCAD  
Date: March 2014

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**



December 16, 2013

The Honorable Annise Parker  
Mayor  
c/o Ms. Margaret Wallace  
Planning & Development Dept.  
City of Houston  
P. O. Box 1562  
Houston, TX 77251-1562

Re: Request for ETJ transfer request

Dear Ms. Wallace,

Alegacy Development, LLC, owns approximately 87.09 acres within the City of Houston's ETJ (contiguous to the Waller ETJ). They have requested that their property be released from the City of Houston ETJ and be taken into the City of Waller ETJ.

This letter confirms that the City of Waller joins this effort to request that this property be released by the City of Houston to the City of Waller and be taken into Waller's ETJ. The City of Waller can provide utilities and services to these properties and will annex them at the appropriate time.

Please let me know if you need additional information.

Sincerely,

Danny Marburger  
Mayor, City of Waller

Alegacy Development, LLC  
P.O. Box 1804  
Waller, Texas 77484  
832-916-3700



December 13, 2013

The Honorable Annise Parker  
Mayor  
c/o Ms. Margaret Wallace  
City of Houston  
P.O. Box 1562  
Houston, Texas 77251-1562

Re: Request for release of approximately 87.09 acres from the City of Houston  
extraterritorial jurisdiction

Dear Mayor Parker:

Alegacy Development LLC ("Alegacy") is the owner of approximately 87.09 acres comprised of two tracts, more particularly described on Exhibit A and Exhibit B attached hereto (the "Release Tract"). The Release Tract is located in the extraterritorial jurisdiction (the "ETJ") of the City of Houston.

We are working with the City of Waller to include the Release Tract in a proposed business park. If released from the City of Houston ETJ, Alegacy will petition the City of Waller to annex the Release Tract into its corporate limits. The City of Waller will then provide the Release Tract with water and sewer services, as well as police and fire.

On behalf of Alegacy, please accept this letter as a formal request for the Release Tract to be released from the City of Houston ETJ. This release will promote the efficient delivery of utilities to the Release Tract and will promote regional cooperation.

The Honorable Annise Parker  
December 12, 2013  
Page 2

Thank you for your attention to this matter.

Very truly yours,

ALEGACY DEVELOPMENT LLC, a Texas limited  
liability company

By: Bob Nickles  
Name: Bob Nickles  
Title: Manager



# REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 10061

**Subject:** Ordinance Awarding a Contract for Occupational Medical Testing Services for the Various Departments/S46-L24877

Category #  
4

Page 1 of 2

Agenda Item

33

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

Calvin D. Wells  
City Purchasing Agent  
Finance Department

**Origination Date**

June 27, 2014

**Agenda Date**

JUL 09 2014

**DIRECTOR'S SIGNATURE**

*[Signature]*  
For additional information contact:

Cynthia Vargas  
Joyce Hays

Phone: (832) 394-6926  
Phone: (832) 393-8723

**Council District(s) affected**

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

**RECOMMENDATION: (Summary)**

Approve an ordinance awarding a contract to Alliance Health Resources Mobile Division, LTD on its bid in an amount not to exceed \$1,213,808.00 for occupational medical testing services for Various Departments.

Maximum Contract Amount: \$1,213,808.00

**Finance Budget**

\$ 817,137.00 - General Fund (1000)  
\$ 299,520.00 - Central Revolving Fund (1002)  
\$ 12,640.00 - Stormwater Fund (2302)  
\$ 22,891.00 - HAS Revenue Fund (8001)  
\$ 61,620.00 - Water & Sewer System Operating Fund (8300)

\$1,213,808.00 - Total Amount

**SPECIFIC EXPLANATION:**

The City Purchasing Agent recommends that City Council approve an ordinance awarding a three-year contract, with two one-year options to Alliance Health Resources Mobile Division, LTD on its bid in an amount not to exceed \$1,213,808.00 for Occupational Medical Testing Services for the Various Departments. The City Purchasing Agent may terminate this contract at any time upon 30-days written notice to the contractor.

This project was advertised in accordance with the requirements of the State of Texas bid laws. Twenty prospective bidders downloaded the solicitation document from the Strategic Procurement Division's (SPD) e-bidding website and two bids were received as outlined below:

	Company	Total
1	Alliance Health Resources Mobile Division, LTD	\$7,848,465.00
2	Concentra.	\$9,869,501.24

**Please note:** The total award amount was revised to reflect a reduction in the total quantity of the various occupational medical test required by the user departments. The recommended vendor has agreed to honor its unit price per test.

The scope of work requires the contractor to provide all supervision, labor, replacement parts, equipment, materials, tools, expendable items, supplies, training and transportation necessary to provide Medical Exams and Testing as requested by the City of Houston Various Departments.

**REQUIRED AUTHORIZATION**

Finance Department:

Other Authorization:

Other Authorization:

ND

24

Date: 6/27/2014	Subject: Ordinance Awarding a Contract for Occupational Medical Testing Services for the Various Departments/S46-L24877	Originator's Initials EA	Page 2 of 2
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**Pay or Play Program:**

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

**Hire Houston First:**

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

Buyer: Eric Alexander

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

**Estimated Spending Authority**

Departments	FY15	Out Years	Total Amount
Houston Airport System	\$4,335.00	\$18,556.00	\$22,891.00
Houston Police	\$41,400.00	\$165,600.00	\$207,000.00
Human Resources	\$57,600.00	\$241,920.00	\$299,520.00
Solid Waste	\$5,416.00	\$22,536.00	\$27,952.00
Houston Fire	\$111,510.00	\$470,675.00	\$582,185.00
Public Works and Engineering.	\$14,350.00	\$59,910.00	\$74,260.00
<b>Total Amount</b>	<b>\$234,611.00</b>	<b>\$979,197.00</b>	<b>\$1,213,808.00</b>

RECEIVED

JUN 05 2014

OBO



CITY OF HOUSTON  
OFFICE  
BUSINESS OPPORTUNITY

Goal Modification  
Request Form

To: Assistant Director  
Office of Business Opportunity

Solicitation Number: L24877

Estimated Dollar Amount: \$ 1,600,000.00

From: Eric Alexander, Sr Procurement  
Requestor's Name/Title  
FINANCE  
Department

Type of Solicitation: Bid ☒ Proposal ☐ Other ☐

Name and Intent of this Solicitation: Occupational Medical

PREVIOUS CONTRACT (if any): Yes ☒ No ☐

Goal on Last Contract: \_\_\_\_\_ Was Goal Met: Yes ☐ No ☒

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

Why wasn't goal achieved: MWBE waived was granted due to the HIPPA law regarding employee privacy and confidentiality of medical records.

PLEASE SELECT THE TYPE OF GOAL MODIFICATION REQUESTED FROM THE OPTIONS BELOW (Waiver, Reduced Goal, Goal Revision After Advertisement, OR Cooperative or Inter-Local Agreement)

WAIVER

I am requesting a waiver of the MWBE Goal: Yes ☐ No ☐

Reason for waiver:

- ☐ A public or administrative emergency exists which requires the goods or services to be provided with unusual immediacy;
- ☐ The service or goods requested are of such a specialized, technical or unique nature as to require the City department to be able to select its contractor without application of MWSBE provisions (such as contracts for expert witnesses, certain financial advisors or technical consultants);
- ☐ If application of MWSBE provisions would impose an unwarranted economic burden or risk on the City or unduly delay acquisition of the goods or services, or would otherwise not be in the best interest of the City; or



☐ If the possible MWSBE participation level based on MWSBE availability would produce negligible MWSBE participation.

☒ Other: HIPPA laws prevent the sharing of employee medical information.

Detailed Explanation of waiver reason: \_\_\_\_\_

#### REDUCED GOAL (To be completed by the department prior to advertisement)

I am requesting a MWBE contract-specific goal below the following citywide goals:

Construction (34%); Professional Services (24%); Purchasing (11%)

Yes ☐ No ☐ If yes, complete a Contract-Specific Goal Setting Worksheet and submit with this form.

#### GOAL REVISION AFTER ADVERTISEMENT

I am requesting a revision of the MWBE Goal: Yes ☐ No ☐

Original Goal: \_\_\_\_\_ New Proposed Goal: \_\_\_\_\_

Advertisement Date: \_\_\_\_\_ Number of Solicitations Received: \_\_\_\_\_ Estimated Dollar Amount: \$ \_\_\_\_\_

Detailed reason for request: \_\_\_\_\_

#### COOPERATIVE OR INTER-LOCAL AGREEMENT

Is this a Cooperative/Inter-Local Purchasing Agreement? Yes ☐ No ☐ Goal Requested: \_\_\_\_\_

If yes, what type: \_\_\_\_\_ Yes ☐ No ☐

Did Department explore opportunities for using certified firms? Yes ☐ No ☐ N/A ☐

If no, please explain why not: \_\_\_\_\_

Concurrence:

Eric Alexander  
Department Initiator

6-3-14  
Date

[Signature]  
Department Director or Designee

6/4/14  
Date

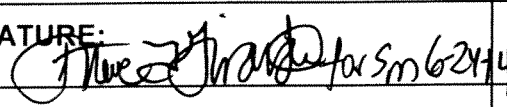
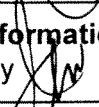

Approved by:

[Signature]  
OBO Assistant Director or Designee

6/16/14 (unwarranted risk also)  
Date

OBO Tracking #: W-177

OBO Reason: NON-DIVISIBLE

<b>SUBJECT:</b> Declare Parcels SY14-127 and SY14-128 surplus; Appoint two Independent Appraisers; and Approve Real Estate Listing Agreement in connection with the sale of 19.390 acres of land located at 800 and 815 Dorsett Street, Houston, Harris County, Texas.		<b>Page</b> 1 of 2	<b>Agenda Item</b>  34
<b>FROM (Department or other point of origin):</b> General Services Department		<b>Origination Date</b> 6/30/14	<b>Agenda Date</b> JUL 09 2014
<b>DIRECTOR'S SIGNATURE:</b> Scott Minnix 		<b>Council District affected:</b> H	
<b>For additional information contact:</b> Jacquelyn L. Nisby  Phone: 832-393-8023		<b>Date and identification of prior authorizing Council action:</b>	
<b>RECOMMENDATION:</b> Approve an Ordinance (1) declaring Parcels SY14-127 and SY14-128 surplus; (2) appointing two independent appraisers to determine fair market value; and (3) approving a Real Estate Listing Agreement between City of Houston and Cushman & Wakefield of Texas, Inc., in connection with the sale of 19.390 acres of land located at 800 and 815 Dorsett Street, Houston, Harris County, Texas.			
<b>Amount and Source Of Funding:</b> Revenue		<b>Finance Budget:</b>	
<p><b>SPECIFIC EXPLANATION:</b> The Houston Parks and Recreation Department has determined that the 19.390 acres of land located at 800 and 815 Dorsett, described as <b>Parcels SY14-127 and SY14-128</b>, surplus to its needs. All City departments with land needs have been canvassed and it has been determined that these parcels are not needed for City purposes.</p> <p>Therefore, the General Services Department (GSD) recommends that City Council declare <b>Parcels SY14-127 and SY14-128</b> surplus to the City's needs and appoint two independent appraisers, as listed below, to determine the fair market value, which is estimated to exceed \$1 million.</p> <ul style="list-style-type: none"> <li>• Curtis Podlewski – CBRE, Inc.</li> <li>• Jack W. Bass – Integra Realty Resources</li> </ul> <p>GSD further recommends approval of a Real Estate Listing Agreement with Cushman &amp; Wakefield of Texas, Inc. to assist with the marketing and sale of the parcels. In May, 2014, GSD solicited a Request for Information (RFI) from four real estate brokerage firms: Colliers International; Avison-Young; Carlos Garcia Realty; and Cushman &amp; Wakefield of Texas, Inc. The RFI contained selection criteria that ranked the firms on the following criteria:</p> <ul style="list-style-type: none"> <li>• Years of marketing experience in land sales in the east side and ship channel areas</li> <li>• Past performance with City of Houston properties or other government municipalities</li> <li>• Demonstrated ability to effect a Marketing Plan, if necessary</li> <li>• Ability to include target prospects and to achieve highest and best use of the property</li> <li>• Dealing with any unusual issues which relates to the property</li> <li>• Minority Participation and associated Fees</li> </ul> <p>GSD selected Cushman &amp; Wakefield because they received the most points based on the selection criteria.</p>			
<b>REQUIRED AUTHORIZATION</b>		CUIC ID# 25 RB 160	
<b>General Services Department:</b>  Humberto Bautista, P.E. Assistant Director			


<b>Date</b>	<b>SUBJECT:</b> Declare Parcels 5714-127 and 5714-128 surplus; Appoint two Independent Appraisers; and Approve Real Estate Listing Agreement in connection with the sale of 19.390 acres of land located at 800 and 815 Dorsett Street, Houston, Harris County, Texas.	<b>Originator's Initials</b> RB	<b>Page</b> 2 of 2
<p><b>SCOPE OF CONTRACT AND FEE:</b> The proposed Agreement will commence on the date of countersignature by the City Controller, and terminate at the earlier of (a) 11:59 p.m. on the 270th day after the commencement date, or (b) upon the closing and funding of the City's sale of the property. Under the terms of the Agreement, Cushman &amp; Wakefield will perform the following tasks:</p> <ul style="list-style-type: none"> <li>• Gather relevant information and develop high-quality marketing materials;</li> <li>• List or advertise the properties in appropriate publications, web sites, etc;</li> <li>• Install agreed-upon signage on the properties;</li> <li>• Identify and target qualified prospects;</li> <li>• Respond to information requests concerning the properties;</li> <li>• Assist with the City's bid sale process; and</li> <li>• Provide periodic progress reports to the City.</li> </ul> <p>The City will pay Cushman &amp; Wakefield a one-time fee of 3% of the sales price of the property, or 4% to be split 50/50 if the purchaser is represented by another broker. The sale of the parcels will be conducted in accordance with all applicable state and city laws and will require City Council approval.</p> <p><b>M/WBE PARTICIPATION:</b> Cushman &amp; Wakefield will pay 25% of its commission to Ryland Enterprise Inc. d/b/a Arvo Realty Advisors, a Minority Business Enterprise, for assisting with the marketing and sale of the parcels.</p> <p>SM:HB:JLN:RB;npb xc: Marta Crinejo, Anna Russell, Jacquelyn L. Nisby</p>			



<b>SUBJECT:</b> Award Construction Contract Gadberry Construction Company, Inc. TIGER Project #1 – White Oak Path: Alabonson Rd. to Antoine Dr. Link WBS No. F-TIGER4-0001-4	<b>Page</b> 1 of 2	<b>Agenda Item</b>  35
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<b>FROM (Department or other point of origin):</b> General Services Department	<b>Origination Date</b> 6/30/14	<b>Agenda Date</b> JUL 09 2014
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<b>DIRECTOR'S SIGNATURE:</b> Scott Minnix  6/6/14	<b>Council District affected:</b> A
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<b>For additional information contact:</b> Jacquelyn L. Nisby  Phone: 832-393-8023	<b>Date and identification of prior authorizing Council action:</b>
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**RECOMMENDATION:** Award a construction contract to Gadberry Construction Company, Inc.

<b>Amount and Source of Funding:</b> \$ 1,504,800.00 Federal Government – Grant Funded (5000) USDOT TIGER Discretionary \$ 376,200.00 Other Government – Grant Funded (5040) Houston Parks Board \$ 1,881,000.00 Total	<b>Finance Budget:</b>
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**SPECIFIC EXPLANATION:** The General Services Department recommends that City Council award a construction contract to Gadberry Construction Company, Inc. on the low bid amount of \$1,710,000.00 to provide construction services for TIGER Project #1 - White Oak Path: Alabonson Rd. to Antoine Dr. Link for the Houston Parks and Recreation Department. The TIGER grant consists of six separate projects. This fourth project is in partnership with the Houston Parks Board. Council will be requested to approve each construction project under a separate Council action.

**BACKGROUND:** In June 2012, the U.S. Department of Transportation (USDOT) awarded the City of Houston a \$15 million Transportation Investment Generating Economic Recovery (TIGER) Grant for the Regional Bike/Ped Connections to Transit. The grant agreement administered by the Federal Highway Administration (FHWA) was executed on March 15, 2013. The TIGER grant program provides infrastructure investment in surface transportation projects, which includes road, rail, transit and port projects. Houston's project focuses on eliminating gaps in the hike and bike grid and providing direct pedestrian transportation connections to local bus stops and rail stations.

**PROJECT LOCATION:** Along White Oak Bayou from Alabonson Rd. south to Antoine Dr. (411T)

**PROJECT DESCRIPTION:** This project will construct a .8 mile of 10' wide concrete trail along a segment of White Oak Bayou from Alabonson Rd. south to Antoine Dr. The scope of work will also include associated grading and drainage work, parking lot with gates, bollards, pedestrian bridge, pedestrian hybrid signal at Antoine Drive, retaining walls, landscaping and irrigation.

The contract duration for this project is 240 calendar days from the date of the Notice to Proceed. Traffic Engineers, Inc. is the design consultant for this project.

**REQUIRED AUTHORIZATION**

CUIC ID # 25PARK232

**General Services Department:**

Richard A. Vella  
Chief of Design & Construction Division

**Houston Parks and Recreation Department:**

Joe Turner  
Director



<b>Date</b>	<b>SUBJECT:</b> Award Construction Contract Gadberry Construction Construction, Inc. TIGER Project #1 – White Oak Path: Alabonson Rd. to Antoine Dr. Link WBS No. F-TIGER4-0001-4	<b>Originator's Initials</b>  RJO	<b>Page</b>  2 of 2
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**BIDS:** The following eight bids were received on April 17, 2014:

<u>BIDDER</u>	<u>BID AMOUNT</u>
1. Gadberry Construction Company, Inc.	\$1,710,000.00
2. Carrera Construction, Inc.	\$1,929,000.00
3. Jerdon Enterprise, LP	\$2,020,202.00
4. Times Construction, Inc.	\$2,042,000.00
5. The Gonzalez Group, LP	\$2,085,000.00
6. NBG Constructors, Inc.	\$2,126,000.00
7. SpawGlass Civil Construction, Inc.	\$2,272,000.00
8. ISI Contracting, Inc.	\$2,299,992.69

**AWARD:** It is recommended that City Council award the construction contract to Gadberry Construction Company, Inc.

**FUNDING SUMMARY:**

\$ 1,710,000.00	Construction Contract Services
\$ 171,000.00	10% Contingency
<b>\$ 1,881,000.00</b>	<b>Total Funding</b>

**DBE GOAL:** The USDOT requires the City to establish a Disadvantaged Business Enterprise (DBE) Program as a condition of receiving federal funds. In compliance with the federal requirements, the Office of Business Opportunity has established a 12% DBE goal for this contract. The contractor has submitted the following certified firms to achieve the goal:

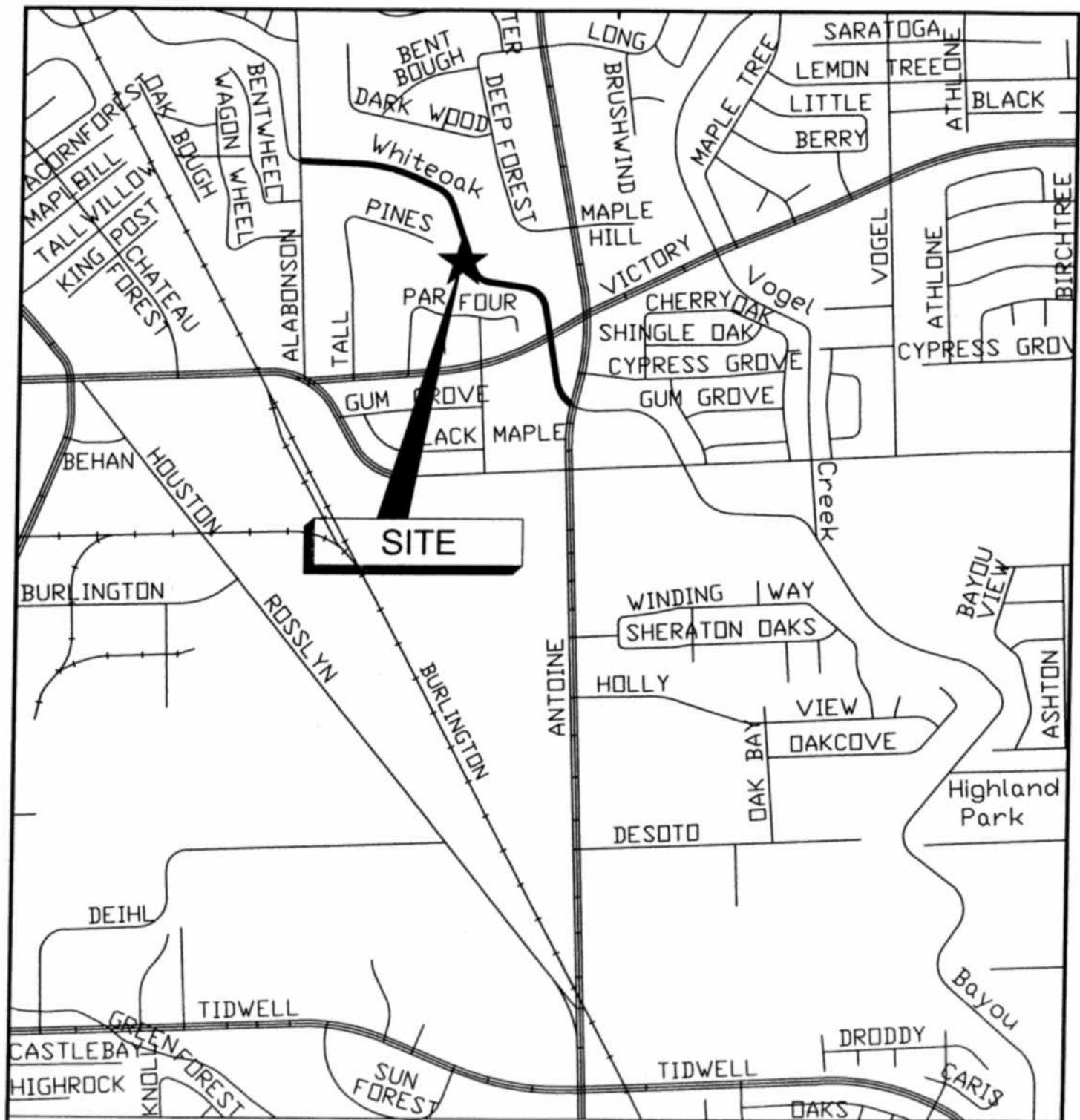
<u>Firm</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
Republic Traffic Safety, Inc.	Traffic Control, Signage/Striping	\$7,686.00	0.449%
Reliable Signal & Lighting Solutions	Traffic Signal	\$87,500.00	5.116%
Steel Effects	Steel Gate and Exp. Joints	\$7,918.00	0.463%
Gadberry Construction Company, Inc.	General Contracting Items	<u>\$217,093.00</u>	<u>12.695%</u>
<b>Total</b>		<b>\$320,197.00</b>	<b>18.72%</b>

**PAY OR PLAY PROGRAM:** The Office of Business Opportunity has approved a waiver of the City's "Pay or Play" Ordinance for the proposed contract based on the determination that it will have an adverse financial impact, as described in the attached correspondence. Additionally, FHWA has determined that the City's "Pay or Play" Ordinance does not comply with the terms of the TIGER Grant.

**HIRE HOUSTON FIRST:** Hire Houston First does not apply to this expenditure, because it involves the use of federal funds and is subject to specific procurement rules of the federal government.

SM:JLN:RAV:LJ:RJO:rq

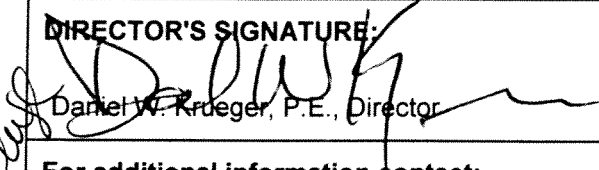
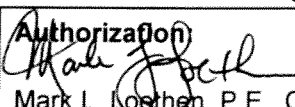
c: Marta Crinejo, Jacquelyn L. Nisby, Mark Ross, Luci Correa, Calvin Curtis, Morris Scott, Gabriel Mussio, Chris Gonzales, Felicia Williams, Estella Espinosa, File 712

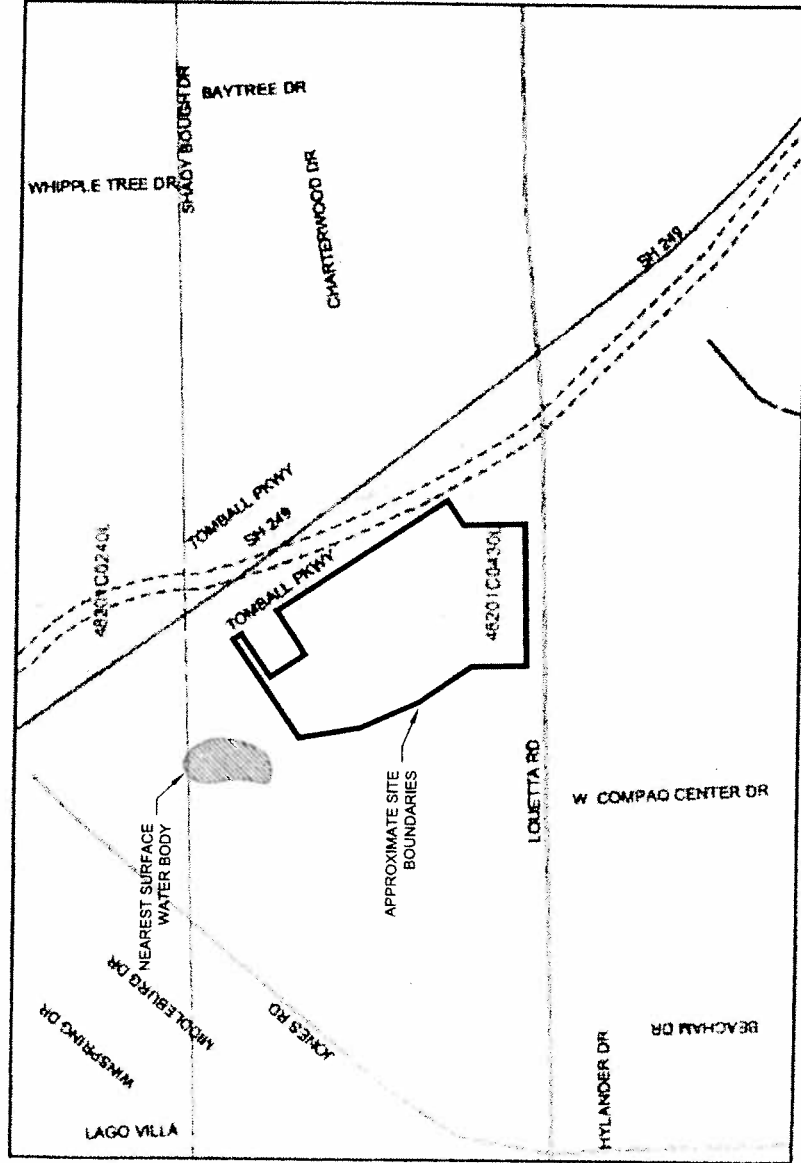


TIGER Project #1 - White Oak Path:  
Alabonson Rd and Antoine Dr. Link

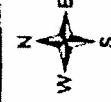
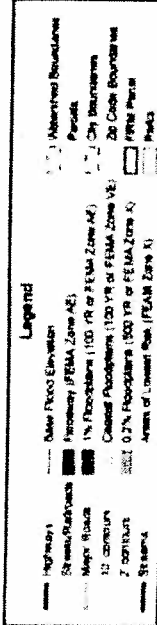
TO: Mayor via City Secretary

## REQUEST FOR COUNCIL ACTION

<b>SUBJECT:</b> An ordinance to adopt a Municipal Setting Designation prohibiting the use of designated groundwater for ACF Lakewood II, LLC for the site located at 21147 SH 249, Houston, TX 77070. (MSD # 2013-064-LFC)		<b>Page</b> 1 of 1	<b>Agenda Item</b> # 36
<b>FROM (Department or other point of origin):</b> Department of Public Works and Engineering		<b>Origination Date</b> 6/30/14	<b>Agenda Date</b> JUL 09 2014
<b>DIRECTOR'S SIGNATURE:</b>  Daniel W. Krueger, P.E., Director		<b>Council District affected:</b> Ame	
<b>For additional information contact:</b> Jennifer Clancey, Program Manager (832) 394-9005		<b>Date and identification of prior authorizing Council action:</b>	
<b>RECOMMENDATION: (Summary)</b> It is recommended that City Council adopt a Municipal Setting Designation (MSD) ordinance prohibiting the use of designated groundwater at the ACF Lakewood II, LLC site located at 21147 SH 249, Houston, TX 77070, and support issuance of an MSD by the Texas Commission on Environmental Quality (TCEQ). (MSD # 2013-064-LFC)			
<b>Amount and Source of Funding:</b> N/A			
<b>BACKGROUND:</b> In 2003, the Texas Legislature authorized the creation of Municipal Setting Designations (MSD), which designate an area in which the use of contaminated groundwater is prohibited for use as potable water. The law is administered by the Texas Commission on Environmental Quality (TCEQ) and requires local City support to designate an MSD. The intent of the legislation is to encourage redevelopment of vacant or abandoned properties while protecting public health. On August 22, 2007, City Council approved an ordinance amending Chapter 47 of the Code of Ordinances by adding Article XIII relating to groundwater, which provides a process to support or not support an MSD application to the State (ordinance amended 7/14/2010). <b>ACF LAKEWOOD II, LLC APPLICATION:</b> ACF Lakewood II, LLC is seeking a Municipal Setting Designation (MSD) for 9.66-acres of land located at 21147 SH 249, Houston, TX 77070. The contamination consists of trichloroethene (TCE), cis1, 2-Dichloroethene (cis-DCE), Vinyl Chloride (VC) and Methyl Tertiary Butyl Ether (MTBE). Two full-service dry cleaners (Classic Cleaners and Lakewood Cleaners) operated on site between 1986 and 2001. The source of contamination was removed from the site and dry cleaning operations ceased in 2001. The plume is stable or contracting and affected groundwater has been fully delineated. A licensed Professional Geologist has certified that the area of contamination has been thoroughly investigated, is fully defined and is stable. ACF Lakewood II, LLC is seeking an MSD for this property to restrict access to groundwater to protect the public against possible exposure to the contaminants. There is a public drinking water supply system that meets state requirements that supplies or is capable of supplying drinking water to the MSD property and all properties within one-half mile of the MSD property. A public meeting was held on April 16, 2014 at the Northwest Branch Library, and a public hearing was held on May 13, 2014 during the Transportation, Technology, and Infrastructure Council Committee. Both meetings are necessary steps prior to City Council's consideration of support. <b>RECOMMENDATIONS:</b> It is recommended that City Council adopt a Municipal Setting Designation (MSD) ordinance prohibiting the use of designated groundwater at the ACF Lakewood II, LLC site located at 21147 SH 249, Houston, TX 77070, and support issuance of an MSD by the Texas Commission on Environmental Quality.			
MLL:TJH:RM:jbg P:\UTILITY ANALYSIS-DEVELOPER SERVICES\MSD\GENERIC INFO, LETTERS, MEMOS, ETC\GENERIC RCA - ORDINANCE SUPPORT.DOC C: Marta Crinejo, Ceil Price			
<b>REQUIRED AUTHORIZATION</b> <b>CUIC ID #20UPA303</b>			
<b>Other Authorization:</b>	<b>Authorization:</b>  Mark L. Loethen, P.E., CFM, PTOE Deputy Director Planning & Development Services Division	<b>Other Authorization:</b>	



All Elevation Data Based on NAVD 1988 2001 Adjustment



Note: Information Provided by FEMA Floodplains Effective June 18, 2007



APPROXIMATE SCALE 1"= 600'

**Terracon**  
Consulting Engineers & Scientists

TERRACON NO: 92137292

DRAWN BY:	AD
CHECKED BY:	KMM
SCALE:	AS SHOWN
DATE:	8/28/2013

Appendix C  
Figure 2  
FEMA Floodplains Map with Location of Site  
Lakewood Forest Shopping Center  
21147 SH 249  
Houston, Texas

TO: Mayor via City Secretary REQUEST FOR COUNCIL ACTION

SUBJECT: Petition for the City's consent to the addition of 19.4657 acres of land to Bammel Utility District (Key Map No. 330V)

Page  
1 of 1

Agenda Item  
#

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FROM (Department or other point of origin):

Origination Date

Agenda Date

JUL 09 2014

Department of Public Works and Engineering

DIRECTOR'S SIGNATURE

Council District affected:

"ETJ"

Daniel W. Krueger, P.E.

For additional information contact:

Date and identification of prior authorizing  
Council action:

Carol Ellinger Haddock, P.E.

Senior Assistant Director, PW&E Phone: (832) 395-2686

RECOMMENDATION: (Summary)

The petition for the addition of 19.4657 acres of land to Bammel Utility District be approved.

Amount and Source of Funding:

NONE REQUIRED

SPECIFIC EXPLANATION:

Bammel Utility District has petitioned the City of Houston for consent to add 19.4657 acres of land, located in the city's extraterritorial jurisdiction, to the district.

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

The district is located in the vicinity of F.M. 1960, Cypresswood Drive, Stuebner Airline Road and T.C. Jester Boulevard. The district desires to add 19.4657 acres, thus yielding a total of 343.4877 acres. The district is served by a regional wastewater treatment plant, Bammel Regional Wastewater Treatment Plant. The other districts served by this plant are Harris County Municipal Utility District No. 44, Harris County Municipal Utility District No. 316, Louetta Road Utility District, Spring Creek Forest Public Utility District and Terranova West Municipal Utility District. The nearest major drainage facility for Bammel Utility District is Cypress Creek which flows into the San Jacinto River and finally into Lake Houston.

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

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

Attachments

cc: Marta Crinejo Patrick Walsh, P.E. Jun Chang, P.E., D.WRE  
Bill Zrioka Deborah McAbee Tim Lincoln, P.E.

LTS# 12018

REQUIRED AUTHORIZATION

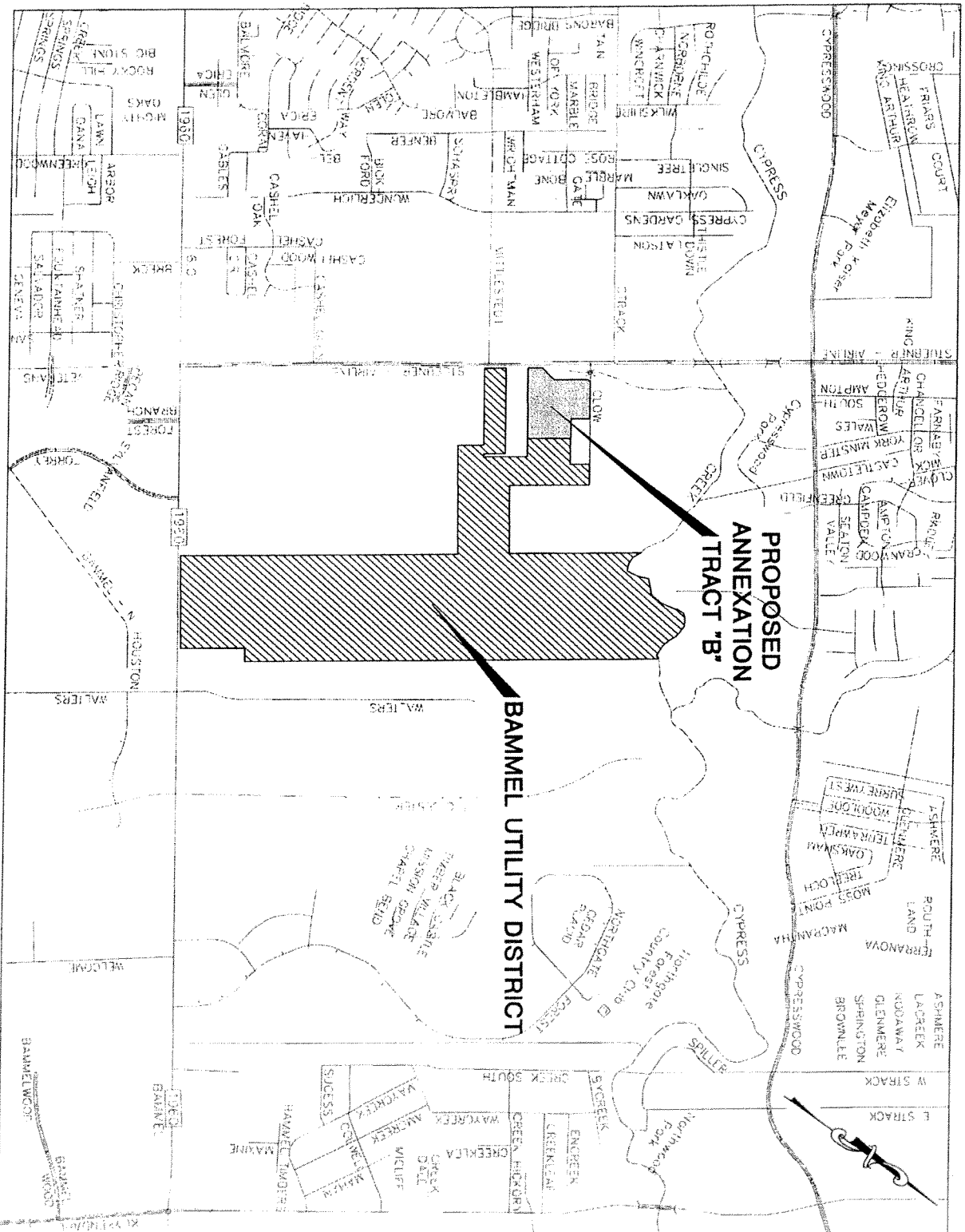
20IPB111

Finance Department

Other Authorization:

Other Authorization:

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



# VICINITY MAP

NOT TO SCALE



# CITY OF HOUSTON



## Department of Public Works and Engineering Water District Consent Application Form

Application is hereby made for consent of the City of Houston to the ☐creation/ ☒addition of 19.4657 acres to Bammel Utility District under the provisions of Section 54.016 Texas Water Code.

*Mark W. Brooks*

Attorney for the District

Attorney: Mark W. Brooks

Address: 10000 Memorial Dr, Suite 260 Zip: 77024 Phone: 7139510800

Email: mbrooks@youngandbrooks.com

Engineer: Teague Harris

Address: 13333Northwest Frwy, Ste 300 Zip: 77040 Phone: 7134623178

Email: THarris@idsengineeringgroup.com

Owner(s): CCD-STUEBNER I, LP

Address: 1900 W. Loop South, Ste 575 Zip: 77027 Phone: 7133356520

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

### Location

Inside City Limits ☐ Outside City Limits ☒ Name of County: Harris

Survey: G. H. Delesdernier Abstract: No. 299

Key Map #: 330V

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

North of: FM 1960

East of: Stuebner Airline Road

South of: Cypresswood Drive

West of: T C Jester Blvd

### Water District Data

Existing Acreage of  
District:

324.022

Existing Acreage

Plus Proposed Land: 343.4877

### **Development Breakdown (in Percentage) for tract(s) being considered for consent:**

Single Family Residential:

0

Multi-Family  
Residential:

0

Commercial: 100

Industrial: 0

Institutional: 0

Other: 0



# CITY OF HOUSTON



## Department of Public Works and Engineering Water District Consent Application Form

### Wastewater Treatment Plant Information:

Wastewater generated by the District will be served by a:

District Plant ☐

Regional Plant ☒

Wastewater Treatment Plant Name: Bammel Regional WWTP

NPDES/ TPDES Permit No: TX0046639

TCEQ Permit No: WQ0011105001

Existing Permitted Capacity (MGD): 2.000 Ultimate Capacity (MGD): 2.000

Size of Treatment Plant Site: 21.57 Acres square feet / acres

If Treatment plant is to serve other Districts or properties, as a regional plant, please list all districts served, or to be served by the plant and their allotted capacities below:  
(If more than two Districts - attach additional page(s))

Name of District or property owner(s):	<u>see attached table</u>	Capacity Allocation (MGD):	_____
--	---------------------------	----------------------------	-------

Name of District or property owner(s):	_____	Capacity Allocation (MGD):	_____
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### Water Treatment Plant Information:

Name of Water Treatment Plant: Bammel UD Water Plant No. 1

Water Treatment Plant Address: 3920 Gladeridge, Houston, TX 77068

Water Well Permit Number: HGSD Water Well No. is 4099 and the NHCRWA "combined" Withdrawal Permit No. is 165886

Existing Capacity:	Well(s):	<u>see attached table</u>	GPM
--------------------	----------	---------------------------	-----

	Booster Pump(s):	_____	GPM
--	------------------	-------	-----

	Tank(s):	_____	MG
--	----------	-------	----

Ultimate Capacity:	Well(s):	<u>see attached table</u>	GPM
--------------------	----------	---------------------------	-----

	Booster Pump(s):	_____	GPM
--	------------------	-------	-----

	Tank(s):	_____	MG
--	----------	-------	----

Size of Treatment Plant Site: 1.190 Acres (square feet / acres)





# CITY OF HOUSTON



## Department of Public Works and Engineering Water District Consent Application Form

Is the District a member of the City of Houston Ground Water Reduction Plan (GRP)?

Yes ☐

No ☒

If yes, please attach 40 year water demand projection

If no, please provide name of the GRP the District is a member of:

North Harris County Regional Water Authority

Comments or Additional Information: Bammel UD is located within the North Harris County Regional Water Authority and is part of its GRP. Bammel UD currently receives treated surface water from the NHCRWA.

For office use only:

Application Received: 5-15-2014

Application Sent to Committee: \_\_\_\_\_

Application Accepted as  
Complete: \_\_\_\_\_

TO: Mayor via City Secretary REQUEST FOR COUNCIL ACTION

**SUBJECT:** Petition for the City's consent to the creation of three (3) tracts of land totaling 46.75 acres of land as Harris County Municipal Utility District No. 537 (Key Map No. 492-A)

Page  
1 of 1

Agenda Item  
#

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

**Origination Date**

**Agenda Date**

Department of Public Works and Engineering

6/30/14

JUL 09 2014

**DIRECTOR'S SIGNATURE**

**Council District affected:**

"C"

Daniel W. Krueger, P.E.

**For additional information contact:**

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

Carol Ellinger Haddock

Senior Assistant Director, PW&E

(832) 395-2686

**RECOMMENDATION: (Summary)**

The petition for the creation of three (3) tracts of land totaling 46.75 acres of land as Harris County Municipal Utility District No. 537 be approved.

**Amount and Source of Funding:**

NONE REQUIRED

**SPECIFIC EXPLANATION:**

The owners of three (3) tracts of land totaling 46.75 acres, located in the city's corporate limits, have petitioned the City of Houston for consent to create a district. The owners have also petitioned the City of Houston to consent to grant the addition of road utility district powers, as described by Chapter 54.234 of the Texas Water Code. Amendments to the Texas Constitution, the Texas Water Code, and related statutes authorize certain districts to issue bonds for road facilities.

The consent to grant the power to issue bonds for road facilities will allow the District to construct, acquire, improve and provide financing for portions of Old Katy Road.

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 Old Katy Road, Hempstead Highway, and 610 West Loop. The district will consist of 46.75 acres. The district will be served by the City of Houston's Northside (69<sup>th</sup> Street) Wastewater Treatment Plant. The nearest major drainage facility for Harris County Municipal Utility District No. 537 is Buffalo Bayou which flows into the Houston Ship Channel.

Potable water is provided by the City of Houston. 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**

c: Marta Crinejo Patrick Walsh, P.E. Jun Chang, P.E., D.WRE  
Bill Zrioka Deborah McAbee Tim Lincoln, P.E.

**LTS #10306**

**REQUIRED AUTHORIZATION**

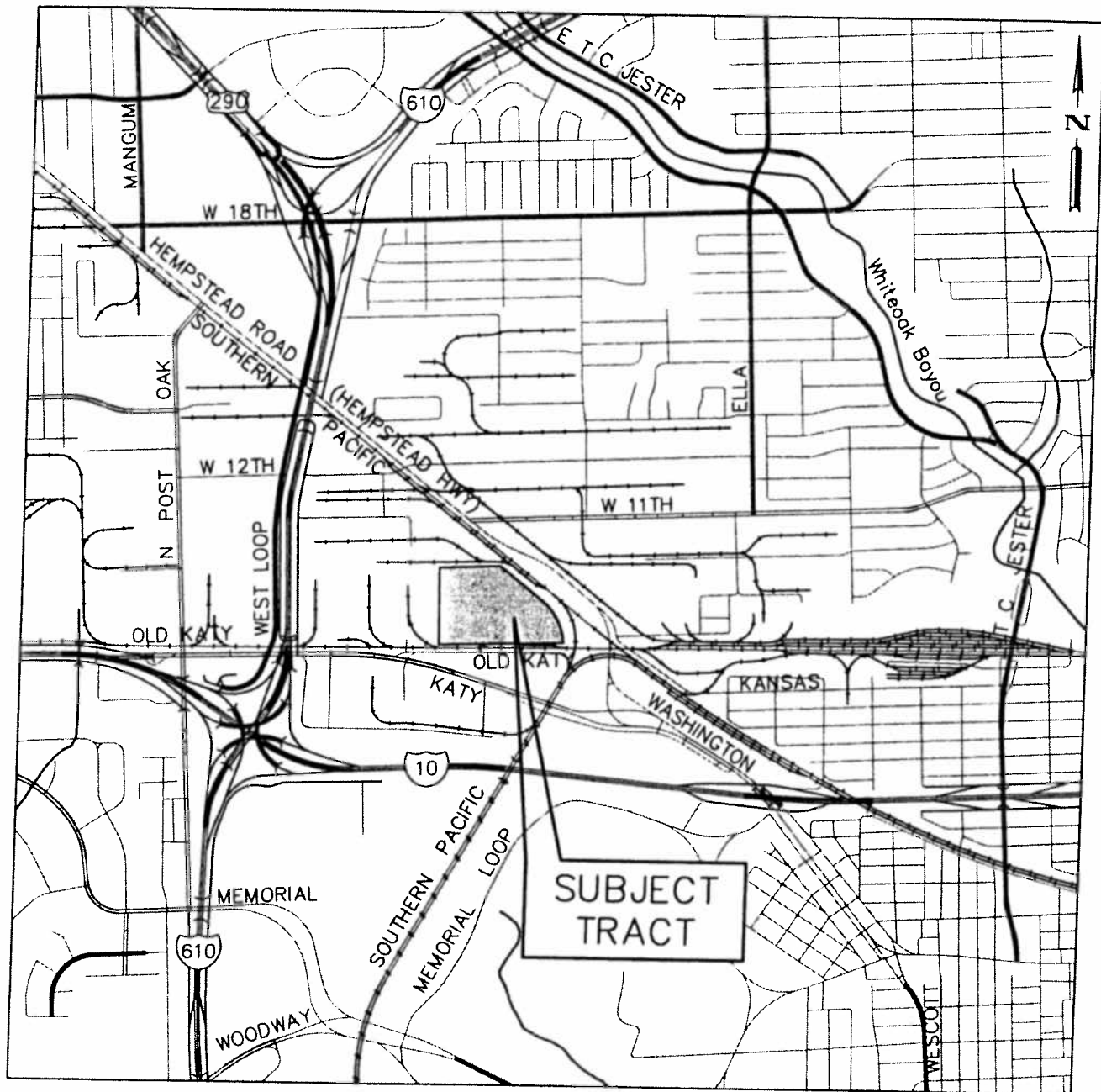
20IPB093A

Finance Department

**Other Authorization:**

**Other Authorization:**

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



## VICINITY MAP

N.T.S.

KEY MAP PAGE NO. 492A

GIMS 5258a

ZIP CODE 77055



# 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 46.75 acres to Harris County MUD No. 537 under the provisions of Chapters 49 and 54 Texas Water Code.

*Julianne B. Kugle*  
Attorney for the District

**Attorney:** Julianne B. Kugle

**Address:** 1980 Post Oak Boulevard, Suite 1380, Houston, Tx Zip: 7756

Phone: 713-850-9000

**Engineer:** Brown & Gay Engineers, Inc.

**Address:** 10777 Westheimer, Suite 400, Houston, Tx Zip: 77042

Phone: 281-558-8700

**Owners:** See Attached

**Address:** \_\_\_\_\_

Zip: \_\_\_\_\_

Phone: \_\_\_\_\_

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

## LOCATION

INSIDE CITY ☒

OUTSIDE CITY ☐

Survey John Reinerman Survey

NAME OF COUNTY (S) Harris  
Abstract 642

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

North of: Old Katy Road

East of: 610 West Loop

South of: Hempstead Highway

West of: Hempstead Highway

## WATER DISTRICT DATA

Total Acreage of District: 46.75

Existing Plus Proposed Land 46.75

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

Single Family Residential 100%

Multi-Family Residential \_\_\_\_\_

Commercial \_\_\_\_\_

Industrial \_\_\_\_\_

Institutional \_\_\_\_\_

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

Sewage Treatment Plant Name: COH Northside Phase 1A (69<sup>th</sup> Street System)

NPDES/TPDES Permit No: \_\_\_\_\_

TCEQ Permit No: \_\_\_\_\_

TO: Mayor via City Secretary

## REQUEST FOR COUNCIL ACTION

SUBJECT: Petition for the City's consent to the addition of 18.35 acres of land to Ricewood Municipal Utility District (Key Map No. 446 K, L)

Page  
1 of 1Agenda Item  
#

39

FROM (Department or other point of origin):

Origination Date

Agenda Date

JUL 09 2014

Department of Public Works and Engineering

DIRECTOR'S SIGNATURE

Council District affected:

"ETJ"

Daniel W. Krueger, P.E.

For additional information contact:

Date and identification of prior authorizing  
Council action:

Carol Ellinger Haddock, P.E.

Senior Assistant Director, PW&amp;E Phone: (832) 395-2686

RECOMMENDATION: (Summary)

The petition for the addition of 18.35 acres of land to Ricewood Municipal Utility District be approved.

Amount and Source of Funding:

NONE REQUIRED

SPECIFIC EXPLANATION:

Ricewood Municipal Utility District has petitioned the City of Houston for consent to add 18.35 acres of land, located in the city's extraterritorial jurisdiction, to the district.

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

The district is located in the vicinity of Morton Road, Clay Road, Mason Road, and Fry Road. The district desires to add 18.35 acres, thus yielding a total of 559.54 acres. The district is served by a regional wastewater treatment plant, Mayde Creek Municipal Utility District Wastewater Treatment Facility, which is owned and operated by Mayde Creek Utility District. The other district served by this plant is Clay Road Municipal Utility District. The nearest major drainage facility for Ricewood Municipal Utility District is South Mayde Creek which flows into Buffalo Bayou, then into the San Jacinto River and finally into Lake Houston.

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

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

Attachments

cc: Marta Crinejo Patrick Walsh, P.E. Jun Chang, P.E., D.WRE  
Bill Zrioka Deborah McAbee Tim Lincoln, P.E.

LTS#11396

REQUIRED AUTHORIZATION

20IPB106

Finance Department

Other Authorization:

Other Authorization:



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

SOURCES: VDW&V, 2014

**Ricewood Municipal Utility District**

### Legend

-  Ricewood MUD Boundary

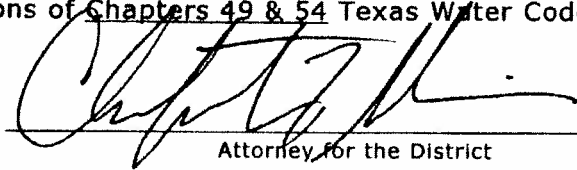


# CITY OF HOUSTON



## Department of Public Works and Engineering Water District Consent Application Form

Application is hereby made for consent of the City of Houston to the ☐ creation/ ☒ addition of 18.35 acres to Ricewood MUD under the provisions of Chapters 49 & 54 Texas Water Code.

  
Attorney for the District

Attorney: Schwartz, Page & Harding

1300 Post Oak Blvd., Ste. 1400

Address: Houston, Texas

Zip: 77056

Phone: 713-623-4531

Email: \_\_\_\_\_

Engineer: VanDeWiele & Vogler Incorporated

2925 Briarpark, Suite 275

Address: Houston, Texas

Zip: 77042

Phone: 713-782-0042

Email: \_\_\_\_\_

Owner(s): Via Bayou, Inc.

310 East Interstate 30, Ste.

Address: 320, Garland, Tx

Zip: 75043

Phone: 972-613-9782

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

### Location

Inside City Limits ☐ Outside City Limits ☒ Name of County: Harris

Survey: W.C.R.R. Co. Abstract: 437

Key Map #: 446K and 446L

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

North of: Morton Road

East of: Mason Road

South of: Clay Road

West of: Fry Road

### Water District Data

Existing Acreage of

District: 541.19

Existing Acreage

Plus Proposed Land: 559.54

### Development Breakdown (In Percentage) for tract(s) being considered for consent:

Single Family Residential: 0% Multi-Family Residential: 0%

Commercial: 100% Industrial: 0% Institutional: 0%

Other: 0%



# CITY OF HOUSTON



## Department of Public Works and Engineering Water District Consent Application Form

### Wastewater Treatment Plant Information:

Wastewater generated by the District will be served by a:

District Plant ☐

Regional Plant ☒

Wastewater Treatment Plant Name: Mayde Creek Municipal Utility District WWTF

NPDES/ TPDES Permit No: WQ0011969-001 TCEQ Permit No: \_\_\_\_\_

Existing Permitted Capacity (MGD): 2.0 Ultimate Capacity (MGD): 2.0

Size of Treatment Plant Site: 326,700 SF/7.5 Acres square feet / acres

If Treatment plant is to serve other Districts or properties, as a regional plant, please list all districts served, or to be served by the plant and their allotted capacities below:  
(If more than two Districts – attach additional page(s))

Name of District or property owner(s):	<u>Mayde Creek MUD</u>	Capacity Allocation (MGD):	<u>0.455</u>
--	------------------------	----------------------------	--------------

Name of District or property owner(s):	<u>Ricewood MUD</u>	Capacity Allocation (MGD):	<u>0.995</u>
--	---------------------	----------------------------	--------------

### Water Treatment Plant Information:

Name of Water Treatment Plant: Ricewood MUD Water Plant

Water Treatment Plant Address: 20010 Winding Branch Katy, Texas 77449

Water Well Permit Number: 167617

Existing Capacity:	Well(s):	<u>1,500</u>	GPM
	Booster Pump(s):	<u>4,000</u>	GPM
	Tank(s):	<u>500,000</u>	MG
Ultimate Capacity:	Well(s):	<u>1,500</u>	GPM
	Booster Pump(s):	<u>4,000</u>	GPM
	Tank(s):	<u>500,000</u>	MG





# CITY OF HOUSTON



## Department of Public Works and Engineering Water District Consent Application Form

Size of Treatment Plant Site: 24,732 SF square feet / acres

Is the District a member of the City of Houston Ground Water Reduction Plan (GRP)?

Yes ☐

No ☒

If yes, please attach 40 year water demand projection

If no, please provide name of the GRP the District is a member of:

West Harris County Regional Water Authority

Comments or Additional Information: \_\_\_\_\_

# REQUEST FOR COUNCIL ACTION

**TO:** Mayor via City Secretary

**RCA #**

**SUBJECT:**

Ordinances granting Commercial Solid Waste Operator Franchises

**Category #**

**Page 1 of 1**

**Agenda Item#**

40

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

Tina Paez, Director

Administration & Regulatory Affairs

**Origination Date**

6/17/2014

**Agenda Date**

JUL 09 2014

**DIRECTOR'S SIGNATURE:**

**Council Districts affected:**

ALL

**For additional information contact:**

Juan Olguin *JO*

**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 Franchise

**Amount of Funding:**

REVENUE

**FIN Budget:**

**SOURCE OF FUNDING:**

☐ General Fund

☐ Grant Fund

☐ Enterprise Fund

☐ Other

(Specify)

**SPECIFIC EXPLANATION:**

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

1. TNT Waste Container Service, LLC

The proposed ordinance grant the Franchise 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**

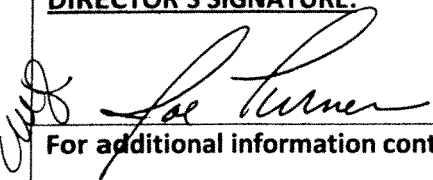
Finance Director:

**REQUEST FOR COUNCIL ACTION****TO:** Mayor via City Secretary**Subject:** Motion to set a date for a public hearing on re-adopting Parks and Recreation Department youth recreation programs standards of care

Category #

Page  
1 of 1Agenda Item: **41****FROM (Department or other point of origin):**  
Houston Parks and Recreation Department**Origination Date:**

June 25, 2014

**Agenda Date:****JUL 09 2014****DIRECTOR'S SIGNATURE:**

Joe Turner, Director

**Council Districts Affected:**

ALL

L

**For additional information contact:**

Luci Correa (832) 395-7057

**Date and identification of prior authorizing Council Action:** Ord. 2002-756 (8-21-2002); Ord. 2003-793 (9-3-2003); Ord. 2004-891 (9-1-2004); Ord. 2005-1011 (8-30-2005); Ord. 2006-875 (9-23-2006); Ord. 2007-964 (8-29-2007); Ord. 2008-743 (8-27-2008); Ord. 2009-711 (8-5-2009); Ord. 2010-660 (8-18-2010); Ord. 2011-672 (8-10-11); Ord. 2012-717 (8-22-12); Ord. 2013-665 (7-24-13)**RECOMMENDATION (summary):**

Houston Parks and Recreation Department (HPARD) requests City Council approve a Motion to set a date for a public hearing on the re-adoption of Article XII Chapter 32, Code or Ordinances, City of Houston, regarding Standards of Care for the Houston Parks and Recreation Department youth recreation programs (Suggested date July 16, 2014).

**Amount and Source of Funding:** Not Applicable**Finance Budget:****SPECIFIC EXPLANATION:**

In order to comply with 42.041 (b) (14) of the Texas Human Resources Code, HPARD requests City Council hold a public hearing regarding the Houston Youth Recreation Program Standards of Care codified at Article XII of Chapter 32 of the City of Houston Code of Ordinances. The Standards of Care are intended to be the minimum standards that HPARD will use to operate the After-School Enrichment Program. The program offers a wide range of recreational activities including arts and crafts, sports, games, field trips, and cultural and special events.

HPARD's After-School Enrichment Program is subject to regulation. However, the Texas Human Resources Code 42.041 (b) (14) provides an exemption for a recreation program for elementary age children (ages 5 – 13) with the following criteria:

- A municipality operates the program;
- The governing body of the municipality annually adopts standards of care by ordinance after a public hearing for such programs;
- The program provides these standards of care to the parents of each program participant;
- The ordinance includes child/caregiver ratios, minimum employee qualifications, minimum building, health and safety standards, and mechanisms for monitoring and enforcing the adopted local standards;
- The program informs the parents that the state does not license the program; and
- The program does not advertise itself as a child-care operation.

The HPARD After-School Enrichment Program meets all of the above criteria for exemption.

Suggested hearing date is July 16, 2014.

**REQUIRED AUTHORIZATION**

Finance Director:

Other Authorization:

Other Authorization:

42

JUL 09 2014

42. Consideration of proposed amendments to Item 42A below, submitted in writing on June 25, 2014 by Council Members Stardig, Davis, Martin, Pennington, Gonzalez, Gallegos, Laster and Green, as set forth in the attached Exhibits 1-17 - **TAGGED BY COUNCIL MEMBER GONZALEZ**

See Exhibits 1-17  
ATTACHED TO Agenda

TO: Mayor via City Secretary

## REQUEST FOR COUNCIL ACTION

## SUBJECT:

Approval of the Fiscal Year 2015-2019 Capital Improvement Plan

Category  
#Page  
1 of 1Agenda  
Item

42A #

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

Finance Department

## Origination Date

June 10, 2014

## Agenda Date

JUL 25 2014

## DIRECTOR'S SIGNATURE:

Kelly Dowe

Council District(s) affected: JUL 09 2014

All

## For additional information contact:

Jennifer Olenick

Phone: 832-393-9112

Date and identification of prior authorizing  
Council action:

**RECOMMENDATION:** That City Council approve by Motion the Fiscal Year 2015-2019 Capital Improvement Plan (CIP) and establish a charge of \$75.00 plus postage for the purchase of the adopted CIP documents and a charge of \$5.00 plus postage for the purchase of a CD version of the CIP.

Amount and Source of Funding: N/A

Finance Budget:

## SPECIFIC EXPLANATION:

The FY2015-2019 Capital Improvement Plan (CIP) supports improved delivery of services and an improved quality of living for Houstonians, with an emphasis on drainage, transportation infrastructure, mobility, quality of life, affordable housing and public safety. The plan emphasizes the replacement and rehabilitation of existing facilities and the selective addition and expansion of facilities.

The FY2015-2019 CIP book contains vertical construction projects supported by the General Services Department for its clients (Fire, Health, Library, Parks, Police and Solid Waste), projects supported by Public Works and Engineering (Street & Traffic, Storm Drainage, Water and Wastewater) and the Houston Airport System. In addition, Information Technology, Fleet, Equipment, and Component Units citywide capital programs are included. This format is identical to last year's format providing greater ease in locating projects by program type.

The FY2015-2019 CIP calls for appropriations of over \$7.8 billion during the five-year period. Planned appropriations for the Public Improvement & Citywide Capital Programs total approximately \$1.05 billion, Component Unit Programs \$851 million and \$6.05 billion for the Enterprise Programs.

The Finance Department recommends that City Council approve the FY2015-2019 CIP and establish a charge of \$75.00 plus postage per book to cover printing costs and \$5.00 plus postage for a CD version, both of which can be purchased at the City Secretary's office. The adopted CIP will be available for public viewing at the Downtown Library and on the City's website located at <http://www.houstontx.gov/cip/index.html>.

Attached are redlined pages of the FY2015-2019 Capital Improvement Plan providing adjustments and corrections.

Finance Authorization:

Auth for Kelly Dowe

Other Authorization:

Other Authorization:

43  
JUL 09 2014

43. Consideration of proposed amendments to Item 43A below, submitted in writing on June 25, 2014 by Council Members Davis, Green, Costello and Bradford, as set forth in the attached Exhibits 18-22 - **TAGGED BY COUNCIL MEMBERS GREEN and COSTELLO**

See Exhib:TS 18-22  
ATTACHED To Agenda

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

**SUBJECT:** To approve a resolution adopting guidelines for the City's participation in public-private partnerships.

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Agenda Item

# 24-1

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

Kelly Dowe, Director, Finance Department  
David Feldman, City Attorney

**Origination Date**

6/12/14

**Agenda Date**

JUN 18 2014

**DIRECTOR'S SIGNATURE**

  
Kelly Dowe

**Council District affected:**

All

JUN 25 2014

**For additional information contact:**

Tom Allen, First Assistant City Attorney (832-393-6411)

**Date and identification of prior authorizing Council action:** N.A.

**RECOMMENDATION: (Summary)**

That Council approve a resolution adopting guidelines for the City's participation in public-private partnerships.

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

**SPECIFIC EXPLANATION:**

The terms "Public-Private Partnership" and "P3" refer generally to agreements between public entities and the private sector by which the private sector makes physical assets or services available to a public entity in exchange for fixed payments over a term of twenty or more years.

The Texas Legislature has authorized municipalities and other governmental entities to enter into P3s for development of "Qualifying Projects," which include "any ... vehicle parking facility, ... water supply facility, public work, waste treatment facility, ... recreational facility, public building, technology facility, or other similar facility ... to be made available to a governmental entity for public use," or, more broadly, "any improvements necessary or desirable to real property owned by a governmental entity." TEX. GOV'T CODE § 2267.001(10). Before requesting or considering a P3, however, the governmental entity must adopt publicly available "guidelines" for such partnerships. *Id.* at § 2267.052(a).

The proposed resolution adopts "2267 Guidelines" for the City of Houston, enabling the City to enter into a P3 agreement if and as Council concludes such an arrangement is in the City's best interests. Although adoption of the Guidelines will establish uniform procedures for the City's consideration of P3 proposals (both solicited and unsolicited), adoption will not *require* the City to enter into any P3 contract.

The Legislature has enacted detailed requirements for 2267 Guidelines adopted by a local government. See generally TEX. GOV'T CODE §§ 2267.051--.066. As a result, a local government has limited discretion regarding the content of its Guidelines. More than 80% of the Guidelines proposed for the City's adoption are prescribed by statute.

2267 Guidelines have been adopted by several Texas cities, including El Paso and San Antonio. See, e.g., [https://www.elpasotexas.gov/muni\\_clerk/agenda/07-17-12/07171209A.pdf](https://www.elpasotexas.gov/muni_clerk/agenda/07-17-12/07171209A.pdf) (draft) and [https://webapps1.sanantonio.gov/rfcdocs/R\\_9733\\_20121107035807.pdf](https://webapps1.sanantonio.gov/rfcdocs/R_9733_20121107035807.pdf).

The proposed Guidelines have been reviewed by the City's Chief Procurement Officer and by the Office of Business Opportunity; revisions suggested by both offices have been incorporated into the current draft (Draft 4.4).

**REQUIRED AUTHORIZATION**

**Finance Department:**

**Other Authorization:**

DEBORAH F. 1/c Age for  
DAVID A. FELDMAN

**Other Authorization:**

City of Houston, Texas, Resolution No. 2014-\_\_\_\_\_

**A RESOLUTION ADOPTING GUIDELINES FOR THE CITY'S PARTICIPATION IN PUBLIC-PRIVATE PARTNERSHIPS AND CONTAINING FINDINGS AND OTHER PROVISIONS RELATING TO THE FOREGOING SUBJECT.**

\* \* \* \* \*

**WHEREAS**, the terms "Public-Private Partnership" and "P3" refer generally to agreements between public entities and the private sector by which the private sector makes physical assets or services available to a public entity in exchange for fixed payments over a term of twenty or more years; and

**WHEREAS**, as memorialized in Section 2267.002(a), Texas Government Code, the Texas Legislature has found:

- (1) That there is a public need for timely acquisition, design, construction, improvement, renovation, expansion, equipping, maintenance, operation, implementation, and installation of government facilities in this state that serve a public need and purpose;
- (2) That the public need may not be wholly satisfied by existing methods of procurement in which qualifying projects are acquired, designed, constructed, improved, renovated, expanded, equipped, maintained, operated, implemented, or installed;
- (3) That there are inadequate resources to develop new facilities, technology, and other public infrastructure and government facilities for the benefit of the citizens of this state, and there is demonstrated evidence that partnerships between public entities and private entities or other persons can meet these needs by improving the schedule for delivery, lowering the cost, and providing other benefits to the public;
- (4) That financial incentives exist under state and federal tax provisions that encourage public entities to form Public-Private Partnerships to develop "Qualifying Projects" within the meaning of Section 2267.001(10), Texas Government Code, which Projects include "any ... vehicle parking facility, ... water supply facility, public work, waste treatment facility, ... recreational facility, public building, technology facility, or other similar facility ... to be made available to a governmental entity for public use," or, more broadly, "any improvements necessary or desirable to real property owned by a governmental entity"; and
- (5) That authorizing private entities or other persons to develop or operate one



or more Qualifying Projects may serve the public safety, benefit, and welfare by making the projects available to the public in a more timely or less costly fashion; and

**WHEREAS**, the City Council (the "City Council") of the City of Houston (the "City") adopts by reference the said findings of the Legislature; and

**WHEREAS**, the Legislature has authorized political subdivisions of this state to enter into Public-Private Partnerships for the purposes stated in Section 2267.002(c), Texas Government Code, namely:

- (1) To encourage investment in this state by private entities and other persons;
- (2) To facilitate bond financing or other similar financing mechanisms, private capital, and other funding sources that support the development or operation of Qualifying Projects in order to expand and accelerate financing for such Projects; and
- (3) To provide political subdivisions of this state with the greatest possible flexibility in contracting with private entities or other persons to provide public services through Qualifying Projects,

which purposes the City Council finds serve the public interest; and

**WHEREAS**, Section 2267.051(a), Texas Government Code, prohibits development or operation of a Qualifying Project through a Public-Private Partnership unless the person or entity contracts with a responsible governmental entity in accordance with Chapter 2267, Texas Government Code; and

**WHEREAS**, the City is a "responsible governmental entity" within the meaning of Section 2267.001(11), Texas Government Code; and

**WHEREAS**, Section 2267.052(a), Texas Government Code, requires a responsible governmental entity to promulgate publicly available "guidelines" before requesting or considering a proposal for a Public-Private Partnership; and

**WHEREAS**, the City Council finds that the public interest will be well served by the City's promulgation of such guidelines, to enable the City to request or to consider proposals for Public-Private Partnerships;

**WHEREAS**, the City Council finds that adoption of the "Guidelines for Public-Private Partnerships" in the form attached to this Ordinance as Exhibit "A" will provide the City with additional options to obtain physical assets or services serving the needs of the public;  
**NOW, THEREFORE**,

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

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

**Section 2.** That the City Council adopts the "Guidelines for Public-Private Partnerships" ("P3 Guidelines") in the form attached to this Resolution as Exhibit "A."

**Section 3.** That the City Council instructs the City's Chief Procurement Officer to post the P3 Guidelines at <http://purchasing.houstontx.gov/index.shtml> no later than twenty days after the effective date of this Resolution and to take such other actions as may be advisable to make the Guidelines reasonably available to the public, as required by Section 2267.052(a), Texas Government Code.

**Section 4.** That this Resolution shall take effect immediately upon its passage and approval by the Mayor; however, in the event the Mayor does not sign this Resolution within five days after its passage and adoption, the Resolution shall take effect in accordance with Article VI, Section 6, of the Houston City Charter.

**PASSED AND ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2014.**

**APPROVED this \_\_\_\_ day of \_\_\_\_\_, 2014.**

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

Requested by Kelly Dowe  
Director, Finance Department

Prepared by Legal Dept. Tom P. Allen  
First Assistant City Attorney



## CITY OF HOUSTON, TEXAS GUIDELINES FOR PUBLIC-PRIVATE PARTNERSHIPS

### Table of Contents

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### ARTICLE I. PURPOSE AND SCOPE

The terms "Public-Private Partnership" and "P3" refer generally to agreements between public entities and the private sector by which the private sector makes physical assets or services available to a public entity for an extended term in exchange for fixed payments. Pursuant to the Texas Public and Private Facilities and Infrastructure Act (Chapter 2267, Texas Government Code) (the "Act," as may be amended from time to time), the City of Houston (the "City") has adopted these **Guidelines for Public-Private Partnerships** to create the City's P3 Program and to further the public purposes declared in Section 2267.002(a)-(c) of the Act.

These Guidelines govern the submission and evaluation of "P3 Proposals" (defined in Article III below) by the private sector to partner with the City for the development or operation of certain improvements "necessary or desirable to real property" owned by the City. See TEX. GOV'T CODE § 2267.001(10). A successful P3 Proposal will result in an agreement between the private sector and the City for development, completion, financing, operation, or maintenance of a "Qualifying Project" (defined in Article III below).

It is the City's intention to comply with all mandatory provisions of the Act, whether or not these Guidelines refer to such provisions specifically.

## **ARTICLE II. OTHER LAWS; CONFLICTS OF INTEREST; CITY COUNCIL AUTHORIZATION**

A. These Guidelines do not supersede laws, regulations, or executive orders issued by the governments of the United States, the State of Texas, or the City, specifically including:

1. Chapter 271, Texas Local Government Code, for any "Project" (defined in Article III below) including a "civil works project" within the meaning of Section 271.181(2), Texas Local Government Code;
2. The Texas Professional Services Procurement Act (Chapter 2254, Texas Government Code); and
3. The City's Procurement Manual dated January 24, 2014 (the "Procurement Manual," which may be modified from time to time by the Procurement Governance Board).

In the event of a conflict between these Guidelines and any federal, state, or local statutory or administrative authority, the terms of the statutory or administrative authority shall control.

B. These Guidelines specifically incorporate by reference Sections 2267.005 ("Conflict of Interest"); 2267.0051 ("Prohibited Employment With Former or Retired Governmental Entity Employees"); and 2256.0052 ("Prohibited Employment of Responsible Governmental Entity Employees") of the Act.

C. These Guidelines specifically incorporate by reference Pages 13-14 of the Procurement Manual ("Quiet Period / No Contact").

D. These Guidelines are effective upon approval of the City Council of the City (the "City Council").

E. **Except as may be provided in these Guidelines, no agreement falling within the scope of these Guidelines shall be binding upon the City without prior approval by the City Council.**

## **ARTICLE III. DEFINITIONS**

**These Guidelines specifically incorporate by reference the definitions in Section 2267.001 of the Act.** Any variance between the capitalization of terms in the Act and in these Guidelines is

immaterial. In the event of a substantive conflict between definitions in the Act and in these Guidelines, the Act shall control. In addition to definitions appearing in the Act and elsewhere in these Guidelines, for the purposes of these Guidelines the terms listed below have the meaning stated.

**City's Procurement Website** is <http://purchasing.houstontx.gov/index.shtml>.

**Confidential Materials** means trade secrets, financial records, and proprietary or other confidential information exempt from disclosure under the Act or under Section 552.101, Texas Government Code.

**P3 Plan** means a P3 Proposal responsive to an invitation from the City's "P3 Representative" (defined in Article VII below) following the City's review of a "Pre-Proposal Letter" (defined in Article X(A)(1) below).

**P3 Procurement Record** means a document or other record in any form directly related to a P3 Proposal. Notwithstanding the previous sentence, **P3 Procurement Record** does not include (a) information excepted or otherwise exempt from the public disclosure requirements of the Texas Public Information Act (Chapter 552, Texas Government Code), or (b) information not constituting a procurement record within the meaning of Section 2267.066(f) of the Act.

**P3 Proposal** means any stage of a proposal, whether or not in response to a P3 Solicitation, from a private entity to enter into a P3 Contract with the City for the development or operation of a Qualifying Project.

**P3 Solicitation** means a request for proposals ("RFP") issued by the City for a Qualifying Project.

**Procurement Governance Board** means the City's Procurement Governance Board established by the Executive Order signed by Mayor Annise Parker on May 15, 2014.

**Project** means either a Qualifying Project or a proposed Qualifying Project, depending on context.

**Proposer** means a private person or entity that plans to submit or that has submitted a P3 Plan or a P3 Proposal to the City.

**P3 Contract** means an agreement between a public entity and a private entity by which the private entity makes physical assets or services available to the public entity for a term of twenty or more years in exchange for periodic payments.

**Qualifying Project** means a service or an improvement to real property provided or proposed to be provided by a private entity to the City by means of a P3 Contract, in accordance with the Act.

**Solicited P3 Proposal** means a P3 Proposal submitted to the City in response to a P3 Solicitation, as contemplated by Section 2267.053(b) of the Act.

**Unsolicited P3 Proposal** means a P3 Proposal submitted to the City but not in response to a P3 Solicitation, as contemplated by Section 2267.053(a) of the Act.

#### **ARTICLE IV. RULES OF CONSTRUCTION; ADDITIONAL DEFINITIONS**

- A. These Guidelines shall be construed under the laws of the State of Texas and the City of Houston. All references to statutes, ordinances, regulations, executive orders, administrative procedures, and similar authorities shall be construed to include any amendments or revisions of the said laws.
- B. All references in these Guidelines to a person or entity shall include the person's or entity's successors and authorized designees.
- C. Criteria and procedures prescribed by these Guidelines may not be listed in order of importance.
- D. These Guidelines specifically incorporate by reference the rules of construction and definitions in Section 1-2 of the City's Code of Ordinances, specifically including the constructions or definitions of "gender," "nontechnical and technical words," "number," "or, and," "person," and "tense."

#### **ARTICLE V. OVERVIEW OF P3 PROGRAM**

- A. A person may not develop or operate a Project unless the person contracts with the City as prescribed by these Guidelines and applicable law. See TEX. GOV'T CODE § 2267.051(a).
- B. The private sector may participate in the P3 Program in a variety of ways, from designing a facility to undertaking its financing, construction, operation, maintenance, or management, or any combination of these activities.
- C. Participation in the P3 Program is initiated either by responding to a P3 Solicitation or by submitting an Unsolicited P3 Proposal in the manner prescribed by these Guidelines. The City encourages private entities to submit Unsolicited P3 Proposals consistent with the purpose and scope of these Guidelines.
- D. The City will exercise full due diligence in the evaluation of P3 Proposals and will examine carefully the qualifications, capabilities, resources, and other attributes of a Proposer and its team. Proposers will be held strictly accountable for representations made and information provided to the City regarding their qualifications and experience.
- E. As contemplated by the Act, the City's P3 Program is a flexible development tool that allows innovative approaches to project development, use, and financing. The City encourages submission of P3 Proposals offering private financing in support of a Project. Such financing, which may include nontraditional mechanisms such as user fees and other forms of service payments, may give rise to commensurate risk for a successful Proposer but also provide the Proposer with benefits beyond those typically available through traditional financing methods.
- F. P3 Proposals may include in-kind consideration in an amount not less than the fair market value of the real property interest, including but not limited to construction of new facilities, alteration and restoration of existing facilities, and environmental remediation.

G. Proposers submitting Confidential Materials to the City shall do so in hard copy only, enclosed in a separate, sealed envelope addressed and either mailed or delivered to the P3 Representative and marked "CONFIDENTIAL P3 PROGRAM MATERIALS. TO BE OPENED BY [Insert Name of P3 Representative] ONLY." Failure to so mark Confidential Materials may lead to disclosure of the information as a publicly available record. The duty lies with the Proposer to identify and mark any Confidential Materials submitted to the City.

H. Absent an ordinance passed by the City Council, the City may not enter into more than five Comprehensive P3 Agreements (defined in Article XI below) in the same fiscal year.

I. Absent an ordinance passed by the City Council, the City may not enter into a Comprehensive P3 Agreement unless the Proposer is reasonably likely to expend more than \$5 million to provide the Qualifying Project.

J. Absent a legally enforceable written agreement executed by an authorized representative of the City, the City will not be responsible for any costs incurred in the preparation, submission, or presentation of a P3 Proposal.

#### **ARTICLE VI. TEXAS PUBLIC INFORMATION ACT; RELATED MATTERS**

The Act requires the City to take appropriate action under the Texas Public Information Act ("TPIA") to "protect confidential and proprietary information provided by a private entity" submitting a P3 Proposal. See TEX. GOV'T CODE § 2267.053(g). Similarly, information in the City's custody (including memoranda, staff evaluations, or other records prepared by City staff or by outside advisors or consultants) related to the evaluation or negotiation of a P3 Proposal may be exempt from public disclosure if disclosure before or after the execution of an Interim P3 Agreement or a Comprehensive P3 Agreement (defined in Article XI below) would adversely affect the financial interest or bargaining position of the City. Proposers are cautioned, however, that the statutory protections against public disclosure of confidential or proprietary information are not absolute. See, e.g., TEX. GOV'T CODE § 2267.066(c). If the City receives a request for information related to a P3 Proposal, the City will comply with the TPIA, as may be modified by the Act. In some instances, action by the Proposer may be advisable. A Proposer concerned about public disclosure of Confidential Materials should be well-informed regarding the pertinent provisions of the TPIA and the Act and consult the Proposer's legal counsel as necessary or prudent.

#### **ARTICLE VII. CITY'S P3 REPRESENTATIVE**

A. The City's Chief Procurement Officer shall serve as the City's representative ("P3 Representative") to administer the City's P3 Program and, as required by Section 2267.052(b)(1) of the Act, confer with persons considering submission of a P3 Proposal. The P3 Representative shall be available during the City's regular business hours, by appointment only. Requests to meet with the P3 Representative regarding matters within the scope of these Guidelines should be submitted in writing to the following address:

Chief Procurement Officer

City of Houston

Mailing Address: P.O. Box 1562, Houston, Texas 77251

Physical Address: City Hall, 901 Bagby St., Concourse Level, Houston, Texas 77002

B. The P3 Representative may designate in writing another employee of the City to act in his stead with regard to any particular P3 Proposal.

C. No later than 120 days after the effective date of these Guidelines and every 90 days thereafter, the P3 Representative shall provide to the City Council a written report regarding the status of the City's P3 Program. In addition, to report on activities of the City's P3 Program the P3 Representative shall appear before the City Council's Budget and Fiscal Affairs Committee as requested by the Committee's Chair.

#### **ARTICLE VIII. CITY'S P3 OVERSIGHT COMMITTEE**

A. As required by Section 2267.052(c)(2) of the Act, the City has established a P3 Oversight Committee consisting of qualified professionals providing "independent analyses regarding the specifics, advantages, disadvantages, and long-term and short-term costs of any [P]roposal ...." The members of the Committee are as follows:

- Position 1 (Chair): The P3 Representative.
- Position 2: A representative designated in writing by the Director of the City's General Services Department.
- Position 3: A representative designated in writing by the Director of the City's Public Works & Engineering Department.
- Position 4: A representative designated in writing by the Director of the City's Finance Department.
- Position 5: An attorney licensed to practice law in Texas designated in writing by the City Attorney.
- Position 6: A representative designated in writing by the Director of the City's Planning & Development Department.
- Position 7: A representative designated in writing by the Mayor.

B. No designation to the Committee shall be effective until (1) the City Council has been advised in writing of the proposed designation and the proposed designee's qualifications for the position and (2) the City Council has been provided no less than fourteen days to submit to the Mayor a written objection to the proposed designation. The Mayor shall give due consideration to each such objection and may revise any designation as the Mayor sees fit.

C. Members of the Committee do not serve for specific terms. Subject to Section VIII(B) immediately above, new members may be designated to the above Positions by the Mayor or by the respective Department Director as needed. Names of the members of the Committee and any changes in the Committee's membership will be announced at the City's Procurement Website as promptly as circumstances allow.

D. At the instruction of the Director of the City's Finance Department, a "municipal advisor" as



defined by Title 15, Section 780-4(d)(4), United States Code, may serve as a non-voting, *ex officio* member of the Committee.

E. As required by Section 2267.052(c-1) of the Act, for the evaluation of any P3 Proposal with an estimated cost of \$5 million or more for the construction or renovation of a facility, the City shall retain an architect, a professional engineer, and a certified accountant, none of whom shall be employees of the City, to advise members of the Committee serving in Positions 2, 3, and 4, respectively.

F. The Committee is not subject to the Texas Open Meetings Act (Chapter 551, Texas Government Code). See TEX. GOV'T CODE § 551.001(3).

#### ARTICLE IX. SOLICITED P3 PROPOSALS

A. A P3 Solicitation shall be by RFP. These Guidelines do not govern all RFPs issued by the City. **These Guidelines pertain only to a Request for Proposals for a Public-Private Partnership.**

B. A P3 Solicitation may be preceded by a Request for Information ("RFI") or a Request for Qualifications ("RFQ") if the P3 Representative reasonably concludes doing so is likely to serve the City's interests. In such event, the P3 Oversight Committee shall determine from responses to the RFI or the RFQ whether the City will proceed with the P3 Solicitation and, if so, shall identify one or more Proposers eligible to respond further to the P3 Solicitation.

C. In most instances, a P3 Solicitation will require submission of the same information required for a P3 Plan. See *generally* these Guidelines at Sections X(B) & (C).

D. Before issuing a P3 Solicitation, the City shall analyze the adequacy of the information to be supplied by the P3 Solicitation, as required by Section 2267.052(b)(9) of the Act. If the analysis indicates additional information is likely to encourage competition among private entities, the City shall revise the P3 Solicitation to include such information, subject to Section 2267.053(g) of the Act. The P3 Representative shall prepare a brief summary of the analysis required by this Section IX(D), which summary shall be a P3 Procurement Record.

E. P3 Solicitations shall follow the City's procurement policies and procedures stated in the Procurement Manual, except as may be modified by mandatory provisions of the Act. Additional procedures and requirements applicable to a particular Solicited P3 Proposal will be specified in the P3 Solicitation, which may or may not address every provision of these Guidelines. While it is the City's duty to state the requirements for responding to a P3 Solicitation, it is the Proposer's obligation to determine from the P3 Solicitation the extent to which these Guidelines apply and to request clarification from the P3 Representative as may be necessary or prudent.

F. At a minimum, each P3 Solicitation shall:

1. State that the City will "make a best value determination in evaluating the proposals received and consider the total project cost as one factor in evaluating the proposals," as required by Section 2267.053(b-1) of the Act;

2. State that the City's evaluation of Solicited P3 Proposals will consider the factors listed in Section 2267.053(b-1) of the Act, as applicable to the Project;
3. State that the City's evaluation of Solicited P3 Proposals will consider the extent to which the Project is likely to serve the public, according to the factors listed in Section 2267.053(c)(1)–(3) of the Act;
4. Include specific references to provisions in the Procurement Manual addressing the submission of information the Proposer may consider confidential or proprietary; and
5. Provide not less than 45 days nor more than 180 days to respond to the P3 Solicitation, although the P3 Representative may extend the deadline for responses "to accommodate a large-scale project," as authorized by Section 2267.052(b)(11)(B) of the Act.

G. Notwithstanding Section IX(F)(5) of these Guidelines, a P3 Solicitation arising from an Unsolicited P3 Proposal submitted in accordance with Article X of these Guidelines should require responses no more than 90 days after issuance of the P3 Solicitation, absent unusual circumstances as reasonably determined by the P3 Representative,

H. The P3 Oversight Committee shall evaluate each Solicited P3 Proposal.

1. In most instances, the Committee will complete its evaluations not later than 90 days after the Solicited P3 Proposals are received by the P3 Representative. As authorized by Section 2267.052(b)(4) of the Act, this timeline may be adjusted for Solicited P3 Proposals considered a priority by the City.
2. The Committee shall consider the extent of competition evidenced by Solicited P3 Proposals responsive to the P3 Solicitation. If the Committee reasonably concludes the Solicited P3 Proposals do not reflect competition among Proposers sufficient to provide the City with good value, the P3 Representative may amend, supplement, or withdraw the P3 Solicitation. See TEX. GOV'T CODE § 2267.052(b)(10).
3. During its evaluation of a Solicited P3 Proposal, the Committee may communicate with a Proposer to clarify information in the Solicited P3 Proposal or to confirm the Proposer understood the requirements of the P3 Solicitation. The Committee shall maintain a record of each such communication, which record shall be a P3 Procurement Record.
4. After evaluating the Solicited P3 Proposals, the Committee shall (a) accept a Solicited P3 Proposal for negotiation to an Interim or Comprehensive Agreement, in accordance with Articles XI and XII of these Guidelines, or (b) reject all of the Solicited P3 Proposals.
5. For the purposes of these Guidelines, the Committee's acceptance of a Solicited P3 Proposal pursuant to Section IX(H)(4) above constitutes an acceptance for "conceptual stage evaluation" within the meaning of Section 2267.055(a) of the Act.

Accordingly, upon the Proposer's receipt of notice of the acceptance, the Proposer shall provide "each affected jurisdiction" with copies of the Solicited P3 Proposal, the City's notice of the acceptance, and Section 2267.055 of the Act. This Section IX(H)(5) does not apply to a P3 Proposal limited to a "service contract" as defined by Section 2267.001(13) of the Act.

6. Additional criteria and procedures for the evaluation of Solicited P3 Proposals shall be as described in the P3 Solicitation but shall not be inconsistent with the Act.
- I. Not later than three days after the Committee's acceptance of a Solicited P3 Proposal, the P3 Representative shall deliver to the office of each member of the City Council either a hard copy or an electronic copy of the Proposal (minus any Confidential Materials).
- J. As required by Section 2267.066(a) of the Act, not later than ten days after the Committee's acceptance of a Solicited P3 Proposal pursuant to Section IX(H)(4) above, the P3 Representative shall:
  1. Post a copy of the said Solicited P3 Proposal (minus any Confidential Materials) on the City's Procurement Website, with a link to a copy of these Guidelines;
  2. Make every reasonable effort to post a copy of the said Solicited P3 Proposal (minus any Confidential Materials) on either TexasOnline or the official website of the State of Texas; and
  3. Publish in a newspaper of general circulation in the City (i) a summary of the said Solicited P3 Proposal prepared by the Proposer and (ii) the location of copies of the said Solicited P3 Proposal available for public inspection during the City's business hours.
- K. Notwithstanding any provision to the contrary in these Guidelines, no employee, consultant, or agent of the City may publish, make available for inspection, or otherwise reveal to any person not employed by or in privity with the City, any Confidential Materials except (a) as required by the Texas Public Information Act; (b) as required by court order; or (c) with the written agreement of authorized representatives of the Proposer and any other entity with a legally enforceable proprietary or legal interest in all or part of the information.
- L. Consistent with Section 2267.053(a) of the Act, any requirement stated in the Act but not stated in the P3 Solicitation or in these Guidelines shall be deemed waived by the City.
- M. If an RFQ within the scope of Section IX(B) above was issued before the City Council's approval of these Guidelines, the RFQ is presumed valid if the resulting P3 Solicitation complies with these Guidelines.

#### **ARTICLE X. UNSOLICITED P3 PROPOSALS**

Section 2267.053(a) of the Act authorizes the City to receive, evaluate, and accept for negotiation Unsolicited P3 Proposals from private persons to design, develop, finance, lease, acquire, install, construct, expand, improve, renovate, equip, operate, or maintain a Qualifying Project. **This**

**Article X addresses only Unsolicited P3 Proposals.**

**A. PRE-PROPOSAL LETTERS**

1. A person intending to submit an Unsolicited P3 Proposal first shall submit to the P3 Representative a "Pre-Proposal Letter" not exceeding ten pages. The Pre-Proposal Letter shall describe the Project generally and summarize the anticipated material terms of the P3 Proposal. Within 45 days after receiving the Pre-Proposal Letter, and after conferring as may be appropriate with professionals employed or retained by the City, the P3 Representative shall notify the Proposer whether the City is willing to consider entering into a P3 Contract for the Project. If yes, the P3 Representative shall either request additional information or invite the Proposer to submit a P3 Plan as described in this Article X.
2. By written notice to the Proposer, the P3 Representative may extend the 45-day deadline imposed by Section X(A)(1) of these Guidelines. Absent unusual circumstances, the P3 Representative shall issue no more than one such extension resulting in a total review period not exceeding 75 days. The P3 Representative shall document the reason(s) for any review period exceeding 75 days, which documentation shall be a P3 Procurement Record.

**B. P3 PLANS**

A P3 Plan should convey the nature of the Project, the experience and capacity of the Proposer's development team, and the financial and implementation strategies offered to ensure successful completion of the Project.

1. Cover Letter and Executive Summary.

A cover letter not exceeding five pages signed by an authorized representative of the Proposer and summarizing key components of the Project, including descriptions of the general nature of the Project, the Proposer's qualifications and experience with similar projects, and the community benefits likely to result from the Project.

2. Information Required by Statute.

As applicable to the Project, information sufficient for the City to evaluate the P3 Plan according to the factors addressed by Section 2267.052(b)(5)–(8)(A) of the Act, together with all information listed in Section 2267.053(a)(1)–(12) of the Act.

3. Additional Information Regarding Qualifications.

Information evidencing the Proposer's thorough understanding of the complexities of the Project as well as management and operational expertise sufficient to complete the Project in a timely and professional manner.

4. Additional Information Regarding Development Plan.

To the extent not already supplied, provide the following:

- a. A plan for the development, financing, and operation of the Project, specifically including an anticipated schedule of funds required, in what amounts, at what times, and from what sources.
- b. A summary of all anticipated third-party business arrangements (as examples only, agreements for ground leases, build-to-suit, long-term maintenance, employee leasing, or parking management).
- c. Preliminary schedules for:
  - i. Obtaining required permits or approvals from any federal, state, or local agencies; and
  - ii. Requesting and obtaining any financial or other commitments from public or not-for-profit sources.
- d. For a P3 Plan involving an improvement to real property:
  - i. A conceptual design including, at a minimum, the following:
    - (a) Conceptual renderings (drawings, computer aided models, aerial sketches, photomontages, or other) from which the City may deduce the nature and general character of the improvement and its relationship to the subject property and surrounding improvements;
    - (b) A conceptual site plan encompassing the subject property and portions of contiguous properties from which the City may deduce the landscape and urban design concepts of the improvement, major pedestrian entrances and proposed outdoor areas, and a circulation plan (for walking, cycling, public transportation, and motor vehicles) illustrating how the improvement will relate to public rights-of-way both to and within the site;
    - (c) A preliminary facility program describing the improvement's mix of uses, estimating square footage for each use and addressing likely parking needs; and
    - (d) Preliminary exterior building elevations illustrating massing, openings, and related elements.
  - ii. A preliminary schedule for initiation, construction phasing, completion, and acceptance by the City.
  - iii. A proposed timeline for significant responsibilities to be performed by the City.
- e. A representation (to which the City is likely to give significant weight) regarding the full availability of all human, financial, and material resources necessary for

completion of the Project in a timely and professional manner.

- f. A statement regarding any special terms, conditions, or contingencies the Proposer is offering to or requesting from the City.

5. Project Analyses.

The project analyses should support the business case of the Project. As applicable and to the extent not already supplied, provide the following:

- a. Location and Site Analysis.
  - i. An explanation of how the design of the improvement and the attributes of the site will generate significant social, financial, and economic benefits.
  - ii. A general description of properties in the immediate vicinity of the Project, together with an explanation of the impact (both economic and non-economic) the Project is likely to have on the said properties both during and after construction.
  - iii. A list of any public utilities likely to be affected by the Project and a summary of plans to accommodate same.
- b. Market and Competitive Analysis. A preliminary analysis supporting the revenue assumptions and economic viability of the Project, including forecasts of supply and demand. (If the P3 Oversight Committee accepts the P3 Plan, the City may require a more detailed analysis.)
- c. Life-Cycle Cost Analysis. A preliminary analysis enabling the City to estimate the total long-term cost of the Project and the lowest cost of ownership consistent with the City's goals for functionality, durability, design, and overall quality of the asset. (If the P3 Oversight Committee accepts the P3 Plan, the City may require a more detailed analysis.)
- d. Project Schedule. A conceptual timeline identifying all stages of project development from design to completion and acceptance by the City.
- e. Legal Analysis. A list of all permits and approvals from federal, state, and local agencies required for the development and completion of the Project, together with a description of any reasonably anticipated support for or opposition to the Project (including potential legal responses) from public or private persons or entities.

6. Additional Information Regarding Financial Matters.

To the extent not already supplied, provide the following:

- a. Financial Analysis.

- i. The Proposer's financing plan for the Project, including identification of sources of capital, financing mechanisms, and amounts of debt and equity to capitalize the Project.
  - ii. A description of the sources and anticipated amounts of working capital to pay operating costs from start-up through completion and acceptance by the City.
  - iii. Letters, not more than ninety days old, from authorized representatives of regulated financial institutions evidencing the existence of liquid assets or suitable unencumbered lines of credit sufficient to finance all reasonably anticipated pre-development activities.
  - iv. Documentary evidence of the Proposer's liquid assets or acceptable forms of equity of a nature and in amounts sufficient to meet requirements likely to be imposed by a regulated construction lender.
- b. **Project Budget.** A development budget using standard estimating techniques detailing any anticipated land acquisitions, pre-development costs, and hard and soft costs from initial design through completion and the City's acceptance of the Project. The budget should include cost estimates for relocation of any utility facilities to be displaced as a result of the Project.
- c. **Proforma Financial Statements.**
  - i. A discounted cash flow analysis for the entire term of the Project, including estimates of costs, operating expenses, capital reserves (including, as applicable, replacement and re-tenanting reserves), net operating income, debt service, partnership or joint venture percentages, disposition benchmarks, calculations of net present value, and internal rate of return.
  - ii. A projected balance sheet, statement of losses and earnings, and income statement for the first year of the Project following the City's acceptance.

7. Additional Information Regarding Community Impact.

To the extent not already supplied, provide the following:

- a. A description of the Project's anticipated financial benefit to the City, including tax revenues and overall economic impact.
- b. A description of the Proposer's plans to comply with the City's Minority, Women, and Small Business Enterprise ("MWSBE") program as applicable to the Project.
- c. Estimates of the number and value of subcontracts generated by the Project for area subcontractors.
- d. Estimates of the number of jobs for area residents to be generated by the Project

and of the compensation (including the value of benefits) for such jobs.

- e. A description of the Project's anticipated non-financial benefits to the City.
- f. Any additional information the Proposer considers important with regard to the Project's impact on the area surrounding the Project and the City as a whole.

8. Summary of P3 Plan for Public Notice.

A Summary of the P3 Plan not exceeding 2,000 characters. The City shall publish the Summary as required by Section 2267.066(a)(2)(B) of the Act and Section X(C)(1)(c) of these Guidelines.

9. Miscellaneous.

This optional Section may be used to present additional information such as letters of recommendation, letters of interest from prospective lenders or tenants, further information concerning the Proposer's Team, and other information supporting the P3 Plan.

10. Addenda.

This optional Section may be used to present documents cited or referenced in the P3 Plan.

### C. NOTICE OF P3 PLANS

1. Not later than three business days after receiving a P3 Plan, the P3 Representative shall deliver to the office of each member of the City Council either a hard copy or an electronic copy of the P3 Plan (minus any Confidential Materials).
2. As required by Sections 2267.052(b)(11) and 2267.066(a) of the Act, not later than ten days after receiving a P3 Plan, the P3 Representative shall:
  - a. Post a copy of the P3 Plan (minus any Confidential Materials) on the City's Procurement Website, with a link to a copy of these Guidelines;
  - b. Make every reasonable effort to post a copy of the P3 Plan (minus any Confidential Materials) on either TexasOnline or the official website of the State of Texas; and
  - c. Publish in a newspaper of general circulation in the City (i) a Summary of the P3 Plan prepared by the Proposer and (ii) the location of copies of the P3 Plan (minus any Confidential Materials) available for public inspection during the City's business hours.
3. As noted above, notwithstanding any provision to the contrary in these Guidelines, no employee, consultant, or agent of the City may publish, make available for inspection, or otherwise reveal to any person not employed by or in privity with the City, any Confidential Materials except (a) as required by the Texas Public Information Act; (b) as required by court order; or (c) with the written agreement of authorized representatives of the Proposer



and any other entity with a legally enforceable proprietary or legal interest in all or part of the information.

4. As may be advisable for a particular P3 Plan, the P3 Representative may ask the City Council or a Committee of the City Council to hold a public hearing on a P3 Plan before or after the P3 Oversight Committee's evaluation of the P3 Plan pursuant to Section X(E) of these Guidelines. A public hearing conducted pursuant to this Section X(C)(4) shall not substitute for a mandatory public hearing required by Section XI(C) or by Section XII(D) of these Guidelines.

#### D. EVALUATION BY P3 OVERSIGHT COMMITTEE

1. Within 45 days after receiving a P3 Plan, the P3 Representative shall respond with a letter notifying the Proposer whether or not the City requires additional information to evaluate the P3 Plan. As authorized by Section 2267.053(d) of the Act, the letter also shall request payment of a "P3 Review Fee" to cover the City's reasonable expenses of processing, reviewing, and evaluating the P3 Plan, which expenses may include fees to be paid to financial, legal, technical, or other advisors or consultants. The P3 Review Fee shall not be less than \$2,500.
2. After receipt of the Review Fee, the P3 Representative shall submit copies of the P3 Plan to the P3 Oversight Committee.
3. The Committee shall evaluate the P3 Plan based on the following criteria:
  - a. The factors listed in Section 2267.053(b-1) of the Act, as applicable to the Project.
  - b. The extent to which the Project is likely to serve the public, according to the factors listed in Section 2267.053(c)(1)–(3) of the Act.
  - c. For a P3 Plan involving an improvement to real property, the extent to which the Project:
    - i. Strikes an appropriate balance between functionality and design quality;
    - ii. Provides flexibility to accommodate reasonably foreseeable changes in technologies necessary for efficient operation of the Project;
    - iii. Provides flexibility to accommodate long-term variances in the number of City residents likely to be served by the Project; and
    - iv. Is consistent with the City's long-term goals for sustainability and protection of the environment.
  - d. Whether the entirety of the information responsive to Section X(B) of these Guidelines indicates clearly that the benefits of the completed Project will outweigh the Project's liabilities, including short-term and long-term financial costs to the City.

- e. Whether, in the Committee's reasonable judgment, a randomly selected group of 100 well-informed citizens of the City, having carefully considered the P3 Plan in its entirety, would be likely to conclude that the benefits of the completed Project will outweigh the Project's liabilities, including short-term and long-term financial costs to the City.
- 4. Subject to applicable state law, at any time during its evaluation the Committee may request additional information from, or a meeting with, the Proposer to seek clarification regarding the P3 Plan.
- 5. Not later than 120 days after receipt of the Review Fee, the Committee shall notify the Proposer in writing whether the Committee has accepted or declined the P3 Plan.
  - a. For the purposes of these Guidelines, the Committee's acceptance of a P3 Plan constitutes the City's acceptance of a P3 Proposal for "conceptual stage evaluation" within the meaning of Section 2267.055(a) of the Act. Accordingly, no later than five business days after the Proposer's receipt of written notification of acceptance of its P3 Plan, the Proposer shall provide "each affected jurisdiction" with copies of its P3 Plan, the Committee's notice of acceptance, and Section 2267.055 of the Act. This Section X(D)(5)(a) does not apply to a P3 Plan limited to a "service contract" as defined in Section 2267.001(13) of the Act.
  - b. Not later than 60 days after the Committee has issued written notification of acceptance of a P3 Plan, the City shall issue an RFP for the Qualifying Project.<sup>1</sup> The substance of the RFP shall be generally consistent with the substance of the Proposer's P3 Plan and may incorporate by reference all or part of the P3 Plan.<sup>2</sup>
  - c. Procedures for the issuance of and response to the RFP described in Section X(D)(5)(b) immediately above shall comply with Article IX of these Guidelines, except that the Proposer of the original Unsolicited P3 Proposal may incorporate its P3 Plan by reference into its response to the RFP.
  - d. Upon written notification that the Committee has declined a P3 Plan, the P3 Representative shall return to the Proposer its P3 Plan, all accompanying or otherwise related documents, and all fees paid, as required by Section 2267.051(c) of the Act.

## **ARTICLE XI. INTERIM P3 AGREEMENTS**

Section 2267.058(a) of the Act requires that the terms of each Qualifying Project be documented in a comprehensive agreement ("Comprehensive P3 Agreement") between the private sector entity

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<sup>1</sup> "A responsible governmental entity that accepts an unsolicited proposal for a qualifying project" must solicit "additional proposals through a request for qualifications, request for proposals, or invitation to bid." TEX. GOV'T CODE § 2267.053(a-1).

<sup>2</sup> In other words, acceptance by the Committee converts an Unsolicited P3 Proposal into a P3 Solicitation.

and the governmental entity. After conferring as may be appropriate with professionals employed or retained by the City, the P3 Representative will determine if a Comprehensive P3 Agreement should be preceded by an interim agreement ("Interim P3 Agreement") to the extent authorized by Section 2267.059 of the Act.

A. If the P3 Representative determines that an Interim P3 Agreement is in the best interests of the City, the P3 Representative shall designate one or more professionals employed or retained by the City to negotiate the terms of the said Agreement.

B. Negotiation of an Interim P3 Agreement should be completed not later than 60 days after the P3 Oversight Committee's acceptance of a Solicited P3 Proposal pursuant to Section IX(H)(4) of these Guidelines. As authorized by Section 2267.052(b)(4) of the Act, this timeline may be adjusted for P3 Proposals considered a priority by the City.

C. As required by Section 2267.066(d) of the Act, not later than the 30<sup>th</sup> day before the City enters into an Interim P3 Agreement, the City Council or a Committee of the City Council shall hold a public hearing to consider the proposed Interim Agreement. Not less than ten business days before the public hearing, the P3 Representative shall deliver to the office of each member of the City Council either a hard copy or an electronic copy of the proposed Interim P3 Agreement. In addition, and in keeping with Section 2267.066(e) of the Act, the P3 Representative shall post the proposed Interim P3 Agreement at the City's Procurement Website not less than five business days before the public hearing.

D. The City may not enter into an Interim P3 Agreement without prior approval by the P3 Oversight Committee and by the City Council.

## **ARTICLE XII. COMPREHENSIVE P3 AGREEMENTS**

**A. The City shall accept no liability arising from or otherwise related to a Qualifying Project prior the City's entering into a legally enforceable Comprehensive P3 Agreement stating all rights and obligations of the parties.**

B. The P3 Representative shall designate one or more professionals employed or retained by the City to negotiate the terms of a Comprehensive P3 Agreement.

1. At a minimum, every Comprehensive P3 Agreement shall:
  - a. Include a declaration of the specific public purpose to be served by the Project, as required by Section 2267.053(b-2) of the Act;
  - b. Require compliance with the City's MWSBE program by making good-faith efforts to meet either the established City-wide MWSBE goals or the MWSBE goal specific to the Qualifying Project;
  - c. Include a date by which performance of the Comprehensive P3 Agreement must begin, as required by Section 2267.053(f) of the Act;
  - d. Impose on the Contracting Person all obligations stated in Sections

2267.057(b) & (f) of the Act;

- e. If and as requested by the Contracting Person, provide the Contracting Person with any one or more of the powers and rights stated in Sections 2267.057(c)–(e) of the Act;
  - f. Comply with Section 2267.058 of the Act;
  - g. As applicable, require compliance with Section 2267.0605 of the Act ("Performance and Payment Bonds Required"); and
  - h. Recite the substance of Sections 2267.065(b), (c) & (d) of the Act.
- 2. No Comprehensive Agreement may include a term inconsistent with Section 2267.061 of the Act ("Material Default; Remedies").
  - 3. Negotiation of a Comprehensive P3 Agreement should be completed not later than 90 days after the P3 Oversight Committee's acceptance of a Solicited P3 Proposal pursuant to Section IX(H)(4) of these Guidelines. In a manner not inconsistent with these Guidelines or with the Act, this timeline may be adjusted for a Comprehensive P3 Agreement that is preceded by an Interim P3 Agreement or, as authorized by Section 2267.052(b)(4) of the Act, for a Comprehensive P3 Agreement considered a priority by the City.

C. Not later than ten days after the P3 Oversight Committee has approved a proposed Comprehensive P3 Agreement, the P3 Representative shall give public notice of the said proposed agreement in the manner described in Section X(C)(1) of these Guidelines.

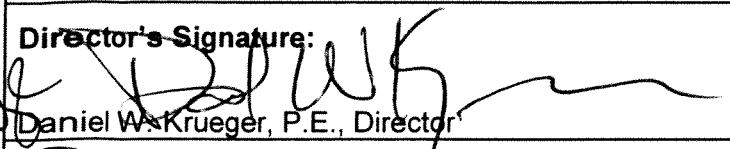
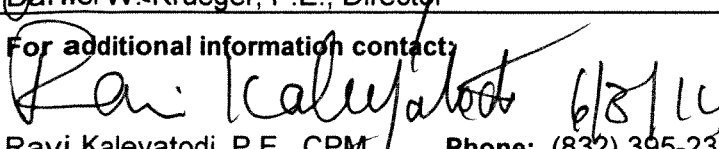
D. As required by Section 2267.066(d) of the Act, not later than the 30<sup>th</sup> day before the City enters into a Comprehensive P3 Agreement, the City Council or a Committee of the City Council shall hold a public hearing to consider the said Agreement. Not less than ten business days before the public hearing, the P3 Representative shall deliver to the office of each member of the City Council either a hard copy or an electronic copy of the proposed Comprehensive P3 Agreement.

E. As required by Section 2267.066(e-1) of the Act, if a public hearing required by Section XII(D) of these Guidelines results in a revision of a Comprehensive P3 Agreement, not later than the 30<sup>th</sup> day before the City enters into the final Comprehensive P3 Agreement, the City Council or a Committee of the City Council shall hold a public hearing to consider the revised proposed Comprehensive P3 Agreement. Not less than ten business days before the public hearing, the P3 Representative shall deliver to the office of each member of the City Council either a hard copy or an electronic copy of the revised proposed Comprehensive P3 Agreement.

F. The City may not enter into a Comprehensive P3 Agreement without prior approval by the P3 Oversight Committee and by the City Council.

[END]

5.3

<b>SUBJECT:</b> Contract Award for E. Coli Compliance – Chlorination Systems for Turkey Creek, Westway and Kingwood West Wastewater Treatment Plants. WBS No. R-000265-0076-4.		Page 1 of 2	Agenda Item # <b>44-52</b>
<b>FROM: (Department or other point of origin):</b> Department of Public Works and Engineering	<b>Origination Date:</b> 6/19/14	<b>Agenda Date:</b> <del>JUN 25 2014</del> JUL 09 2014	
<b>Director's Signature:</b>  Daniel W. Krueger, P.E., Director	<b>Council District affected:</b> 12 A, E & G		
<b>For additional information contact:</b>  Ravi Kaleyatodi, P.E., CPM Senior Assistant Director Phone: (832) 395-2326	<b>Date and identification of prior authorizing Council action:</b>		

**RECOMMENDATION: (Summary)**

Reject low bid, return bid bond, award construction contract to the next low bidder and appropriate funds.

**Amount and Source of Funding:** \$2,195,350.00 Water and Sewer System Consolidated Construction Fund No. 8500.

M.P. 6/3/2014

**PROJECT NOTICE/JUSTIFICATION:** This project is part of the City's Program to renew /replace inefficient components of the existing Wastewater Treatment Plant (WWTP) facilities.**DESCRIPTION/SCOPE:** This project consists of various improvements to the chlorination systems at Turkey Creek, Westway and Kingwood West Wastewater Treatment Plants.

The Contract duration for this project is 300 calendar days. This project was designed by Shrader Engineering, Inc.

**LOCATION:** The facilities are located at:

	<u>Facility</u>	<u>Address</u>	<u>Key Map</u>	<u>Council District</u>
1.	Westway	10273 Genard	450A	A
2.	Kingwood West	5900 Sorters Rd.	295Z	E
3.	Turkey Creek	1147 Enclave Parkway	488G	G

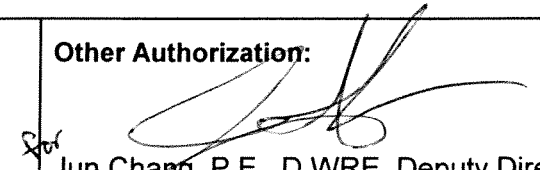
**BIDS:** This project was advertised for bidding on April 4, 2014. Bids were received on May 1, 2014. The two (2) bids are as follows:

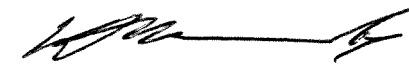
<u>Bidder</u>	<u>Bid Amount</u>
1. JTR Constructors, Inc.	\$1,903,950.00 (Not met 'MWSBE program goal')
2. LEM Construction Co, Inc.	\$1,942,251.00

LTS No. 12061

CUIC ID #20BZ110

MA

**Finance Department:****Other Authorization:****Other Authorization:**
  
 Jun Chang, P.E., D.WRE, Deputy Director  
 Public Utilities Division

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

<b>Date</b>	<b>Subject:</b> Contract Award for E. Coli Compliance – Chlorination Systems for Turkey Creek, Westway and Kingwood West Wastewater Treatment Plants. WBS No. R-000265-0076-4.	<b>Originator's Initials</b> <i>BZ</i>	<b>Page</b> <b>2 of 2</b>
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**AWARD:** The low bid of \$1,903,950.00 was submitted by JTR Constructors, Inc. The apparent low bidder was not responsive in that the bid submitted did not include a utilization plan fulfilling the participation goal of the solicitation and did not provide evidence of good faith effort. It is recommended that this construction contract be awarded to the next low bidder LEM Construction Co. Inc., who met the established 'MWSBE program goal' with a bid of \$1,942,251.00 and Addendum Number 1 be made a part of this Contract.

**PROJECT COST:** The total cost of this project is \$2,195,350.00 to be appropriated as follows:

• Bid Amount	\$1,942,251.00
• Contingencies	\$ 97,112.55
• Engineering and Testing Services	\$ 20,000.00
• CIP Cost Recovery	\$ 135,986.45

Engineering and Testing Services will be provided by Aviles Engineering Corporation under a previously approved contract.

**HIRE HOUSTON FIRST:**

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

**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 proposed contractor provides health benefits to eligible employees in compliance with City policy.

**M/WBE PARTICIPATION:**

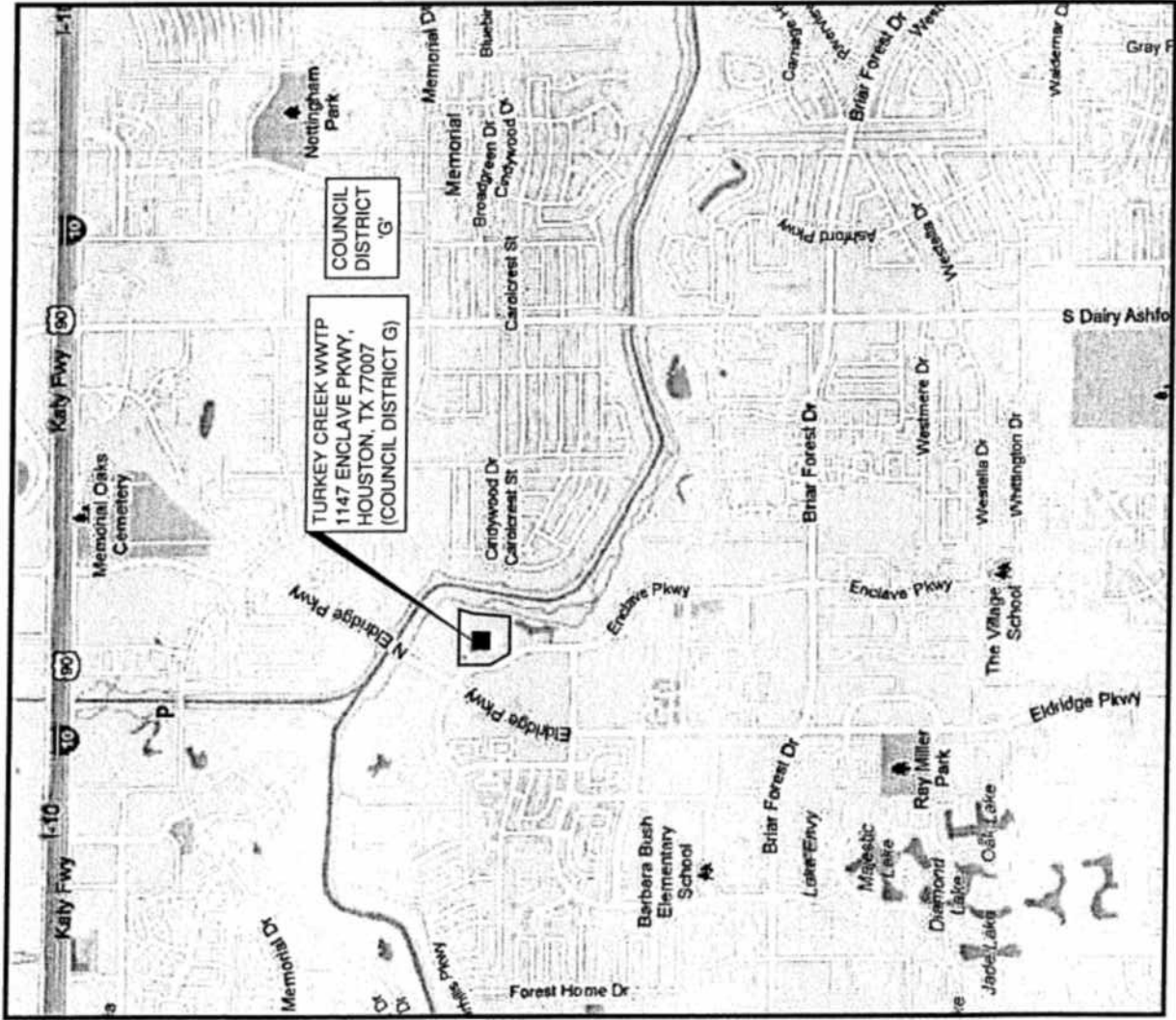
The Contractor has submitted the following proposed program to satisfy the 11% MBE goal, and 7% WBE goal for this project.

<u>MBE - Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
1. Medcalf Fabrication, Inc.	Miscellaneous Metal Services	\$ 65,134.00	3.35%
2. Brown Mechanical Services, Inc.	Mechanical Work	\$142,725.00	7.35%
3. C & B Rebar Construction, Inc.	Rebar Work	\$ 35,264.00	1.81%
<b>TOTAL</b>		<b>\$243,123.00</b>	<b>12.51%</b>
<u>WBE - Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
1. Macaulay Controls Company	Instrumentation Services	\$282,950.00	14.57%
2. Chlorinator Maintenance Construction, Inc.	Wastewater Equipment Supplies	\$ 35,000.00	1.80%
<b>TOTAL</b>		<b>\$317,950.00</b>	<b>16.37%</b>

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

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

c: File No. R-000265-0076-3



<b>SE SHRADER</b> ENGINEERING	
CITY OF HOUSTON	
E-COLI COMPLIANCE PROJECT TURKEY CREEK WWTP	
PROJECT VICINITY MAP	
WBS No. R-000265-0076-4	
Key Map	Project Address
488-G	1147 ENCLAVE PKWY HOUSTON, TX 77007
Sheet No.	
1	



CITY OF HOUSTON

**E-COLI COMPLIANCE PROJECT  
WESTWAY WWTP**

## PROJECT VICINITY MAP

WBS No. R-000265-0076-4

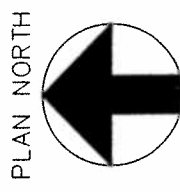
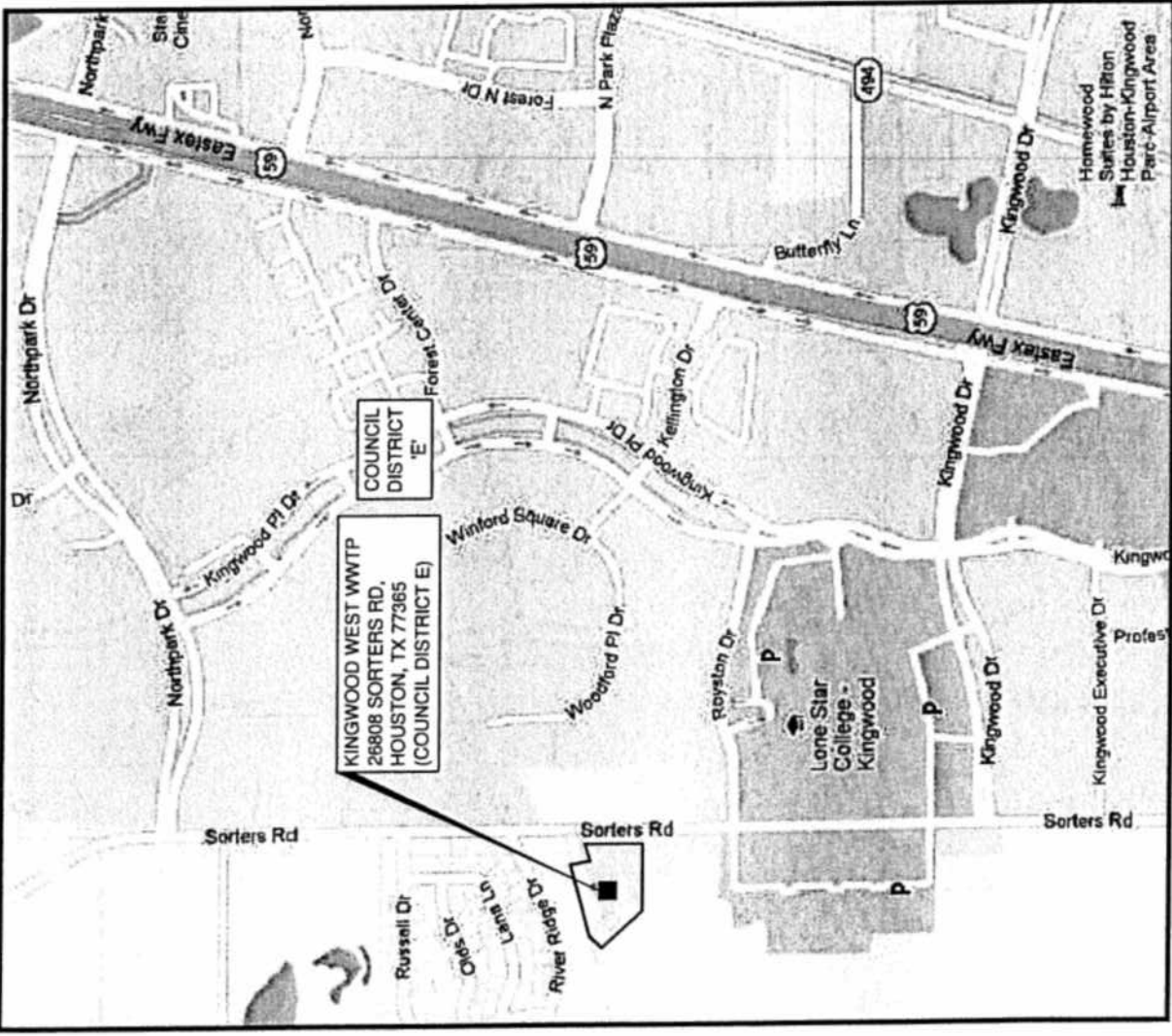
### Key Map

Sheet No.

10273 GENARD RD  
HOUSTON, TX 77041

3





<b>SE SHRADER</b> ENGINEERING	
CITY OF HOUSTON	
E-COL COMPLIANCE PROJECT KINGWOOD WEST WWTP	
PROJECT VICINITY MAP	
WBS No. R-000265-0076-4	
Key Map	Project Address
295-Z	26808 SORTERS RD HOUSTON, TX 77365
	Sheet No.
	5