

AGENDA - COUNCIL MEETING - TUESDAY - SEPTEMBER 30, 2008 - 1:30 P. M.
COUNCIL CHAMBER - SECOND FLOOR - CITY HALL
901 BAGBY - HOUSTON, TEXAS

PRAYER AND PLEDGE OF ALLEGIANCE - Council Member Lawrence

1:30 P. M. - ROLL CALL

ADOPT MINUTES OF PREVIOUS MEETING

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

5:00 P. M. - RECESS TO 6:00 P.M.

HEARING - 6:00 P.M.

1. **PUBLIC HEARING** on the proposal to establish a tax rate of \$.63875/\$100 of value for Tax Year 2008

RECONVENE

WEDNESDAY - OCTOBER 1, 2008 - 9:00 A. M.

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

MAYOR'S REPORT

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

CONSENT AGENDA NUMBERS 2 through 37

AGENDA - OCTOBER 1, 2008 - PAGE 2

MISCELLANEOUS - NUMBERS 2 through 4

2. RECOMMENDATION from Director Finance Department and the City Controller to approve purchaser term sheet submitted by **JPMORGAN CHASE BANK, N.A.** relative to the issuance of City of Houston, Texas Tax and Revenue Anticipation Notes, Series 2008A
3. RECOMMENDATION from Acting Director of Human Resources Department to approve an additional 365 day period for pay differential for employees called to active duty status during a time of war or state of emergency
4. RECOMMENDATION from Acting Director of Human Resources Department for approval of the Holiday Schedule for Calendar Year 2009

ACCEPT WORK - NUMBERS 5 through 6A

5. RECOMMENDATION from Director General Services Department for approval of final contract amount of \$1,040,501.01 awarded to **STRUCTURE MANAGEMENT L.L.C.** and acceptance of work by final payment to the surety, **WESTERN SURETY COMPANY** for Parks Master Plan - Burnett Bayland Park, WBS F-504A16-0001-4 - 4.32% over the original contract amount **DISTRICT F - KHAN**
6. ORDINANCE appropriating \$88,702.29 out of Water & Sewer System Consolidated Construction Fund as additional appropriation for Construction Contract with **BOYER, INC** (approved by Ordinance No. 06-0590; for 8/12-inch Water Line Installation and 24/30/36-inch Water Line Rehabilitation along Calumet, Westpark, Mid Lane and Westheimer, WBS S-000900-00A5-4, **DISTRICTS C - CLUTTERBUCK; D - ADAMS and G - HOLM**
- a. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$5,032,899.24 and acceptance of work on contract with **BOYER, INC** for 8/12-inch Water Line Installation and 24/30/36-inch Water Line Rehabilitation along Calumet, Westpark, Mid Lane and Westheimer, WBS S-000900-00A5-4 - 6.88% over the original contract amount - **DISTRICTS C - CLUTTERBUCK; D - ADAMS and G - HOLM**

PROPERTY - NUMBERS 7 and 8

7. RECOMMENDATION from City Attorney to deposit the amount of the Award of Special Commissioners, into the Registry of the Court, pay all costs of Court and withdraw the City's objections to the award in connection with eminent domain proceeding styled City of Houston v. FVL, Ltd., a Texas limited partnership & Frost Properties, Ltd., et al., Cause No. 908,308; for acquisition of Parcels AY5-189, LY5-195 & LY5-194; for the **BUFFALO SPEEDWAY PAVING PROJECT from W. Orem - W. Airport**, WBS/CIP N-000619-0001-2-01-01 - **DISTRICT D - ADAMS**
8. RECOMMENDATION from Director Department of Public Works & Engineering for condemnation of Parcel AY7-040, located at 1026 Blackhaw Street, owned by Joe L. Werner, Sr., for the **PARK ROW ROAD PAVING PROJECT from State Highway 6 to Eldridge Parkway**, WBS N-000723-0001-2 - **DISTRICT A - LAWRENCE**

PURCHASING AND TABULATION OF BIDS - NUMBERS 9 through 11

9. **ARROW SERVICES, INC** for Asbestos Abatement, Demolition and Site Clean-up Services for Police Department - \$419,550.00 and contingencies for a total amount not to exceed \$461,505.00 Dangerous Building Consolidated Fund - **DISTRICT F - KHAN**
10. **CST ENVIRONMENTAL, INC** for Asbestos Abatement, Demolition, and Site Clean-up Services for Police Department - \$72,500.00 and contingencies for a total amount not to exceed \$79,750.00 - Dangerous Building Consolidated Fund - **DISTRICT H - GARCIA**
11. **INLAND ENVIRONMENTS, LTD.,** for Asbestos Abatement, Demolition, and Site Clean-up Services for Police Department - \$123,265.00 and contingencies for a total amount not to exceed \$135,591.50 - Dangerous Building Consolidated Fund - **DISTRICTS B - JOHNSON; D - ADAMS; E - SULLIVAN; H - GARCIA and I - RODRIGUEZ**

ORDINANCES - NUMBERS 12 through 37

12. ORDINANCE **AMENDING CHAPTER 12 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to the Convention and Entertainment Facilities Department; containing findings and other provisions relating to the foregoing subject; providing for severability
13. ORDINANCE **AMENDING SECTION 116.2 OF THE CITY OF HOUSTON BUILDING CODE** relating to hearings provided for by that section; containing findings and other provisions relating to the foregoing subject; providing for severability
14. ORDINANCE authorizing the issuance of City of Houston, Texas Public Improvement Refunding Bonds, Series 2008A for the purpose of refunding certain outstanding General Obligation Commercial Paper Notes; authorizing the execution and delivery of a Paying Agent/Registrar Agreement, an Escrow Agreement and a Bond Purchase Agreement relating to such bonds; approving the use of a Preliminary Official Statement and authorizing the preparation and distribution of an official statement to be used in connection with the sale of the bonds; approving a Co-Bond Counsel Agreement and a Co-Special Disclosure Counsel Agreement, and other related and necessary agreements pertaining to the bonds; delegating authority to enter into such agreements and to approve certain other procedures and provisions related thereto; making other findings and provisions relating to the subject and matters incident thereto; and declaring an emergency
15. ORDINANCE authorizing the issuance of City of Houston, Texas Tax and Revenue Certificates of Obligation, Series 2008B; authorizing the execution and delivery of a Paying Agent/Registrar Agreement and a Bond Purchase Agreement; approving the use of a Preliminary Official Statement and authorizing the preparation and distribution of an official statement to be used in connection with the sale of the bonds; approving a Co-Bond Counsel Agreement and a Co-Special Disclosure Counsel Agreement, and other related and necessary agreements pertaining to the bonds; and delegating authority to enter into such agreements and to approve certain other procedures and provisions related thereto; making other findings and provisions relating to the subject and matters incident thereto; and declaring an emergency
16. ORDINANCE authorizing issuance of City of Houston, Texas Taxable Pension Obligation Bonds Series 2008B; authorizing the execution and delivery of a Paying Agent/Registrar Agreement and a Bond Purchase Agreement; approving the use of a Preliminary Official Statement and authorizing the preparation and distribution of an official statement to be used in connection with the sale of the Series 2008B Bonds; approving a Co-Bond Counsel Agreement and a Co-Special Disclosure Counsel Agreement, and other related and necessary agreements pertaining to the series 2008B bonds; and delegating authority to enter into such agreements and to approve certain other procedures and provisions related thereto; making other findings and provisions relating to the subject and matters incident thereto; and declaring an emergency

ORDINANCES - continued

17. ORDINANCE approving and authorizing application to the **DEPARTMENT OF HOMELAND SECURITY FEDERAL EMERGENCY MANAGEMENT AGENCY'S NATIONAL PREPAREDNESS DIRECTORATE** for the assistance to Firefighters Grant Program; declaring the City's eligibility for such grant; authorizing the Mayor or his designee to act as the City's representative with authority to approve, accept, reject, alter or terminate grant funds awarded, and to apply for and accept all subsequent awards, if any, pertaining to the program \$936,000.00
- a. ORDINANCE appropriating \$237,903.12 out of Equipment Acquisition Fund as the required 20% match for grant award from the **DEPARTMENT OF HOMELAND SECURITY**, assistance to Firefighters Grant Program for the Houston Fire Department
18. ORDINANCE approving and authorizing Interlocal Agreements between the City of Houston and the **TEXAS DEPARTMENT OF PUBLIC SAFETY**, the **METROPOLITAN TRANSIT AUTHORITY OF HARRIS COUNTY** and **FORT BEND COUNTY**; for their participation in the Major Accessory Shop Enforcement/17 Grant
19. ORDINANCE approving and authorizing first amendment to Second Lien Construction Financing Agreement between the City of Houston, Affordable Communities Development Corporation, and Capital One Community Development Corporation II to replace the property description (Exhibit A) in order to correctly identify the ten (10) lots to be developed under the agreement
DISTRICT D - ADAMS
20. ORDINANCE approving and authorizing contract between the City of Houston and **BERING OMEGA COMMUNITY SERVICES**, providing up to \$2,273,000.00 in Housing Opportunities For Persons with AIDS ("HOPWA") Funds, which amount includes a limitation on additional funding in the amount of \$1,136,500.00, for the administration of a Tenant Based Rental Assistance Program, Short Term Rent, Mortgage and Utility Assistance Program and for Supportive Services
DISTRICT D - ADAMS
21. ORDINANCE approving and authorizing contract between the City of Houston and **MEMORIAL PARK CONSERVANCY, INC** for Park Development for the Parks and Recreation Department
DISTRICT G - HOLM
22. ORDINANCE relating to the Retail Water and Sewer Rates of Southern Water Corporation; setting a hearing to determine just and reasonable rates to be observed within the City of Houston; containing findings and other provisions relating to the foregoing subject; providing for severability - **DISTRICT B - JOHNSON**
HEARING DATE - 9:00A.M. - WEDNESDAY- OCTOBER 15, 2008
23. ORDINANCE approving and adopting updated ongoing Service and Assessment Plan for and on behalf of the **LAMAR TERRACE PUBLIC IMPROVEMENT DISTRICT NO. 2** covering the period 2008 through 2017 pursuant to Chapter 372 of the Texas Local Government Code - **DISTRICT C - CLUTTERBUCK**
- a. ORDINANCE appropriating \$245,848.63 out of Fund 7508, Lamar Terrace Public Improvement District No. 2 Fund, for payment to **SAINT GEORGE PLACE REDEVELOPMENT AUTHORITY** pursuant to Ordinance No. 2003-0432 - **DISTRICT C - CLUTTERBUCK**
24. ORDINANCE approving and authorizing contract between the City of Houston and **OLSON AND OLSON, L.L.P.** for Legal Services relating to preparation of new development ordinance changes necessary to implement the Urban Corridor Planning Process; establishing a maximum contract amount - \$60,000.00 - General Fund - **DISTRICTS C - CLUTTERBUCK; D - ADAMS; G - HOLM; H - GARCIA and I - RODRIGUEZ**

ORDINANCES - continued

25. ORDINANCE approving and authorizing contract with **JEFFERSON WELLS INTERNATIONAL, INC d/b/a JEFFERSON WELLS** and contract with **ACCRETIVE SOLUTIONS - HOUSTON, LP**, for Professional Accounting and Financial Services for the Finance Department; providing a maximum contract amount - 2 years - \$300,000.00 - General Fund
26. ORDINANCE awarding contract between the City of Houston and **CHARLOTTE J. WORD** and **ROBIN W. COTTON** for Forensic DNA Consulting Services for the Houston Police Department; providing a maximum contract amount - 3 Years with two one-year options - \$1,250,000.00 General Fund
27. ORDINANCE approving and authorizing Lease Agreement between the City of Houston and **BECKER INDUSTRIES, INC** for certain premises near George Bush Intercontinental Airport/Houston - **DISTRICT B - JOHNSON**
28. ORDINANCE appropriating \$1,922,000.00 out of Airports Improvement Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **CARTER & BURGESS, INC** for Electrical Power Distribution System Evaluation for the Houston Airport System, (Project No. 634), WBS A-000557-0001-3-01 - **DISTRICTS B - JOHNSON; E - SULLIVAN and I - RODRIGUEZ**
29. ORDINANCE appropriating \$39,214,368.00 out of Airport System Consolidated 2004 AMT Construction Fund and \$635,418.00 out of Airports Improvement Fund and awarding construction contract to **MANHATTAN CONSTRUCTION COMPANY** for Construction of Automated People Mover Phase 3, Packages 3 and 4 - APM Station and Secure Corridor at George Bush Intercontinental Airport/Houston, (Project No. 536L and 536M), WBS A-000354-0007-4-01; providing funding for contingencies relating to construction of facilities financed by such funds for engineering testing services, and for the Civic Art Program - **DISTRICT B - JOHNSON**
30. ORDINANCE appropriating \$151,881.50 out of Equipment Acquisition Consolidated Fund (1800); approving and authorizing Purchase and Sale Agreement between Webster and Barbara Beavers, Seller, and the City of Houston, Texas, Purchaser (the "City"), for 12,780 square feet of land and a 3,392 square foot building, more or less, more commonly known as 6401 East Tidwell Road, Houston, Texas for the Parks & Recreation Department for a purchase price of \$150,000.00 and closing costs - **DISTRICT B - JOHNSON**
31. ORDINANCE appropriating \$2,198,815.00 out of Parks Consolidated Construction Fund and \$8,000,000.00 out of General Improvement Consolidated Construction Fund as an additional appropriation and approving and authorizing first amendment to Construction Management-At-Risk Contract (approved by Ordinance No. 2008-102) between the City of Houston and **GILBANE BUILDING COMPANY** for the Renovation to the Parks & Recreation Department Campus and Park, WBS F-0504D1-0002-4; providing funding for engineering and testing services, Civic Art Program, and contingencies related to construction of facilities financed by the Parks Consolidated Construction Fund and the General Improvement Consolidated Construction Fund **DISTRICT I - RODRIGUEZ**
32. ORDINANCE appropriating \$26,771.00 out of Solid Waste Consolidated Construction Fund as an additional appropriation and approving and authorizing first amendment to construction contract (approved by Ordinance No. 2008-0539) between the City of Houston and **EAGLE CONSTRUCTION AND ENVIRONMENTAL SERVICES, L.P.** for Underground Fuel Storage Tank Removal at Kelley Light Vehicle Maintenance Facility, WBS L-000052-0002-4; providing funding for contingencies relating to construction of facilities financed by the Solid Waste Consolidated Construction Fund - **DISTRICT B - JOHNSON**

ORDINANCES - continued

33. ORDINANCE awarding construction contract to **AAA ASPHALT PAVING, INC** for the Police Academy Running Track, WBS G-HPD002-0001-4; 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 engineering and materials testing services, and contingencies relating to construction of facilities financed by the Police Special Services Fund - \$517,000.00 - **DISTRICT B - JOHNSON**
34. ORDINANCE appropriating the transfer of an amount not to exceed \$100,000,000 from the Combined Utility System General Purpose Fund for Combined Utility System capital expenditures; declaring the Combined Utility System's intent to reimburse the General Purpose Fund with bond proceeds
35. ORDINANCE increasing the maximum contract amount for the agreement between the City of Houston and **ITRON, INC** for implementation of the Automated Meter Reading System for the Department of Public Works & Engineering, WBS S-000956-0002-5 - \$3,500,000.00 - Enterprise Fund
36. ORDINANCE appropriating \$6,805,850.00 out of Street & Bridge Consolidated Construction Fund, \$934,150.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **TOTAL CONTRACTING LIMITED** for Neighborhood Street Reconstruction (NSR) 455, WBS N-000387-0001-4, S-000500-0069-4, R-000500-0069-4; 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 engineering, testing, project management, construction management, and contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund and Water & Sewer System Consolidated Construction Fund - **DISTRICT D - ADAMS**
37. ORDINANCE granting to **SAFETY KLEEN, INC, a Wisconsin Corporation**, the right, privilege and franchise to collect, haul and transport solid waste and industrial waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions - **FIRST READING**

END OF CONSENT AGENDA

CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA

AGENDA - OCTOBER 1, 2008 - PAGE 7

MATTERS HELD - NUMBERS 38 through 40

38. MOTION by Council Member Khan/Seconded by Council Member Green to adopt recommendation from Director Department of Public Works & Engineering for approval of final contract amount of \$1,432,000.41 and acceptance of work on contract with **D. L. ELLIOTT ENTERPRISES, INC** for 12/16/20-inch service upgrades and grid extensions in the Greater Greenspoint Area, WBS S-000900-00A4-4 - 9.50% over the original contract amount - **DISTRICT B - JOHNSON** - TAGGED BY COUNCIL MEMBER JOHNSON
This was Item 7A on the Agenda of September 24, 2008
39. ORDINANCE amending Ordinance No. 2007-315 to increase the maximum contract amount for an Animal Shelter Feeding Services Agreement between the City of Houston and **HILL'S PET NUTRITION, INC** - \$60,000.00 - General Fund - TAGGED BY COUNCIL MEMBER LAWRENCE
This was Item 18 on Agenda of September 24, 2008
40. ORDINANCE approving and authorizing applications and Budget Submissions to the Department of State Health Services (DSHS) for the following four (4) Public Health Services: (1) Tuberculosis Control; (2) Titles V, XX, & X - Family Planning Services (3) Immunization Program; and (4) Bureau of Nutritional Services for the WIC Program for the 2008-2009 contract period; authorizing the Director of the Health & Human Services Department to accept the initial funding and applicable contract change notices and expend approved funding as awarded; to accept any supplemental change notices during the grant period; declaring the City's eligibility for such grants; authorizing the Director of the Health & Human Services Department to accept and expend such grant funds and to accept and expend subsequent awards, if any - \$13,311,897.00 Grant Fund - TAGGED BY COUNCIL MEMBER SULLIVAN
This was Item 20 on Agenda of September 24, 2008

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

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

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

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

OCT 01 2008

MOTION NO. 2008 0695

MOTION by Council Member Khan that the recommendation of the Director of the Finance Department relative to the tax rate for the Tax Year 2008, be adopted, and the City Council hereby approves placing the proposed tax rate of \$.63875/\$100 of value for tax year 2008 on the Agenda of City Council for October 22, 2008, and schedules the following public hearings on the proposed tax rate and authorizes publication of an analysis of anticipated increased revenues:

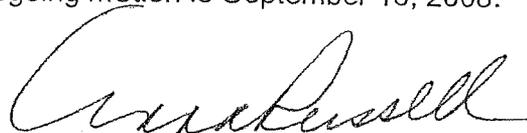
6:00 P.M. - Tuesday - September 23, 2008;
6:00 P.M. - Tuesday - September 30, 2008; and
9:00 A.M. - Wednesday - October 8, 2008.

Seconded by Council Member Garcia and carried.

Mayor White, Council Members Lawrence, Johnson,
Clutterbuck, Adams, Sullivan, Khan, Holm, Garcia,
Rodriguez, Brown, Lovell, Noriega and Green voting aye
Nays none
Council Member Jones absent

PASSED AND ADOPTED this 10th day of September, 2008.

Pursuant to Article VI, Section 6 of the City Charter, the
effective date of the foregoing motion is September 16, 2008.



City Secretary

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA #

SUBJECT: A Motion to Approve Purchaser Term Sheet relating to the Issuance of City of Houston, Texas Tax and Revenue Anticipation Notes, Series 2008A relating to Hurricane Ike recovery costs.

Category #

Page 1 of 1

Agenda Item#

2

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

Origination Date
9/26/2008

Agenda Date
OCT 01 2008

DIRECTOR'S SIGNATURE:

James D. Parker

Council Districts affected: All

Michelle Mitchell

For additional information contact:
Charles Leal 713-837-9892
Jim Moncur 713-247-2950

Date and identification of prior authorizing Council Action: May 14, 2008 – 2008-435
May 14, 2008 – 2008-436

RECOMMENDATION: (Summary) Approve a Motion to Approve Purchaser Term Sheet submitted by JPMorgan Chase Bank, N.A. relative to the Issuance of City of Houston, Texas Tax and Revenue Anticipation Notes, Series 2008A relating to Hurricane Ike recovery costs.

Amount of Funding: N/A

Finance Budget:

SOURCE OF FUNDING: General Fund Grant Fund Enterprise Fund

 Other (Specify)

SPECIFIC EXPLANATION: On May 14, 2008, City Council approved Ordinance No. 2008-435, which authorized the issuance of Tax and Revenue Anticipation Notes ("TRANS") in an amount not to exceed \$175 million, of which \$80 million was issued on July 1, 2008. In conjunction with the ordinance described above, the City also approved Ordinance No. 2008-436 (the "Supplemental TRANS Ordinance"), which authorized additional supplemental TRANS borrowings to the extent needed during Fiscal Year 2009 up to the maximum amount described above. Taking into account the initial \$80 million TRANS offering, the City has \$95 million available to be issued as supplemental TRANS for fiscal year 2009.

The TRANS are issued because the City's revenue inflows do not match expenditure outflows during the fiscal year. Due to Hurricane Ike, the General Fund is expected to incur substantial costs related to the recovery effort. The proceeds from the issuance of the supplemental TRANS will mitigate the effects of these increased General Fund costs. While General Fund taxes and revenues will be pledged under the supplemental TRANS, the City expects that FEMA reimbursements will cover most of the costs associated with the recovery. The City expects to receive FEMA reimbursement to repay the TRANS by June 30. However, if FEMA reimbursement is not timely, the City will have to use another source of cash for repayment in the interim, such as General Fund fund balance. If that becomes the case, the Finance Working Group will return to Council for authorization.

The Supplemental TRANS Ordinance authorized the Mayor and City Controller to solicit term sheets from one or more purchasers relating to the structure, interest rate and maturity relating to the supplemental TRANS. The Supplemental TRANS Ordinance requires the City Council to approve the Purchaser Term Sheet as recommended by the Mayor and City Controller. Due to recent events and anticipated expenses related to Hurricane Ike, this Request for Council Action is to authorize a supplemental borrowing, consistent with the Supplemental TRANS Ordinance in an amount up to \$95 million. It is the intent of the Finance Working Group to structure the \$95 million as a "line of credit." Credit will be drawn only as needed, not to exceed \$95 million.

Based on the most favorable terms offered, the Mayor and City Controller recommends the attached Term Sheet submitted by JPMorgan Chase Bank.

A memorandum regarding this item will be presented to Budget and Fiscal Affairs Committee on Tuesday September 30.

The Finance Working Group recommends approval of this item.

REQUIRED AUTHORIZATION

Finance Director:

Other Authorization:

Other Authorization:



Presentation

To

First Southwest Company

On

City of Houston, Texas

September 25, 2008

Confidential Information

Mr. Trey Cash
First Southwest Company
1021 Main Street, Suite 2200
Houston, TX 77002

Dear Mr. Cash:

RE: City of Houston, Texas - Supplemental Issuances of fiscal year 2009 Tax and Revenue Anticipation Notes in an amount up to \$95,000,000.

We are pleased to bid for the City of Houston's private placement issue of up to \$95,000,000 Supplemental Issuances of fiscal year 2009 Tax Exempt Non Bank Qualified Tax and Revenue Anticipation Notes referred to in your request for proposal) dated September 23, 2008, and the information attached thereto.

Financing Terms and Conditions

Borrower/Seller: City of Houston, Texas ("City")

Lender/Purchaser: JPMorgan Chase Bank, N.A., its Successor or Assigns ("Bank")

Bank Contacts:

Pam Davis
Senior Vice President
Government Banking
712 Main St., Floor 9, Houston, TX 77002
Tel. 713-216-1147, Fax 713-216-4499
pam.j.davis@chase.com

Roger Brown
Vice President
Government, Not-for-Profit, Healthcare Banking
2200 Ross Avenue, Floor 8, Dallas, TX 75201
Tel. 214-965-3955, Fax 214-965-2778
roger.s.brown@chase.com

JPMorgan Chase Bank, N.A.

Term Sheet

September 25, 2008

This outline of terms is for discussion purposes only. Any commitment to lend is subject to completion of a JPMorgan Chase Bank due diligence review, approval of the appropriate JPMorgan Chase credit authority and is further contingent upon execution and delivery of mutually acceptable legal documentation. Credit approval has been obtained to release this Term Sheet. No commitment should be construed or implied herein until such notice of approval is conveyed in writing to the Borrower. The following terms are indicative and additional customary terms would be incorporated into final documentation.

This Term Sheet is for the City of Houston's confidential use only and may not be disclosed to any other person other than its employees, attorneys and financial advisors (but not other banks), and then only in connection with the proposed transaction and on a confidential basis, except where disclosure is required by law or where JPMorgan Chase consents to the proposed disclosure, which consent shall not be unreasonably withheld.

This Term Sheet requires that Ordinance No. 2008-436 has not been amended since it was originally passed on May 14, 2008, and that any further amendments to this Ordinance would require approval by JPMorgan Chase through the duration of the Facility. Additional proposed terms and conditions are outlined on the following pages. If any of the following terms and conditions do not meet the needs of the City of Houston for this financing request, the Bank is willing to potentially provide a substitute Term Sheet upon further discussion.

Financing Terms and Conditions

Lender/

Purchaser: JPMorgan Chase Bank, N.A., its Successor or Assigns (“JPMorgan Chase” or “Bank”).

Borrower/Seller: City of Houston.

Facility: Up to \$95,000,000 Non Bank Qualified Tax Exempt Supplemental Notes via a private placement with physical delivery requested.

Purpose: Fund general fund expenditures due to the uneven nature of revenue collections throughout the Borrower’s fiscal year.

Maturity: No later than June 30, 2009.

Interest Rate: Variable Rate with interest due at Maturity. Below are indicative rates as of September, 25, 2008, for a one month Libor and Prime rate options. Prime option has a floor rate of 3.0%. Libor options include one, two, and three month durations. Libor tranches are prepayable at any time, subject to any breakage penalties.

a. $(\text{Prime} - .15\%) \times 63.4\% = (5.00\% - .15\%) \times 63.4\% = 3.0749\%$.

b. $(\text{Libor} + 1.15\%) \times 63.4\% = (3.70875\% + 1.15\%) \times 63.4\% = 3.080448\%$.

Minimum

Advance Amount

Per Note: \$5,000,000.

Fees: None other than as noted below.

Reporting: Annual audited financial statements on Borrower.

Expenses: All documentation, legal expenses, and MAC fee, if any, to be paid by the Borrower. Legal costs are anticipated to be \$20,000.00. MAC fee to be determined by First Southwest Company.

Conditions

Precedent: - Borrower and all other parties to execute and deliver such documentation as Bank may request in form and substance satisfactory to Bank and its counsel.

- Standard representations and warranties.
- Purchase Agreement
- Authority to borrow for this transaction on a Non BQTE basis.
- City motion/resolution authorizing the issuance of the Non Bank Qualified Tax Exempt Supplemental Notes.
- Opinion of nationally recognized bond counsel on the tax-exempt status of each Non Bank Qualified Tax Exempt Supplemental Note.
- Confirmation that Attorney General approval of subject transaction is not required. If required, Attorney General approval of subject transaction.
- No material adverse change shall have occurred regarding the City's financial position since June 30, 2007.

Governing law: State of Texas

Credit Approval: *Credit Approval has been obtained for this transaction.* However, the closing of the transaction is subject to Conditions Precedent described above and completion of the Due Diligence described below.

Completion of Due Diligence: Closing of this transaction is subject to completion by Bank of its due diligence investigation, including, without limitation, a legal analysis of the transaction contemplated herein.

Sincerely,

Pam Davis

SUBJECT: Motion to extend pay differential for 365 days for employees called to active duty status during a time of war or national emergency	Category	Page	Agenda Item 3
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FROM (Department or other point of origin): Human Resources Department	Origination Date September 11, 2008	Agenda Date OCT 01 2008
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DIRECTOR'S SIGNATURE: MS <i>CC Aldridge</i>	Council Districts affected:
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For additional information contact: Candy Aldridge Phone: (713) 837-9333	Date and identification of prior authorizing Council Action: Motion 2007-0968 dated 10/03/2007
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RECOMMENDATION: (Summary)

Human Resources Department recommends City Council adopt a motion to approve a 365-day period for Military Leave pay differential as authorized in Article IV – Section 14 – 254.

Amount of Funding: Not applicable	Budget:
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SOURCE OF FUNDING: General Fund Grant Fund Enterprise Fund

Other (Specify)

SPECIFIC EXPLANATION:

Section 14-254 (a) of Chapter 14, Article IV - Military Leaves in the City Code of Ordinances authorizes pay differential for employees called to active duty status as full time members of military forces during time of war or state of emergency. Section 14 – 256 limits the initial authorization to a period of 90 calendar days from the date the employee is called to active duty.

The events of September 11, 2001 began the first 90-day period. Council has approved subsequent extensions. Several employees were activated shortly thereafter, and many have since been activated. Currently, 45 City of Houston employees have received military orders and are on active duty. The current 365-day period expires October 26, 2008.

It is not foreseeable that the national state of emergency will be resolved within the current 365-day period. To avoid undue disruptions to the economic circumstances of these City employees who continue on military leave, the Human Resources Department recommends that City Council authorize a 365-day or one year period during which City employees on authorized military leave may be compensated at the same rate and on the same terms as specified in Chapter 14, Article IV – Section 14 - 254, et seq. In the event that the state of emergency or war ends prior to the expiration of these extensions then this order will be rescinded.

REQUIRED AUTHORIZATION		
Finance Director:	Other Authorization:	Other Authorization:

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA#

Subject:

Holiday Schedule for Calendar Year 2009

Category #

Page 1 of 1

Agenda Item

4

FROM (Department or other point of origin):

Human Resources

Origination Date

September 10, 2008

Agenda Date

OCT 01 2008

DIRECTOR'S SIGNATURE

C. Aldridge

Council District(s) affected

All

For additional information contact:

Candy Clarke Aldridge

Roderick J. Newman

Phone:

(713) 837-9333

(713) 837-9411

Date and Identification of prior authorizing

Council Action: Motion 2007-0995, October 10, 2007

RECOMMENDATION: (Summary)

It is recommended that City Council approve the following Holiday Schedule for 2009.

Amount of Funding:

None Required

FIN Budget

SOURCE OF FUNDING:

General Fund

Grant Fund

Enterprise Fund

Other (Specify)

None Required

SPECIFIC EXPLANATION:

The proposed 2009 Holiday Schedule listed below is similar to those in the past.

Proposed 2009 Holiday Schedule

New Year's Day	Thursday	01-01-09
Martin Luther King, Jr.	Monday	01-19-09
Memorial Day	Monday	05-25-09
Independence Day (Observed)	Friday	07-03-09
Labor Day	Monday	09-07-09
Veteran's Day	Wednesday	11-11-09
Thanksgiving Day	Thursday	11-26-09
Day after Thanksgiving	Friday	11-27-09
Christmas Eve	Thursday	12-24-09
Christmas	Friday	12-25-09

Plus one (1) floating holiday granted according to guidelines established and administered by the Administration.

Cc: Anthony Hall

Marty Stein

REQUIRED AUTHORIZATION

FIN Director:

Other Authorization:

Other Authorization:

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Accept Work Structure Management L.L.C. / Western Surety Company Parks Master Plan – Burnett Bayland Park WBS No. F-504A16-0001-4	Page 1 of 2	Agenda Item <div style="text-align: right; font-size: 2em; font-weight: bold;">5</div>
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FROM (Department or other point of origin): General Services Department	Origination Date <i>9-25-08</i>	Agenda Date OCT 01 2008
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DIRECTOR'S SIGNATURE: <i>[Signature]</i> Issa Z. Dadoush, P. E. <i>9/10/08</i>	Council District affected: F
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For additional information contact: Jacquelyn L. Nisby <i>[Signature]</i> Phone: 832-393-8023	Date and identification of prior authorizing Council action: Ordinance No. 2004-0014, Dated 01-07-04
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RECOMMENDATION: Pass a motion approving the final contract amount of \$1,040,501.01 accept the work, and authorize final payment.

Amount and Source of Funding: No Additional Funding Required Previous Funding: \$776,474.50 – Parks Consolidated Construction Fund 421 \$300,000.00 – CDBG – BFY03/132/36/PARK/1125/4105/2C30 \$1,076,474.50 – Total Funding	F & A Budget:
---	--------------------------

SPECIFIC EXPLANATION: The General Services Department (GSD) recommends that City Council approve the final contract amount of \$1,040,501.01 or 4.32% over the original contract amount, accept the work and authorize final payment to the surety, Western Surety Company. After GSD granted substantial completion to the contractor, the surety expended funds to resolve payment bond claims filed by subcontractors on the project, and has provided the documents necessary to issue a Final Completion Certificate for this project.

PROJECT LOCATION: 6000 Chimney Rock (531B)

PROJECT DESCRIPTION: This project consisted of selective demolition of the existing community center and constructed a 3,500 square foot classroom/office addition; renovated the existing community center to include replacement of metal siding, building insulation, acoustical panels, linoleum tile flooring, HVAC system, lighting, electrical and painting. Additionally, this project included site grading, landscaping and landscape irrigation; new water and sanitary utilities; drainage improvements; new fencing; paving and playground structures; and fitness equipment.

CONTRACT COMPLETION AND COST: The contractor substantially completed the project within the contract time, plus an additional 242 days approved by Change Orders. The final cost of the project, including Change Orders is \$1,040,501.01, an increase of \$ 43,101.01 over the original contract amount.

The project design consultant and construction manager was Park Team Plus.

REQUIRED AUTHORIZATION			CUIC ID# 25PARK42
General Services Department: <i>[Signature]</i> Humberto Bautista Chief of Design & Construction Division	Housing and Community Development: <i>[Signature]</i> Richard Celli Director	Parks and Recreation Department: <i>[Signature]</i> Joe Turner Director	<i>MT</i>

Date	Subject: Accept Work Structure Management, L.L.C. / Western Surety Company Parks Master Plan – Burnett Bayland Park WBS No. F-504A16-0001-4	Originator's Initials MS	Page 2 of 2
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PREVIOUS CHANGE ORDERS: Change Orders 1-9 included eave modifications, fencing upgrades, gym floor striping, additional roof decking, playground curb modifications, window eave modifications, a new roll-up door at the servery, additional park benches, additional floor tiles installation, new accessible ramps, new backflow preventor and court surfacing.

IZD:HB:JLN:LJ:MS:ms

c: Marty Stein, Mark Ross, Jacquelyn L. Nisby, Pirooz Farhoomand, Webb Mitchell, Project File 1108



Burnett-Bayland Park,
6000 Chimney Rock,
Houston, TX

Burnett-Bayland Park

6000 Chimney Rock, Houston, TX

SUBJECT: Appropriate Additional Funds and Accept Work for 8/12-inch Water Line Installation and 24/30/36-inch Water Line Rehabilitation along Calumet, Westpark, Mid Lane and Westheimer. WBS. No. S-000900-00A5-4.

Page 1 of 1
 Agenda Item # **6+6A**

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

Origination Date: 9-18-08
Agenda Date: OCT 01 2008

DIRECTOR'S SIGNATURE:

 Michael S. Marcotte, P.E., DEE, Director

Council Districts affected:
 C, D, G **4**

For additional information contact:
 J. Timothy Lincoln, P.E.
 Senior Assistant Director

Phone: (713) 837-7074

Date and Identification of prior authorizing Council Action:
 Ord. #2006-590 dated 06/07/2006

RECOMMENDATION: (Summary) Approve an ordinance appropriating an additional \$88,702.29. Adopt a motion approving the final Contract Amount of \$5,032,899.24, accepting the Work and authorizing the final payment.

Amount and Source of Funding: Additional appropriation of \$88,702.29 from Water and Sewer System Consolidated Construction Fund No. 8500. Original appropriation of \$5,319,800.00 from Water and Sewer System Consolidated Construction Fund No. 755. **2/24/08 = 06/27/08**

SPECIFIC EXPLANATION:

PROJECT NOTICE/JUSTIFICATION: This project was part of the Surface Water Transmission Program (SWTP) and was required to rehabilitate large diameter transmission lines and add new distribution lines. The project will provide redundancy and reliability to maintain supply and system pressure in the Galleria, Greenway, Kirby, University and Medical Center areas.

DESCRIPTION/SCOPE: The project consisted of 11,444 linear feet of 8/12-inch water line installation and 12,400 linear feet of 24/30/36-inch water line rehabilitations. Lockwood, Andrews, & Newnam, Inc. designed the project with 240 calendar days allowed for construction. The project was awarded to Boyer, Inc. with an original Contract Amount of \$4,708,759.00.

LOCATION: The project is located along Calumet, Westpark, Mid Lane, and Westheimer in Key Map grids 491-V & Z, 492-W & X, 493-W and 533-A & B.

The requested appropriation of \$88,702.29 will cover the overrun costs for Bid Item No. 22 – 24-inch Access Manway on Existing Pipe, Tapping, Bid Item No. 23 – 60-inch Diameter Manholes for Water Lines, and Bid Item No. 51 – 16-inch Diameter by 8-inch Diameter Tapping Sleeve and Valve. These items exceeded their original budgeted amounts due to underestimation in the design phase. As the original scope of work did not change, no formal change order is required.

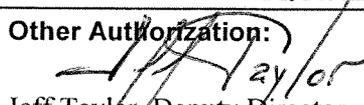
CONTRACT COMPLETION AND COST: The Contractor, Boyer, Inc. has completed the Work under the subject Contract. The project was completed within the Contract Time with 271 additional days approved by Change Order Nos. 1, 2, and 3. The final cost of the project, including overrun and underrun of estimated bid quantities, and previously approved Change Order Nos. 1, 2, and 3 is \$5,032,899.24, an increase of \$324,140.24 or 6.88% over the original Contract Amount.

The increased cost is primarily a result of Change Order No. 2, which was necessary to complete the Work.

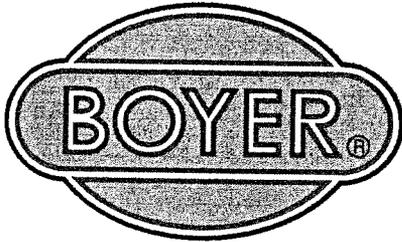
M/WBE PARTICIPATION: The M/WBE goal for this project was 17%. According to Affirmative Action and Contract Compliance Division, the actual participation was 15.66%. The Contractor achieved a "Satisfactory" rating for the MWD BE Compliance.


 MSM:JTL:AR:PK:mq
 S:\E&C Construction\North Sector\PROJECT FOLDER\S-000900-00A5-4 Westheimer Calumet westpark\21.0 close out\RCA\RCA-Closeout.DOC

c: Velma Laws Michael Ho, P.E. File No. S-000900-00A5-4 - Closeout

REQUIRED AUTHORIZATION		CUIC ID# 20MZQ058
Finance Department: 	Other Authorization:  Jeff Taylor / Deputy Director Public Utilities Division	Other Authorization: MO

6+6A



Inc. 8904 Fairbanks N. Houston • Houston, Texas 77064
Telephone: (713) 466-5395 • Fax: (713) 466-8198
www.boyerinc.com

June 24, 2008

Mrs. Velma Laws
City of Houston
611 Walker, 7th Floor
Houston, TX 77002
Attn: Donald Black – *Via Email*

Re: 8/12" Water Line Installation & 24/30/36" Water Line Rehabilitation along
Calumet, Westpark, Mid Lane and Westheimer
GFS No. S-0900-A5-3 File No. WW#10448-08
M/WDBE Monthly Reporting – Statewide Tree Service

Dear Mrs. Laws:

This letter comes to elucidate why our MWDBE subcontractor Statewide Tree Service was not used to its full percentage on the above referenced project.

Due to the result of the extensive delay in issuing the Change Order for Westheimer the sub-contractor was forced to proceed with other projects and was not in a position, after the Change Order was finally issued to remobilize for this project and as time was then critical, Boyer elected to self-perform this work.

Considering this project's overall percentage is currently at 15.66%, Boyer, Inc. has made a Good Faith Effort during the performance of this contract in attempting to meet the M/WDBE goal considering the extensive delay of this project.

If you should have any questions regarding the above mentioned changes, please feel free to call.

Sincerely,

Gordon Reavis
Project Manager

Cc: Job File #362

Summary of MWDBE Activities

Project Description/#: Water #10448-08 - WL along Calumet, Westpark. S-000900-00A5-4; #4600006719

Prime Contractor: Boyer, Inc.

Amount of Contract: **\$4,708,759**

Amount of MWDBE goal with change order:

Change Orders: **\$324,140.24**

\$855,593.00

MWDBE Goal at award of contract: 17%

Final Contract Amount: **\$5,032,899.24**

MWDBE actual participation: **15.66%**

**Original MWDBEs listed on RCA
& Letter of Intent**

Paradigm Outdoor Supply, LLC
Municipal Marketing Systems, Inc.

MWDBEs Used:

Lopez Brothers Enterprises, Inc.
Paradigm Outdoor Supply, LLC
Municipal Marketing Systems, Inc.

List of original MWDBE, that
were not used:

If goal was not achieved, list the amount and percentage of shortage. Briefly state the reason given by prime why goal was not achieved and why the original MWDBEs listed in the RCA were not used:

Per Gordan Reavis, Boyer, Inc., Statewide Tree Services was not used to its full percentage because of an extensive delay in the project. The project was delayed waiting for approval of a change order, however, during that time, Statewide was already committed to another project and had to proceed forward with that commitment. Camell Allison, Statewide Tree Service, concurred with Mr. Reavis claim. Boyer, Inc. elected to complete the work themselves. Without the full participation of Statewide Tree Service, Boyer, Inc. was only able to attain 15.66% (1.33% below the goal) of the 17%.

Briefly state reason given by MWDBE why they were not used or not used to the full amount originally projected:

Approved by:

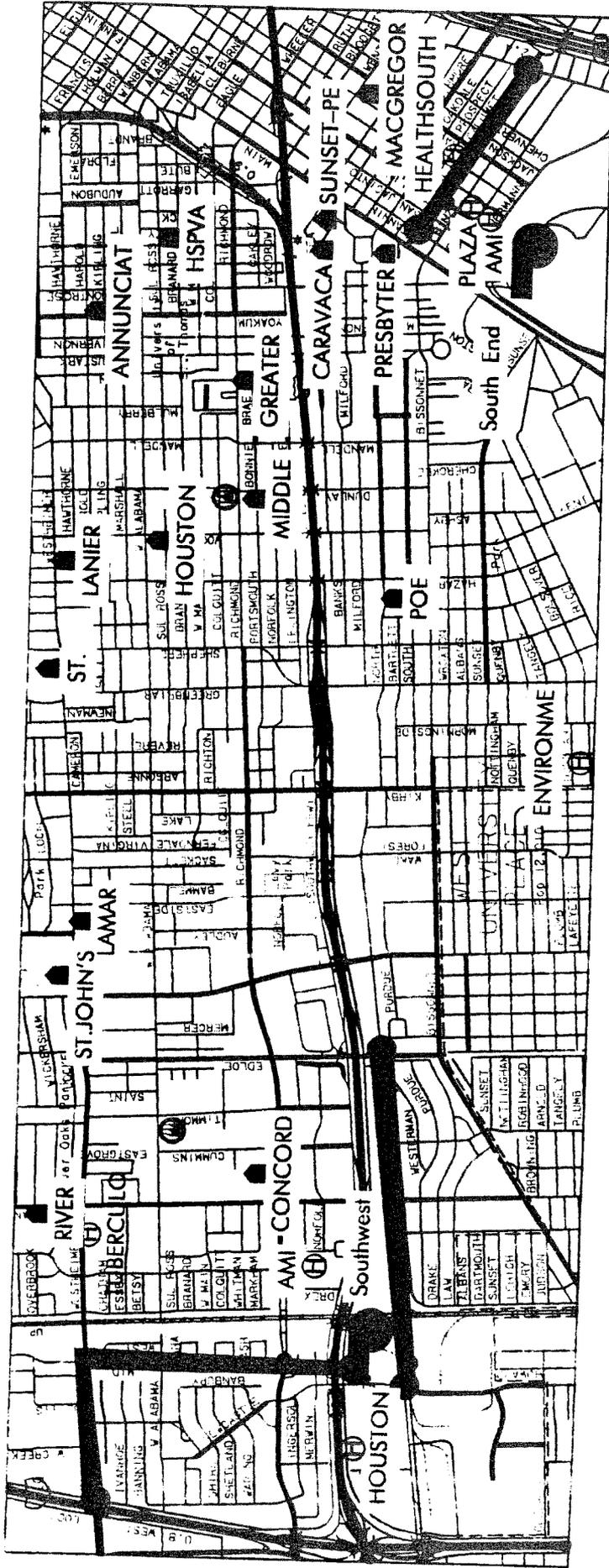


Donald W. Black
Contract Compliance Officer



Joseph Kurjan, Division Manager
Contract Compliance Section

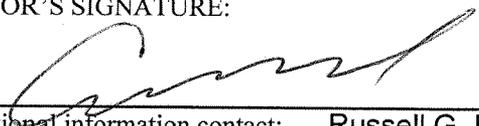
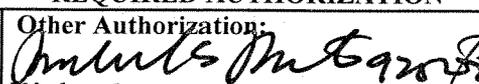
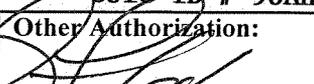
June 26, 2008
Date



VICINITY MAP

KEY MAP NO 491 V, Z: 492 W, X: 493 W: 533 A, B
 GIMS MAP NO 5156 B, 5256 A, 5256 C, 5355 B, 5356 D

REQUEST FOR COUNCIL ACTION

SUBJECT: Parcels AY5-189, LY5-195 & LY5-194; City of Houston v. FVL, Ltd., a Texas limited partnership & Frost Properties, Ltd., et al., Cause No. 908,308; Buffalo Speedway Paving Extension Project (W. Orem - W. Airport); WBS/CIP No. N-000619-0001-2-01-01; Legal Department File No. 052-0400034-011;		Page 1 of 2	Agenda Item # 7
FROM (Department or other point of origin): Legal Department - Real Estate Division Arturo Michel, City Attorney		Origination Date July 29, 2008	Agenda Date OCT 01 2008
DIRECTOR'S SIGNATURE: 		Council District affected: "D" Wanda Adams; Key Map #572K	
For additional information contact: Russell G. Richardson <i>RRR</i> Phone: 832.393.6285 (alternatively Joseph N. Quintal 832.393.6286)		Date and identification of prior authorizing Council action: Authorizing Ord. # 2006-942, psd. 9/13/06; BAO# 2005-397, psd. 4/20/05	
RECOMMENDATION: (Summary) That the City Attorney be authorized, by Motion, to deposit the amount of the Award of Special Commissioners into the registry of the Court, pay all costs of court and withdraw the City's objections to the Award. Funding will be provided by a previously approved blanket Appropriation Ordinance.			
Amount and Source of Funding: \$204,427.00; No appropriation needed as funding will be provided by previously approved Appropriation Ordinance No. 2005-397, psd. 4/20/05. Street & Bridge Consolidated Construction Fund			
SPECIFIC EXPLANATION: The Buffalo Speedway Paving Extension Project (W. Orem - W. Airport) will provide for right-of-way acquisition, engineering and construction of two 24 foot-wide concrete roads with curbs, sidewalks and the necessary underground utilities. The project will upgrade the existing roadway to major thoroughfare standards. This eminent domain proceeding involves the fee simple acquisition of Parcel AY5-189, containing 2.1308 acres (92,817 s.f.) of land for street right-of-way, and the fee simple acquisition of Parcel LY5-195, containing 2.0359 acres (88,686 s.f.) of land for a detention pond and a permanent easement in and to LY5-194, containing 3,245 s.f (0.0745 acre -) of land. The property is located in the 3300 block of West Orem and is owned by FVL Ltd., a Texas limited partnership and Frost Properties, Ltd. Efforts by Public Works & Engineering to purchase the property were unsuccessful and the matter was referred to the Legal Department to commence eminent domain proceedings. City's Testimony Before the Special Commissioners: \$183,126.00 (i.e. Parcel AY5-189 \$92,817.00 or \$1.00 psf; Parcel AY5-195 \$88,686.00 or \$1.00 psf and Parcel AY5-194 \$1,623.00 or \$0.50 psf) Agreed Award of Special Commissioners: \$195,000.00 The Legal Department filed Objections to the Award of Special Commissioners to preserve the City's legal options pending City Council's consideration and approval of this matter.			
h:\mark\fvlrca.wpd.		REQUIRED AUTHORIZATION CUIC ID # 90AH205	
Other Authorization:		Other Authorization:	
 Michael S. Marcotte, P.E., D.E.E. Director, PW & E		 Andrew F. Icken, Deputy Director Planning and Development Services Division	

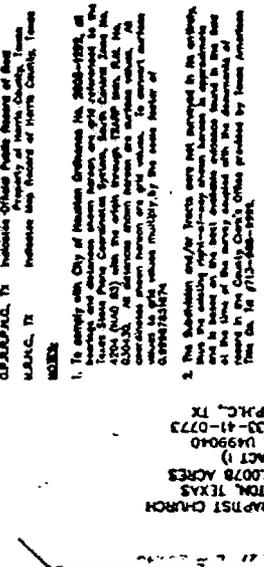
Date July 29, 2008	SUBJECT: Parcels AY5-189, LY5-195 & LY5-194; City v. FVL, Ltd., et al., Cause No. 908,308; Buffalo Speedway Paving Extension Project;	Originator's Initials RGR/JNQ	Page 2 of 2
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The "**Costs of Court**" are as follows, to wit: \$177.00 filing fee; \$150.00 Service of process fee; \$1,350.00 Special Commissioners' fees (i.e. \$450.00 x 3); \$7,750.00 Appraiser's fee; **Total: \$9,427.00**. These "costs of court" account for the monetary difference between the amount of the Award of Special Commissioners and the total amount of funds needed herein.

We recommend that the City Attorney be authorized, by Motion, to deposit the amount of the Award of Special Commissioners into the registry of the Court, pay all costs of court and withdraw the City's objections to the Award. Funding will be provided by a previously approved blanket Appropriation Ordinance.

GENERAL NOTES

- To comply with City of Houston Ordinance No. 2008-1079, all Tracts shown on this plat shall be recorded in the Public Works Department, Bureau of Engineering, 1000 P.O. Box 1000, Houston, Texas 77248-1000.
- The Subdivision and/or Tracts were not recorded in the public records and are based on the best available information and the best of the surveyor's knowledge.
- All surveys are shown with 60' R.O.W. and are shown with 60' R.O.W. and are shown with 60' R.O.W.



TRACT I-A-C
SETTEGAST PARTITION
VOL. 33, PG. 2
D.R.H.C., TX

M.L. LTD.
CALLED 12,358 ACRES
(TRACT H)
C.F. No. U499040
F.C. No. 533-41-0773
O.P.R.P.H.C., TX

A = 10'08.39"
R = 2000.00'
L = 354.10'
T = 177.51'
CB = 107'20.11" W
CL = 353.63'

PARCEL A15-189
2,1308 AC.
(92,817 SQ. FT.)

A = 12'11.43"
R = 2000.00'
L = 425.70'
T = 213.66'
CB = 508'21.43" E
CL = 424.88'

PARCEL A15-184
FUTURE STA. SWR.
3,245 s.f.

PARCEL A15-195
FUTURE DETENTION POND
88,686 s.f.

LAGN RR. CO. SURVEY, A-983

Curve Data

CURVE	DELTA	RADIUS	ARC	TANGENT	CHORD
C1	89°23'22"	25.00'	38.02'	24.75'	M42°28'49"E = 35.18'
C2	2°34'11"	2050.00'	91.95'	45.98'	N11°07'24"W = 91.94'
C3	3°28'22"	1950.00'	118.18'	58.11'	S12°43'23"E = 118.17'
C4	90°34'40"	25.00'	39.52'	25.25'	S47°33'11"E = 35.53'

Line Table

LINE	BEARING	DISTANCE
L1	N02°15'52"W	19.29'
L2	N65°36'26"E	104.50'
L3	S02°15'52"E	28.59'

TSARP RM #030435
Brose Dish in Concrete
X = 3,104,792.43
Y = 13,798,173.67
Elev = 48.68

Sheet 1067

PART TAKEN

To: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: CONDEMNATION of Parcel AY7-040, located at 1026 Blackhaw Street for the PARK ROW ROAD PAVING PROJECT (from State Highway 6 to Eldridge Parkway). WBS N-000723-0001-2 OWNER: Joe L. Werner, Sr.	Page 1 of 1	Agenda Item # 8
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FROM: (Department or other point of origin): Department of Public Works and Engineering	Origination Date 9/25/08	Agenda Date OCT 01 2008
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DIRECTOR'S SIGNATURE:  Michael S. Marcotte, P.E., DEE	Council District affected: A HH7 Key Map 488 C
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For additional information contact: Nancy P. Collins Phone: (713) 837-0881 Senior Assistant Director 	Date and identification of prior authorizing Council Action: Ordinance 2005-397, April 20, 2005
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RECOMMENDATION: (Summary)
Authority be given through Council Motion to CONDEMN Parcel AY7-040

Amount and Source of Funding: No additional funding required (covered under Blanket Appropriation Ordinance 2005-397 N-00663A-00RE-2-01 Street and Bridge Consolidated Construction Fund 4506)	
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SPECIFIC EXPLANATION:
The PARK ROW ROAD PAVING PROJECT (from State Highway 6 to Eldridge Parkway) provides for the acquisition of land necessary for street improvements to extend Park Row from State Highway 6 to Eldridge Parkway in order to improve traffic flow in the service area. The parcel is located at 1026 Blackhaw Street.

PURCHASE:
The City desires to acquire 5,430 square feet of improved residential land. Condemnation is being recommended because the record owner has rejected the City's offer. The City's offer was based on an appraisal by Gerald A. Teel, MAI, CRE, Independent Fee Appraiser. This valuation was reviewed and recommended for approval by a senior staff appraiser of this department. The breakdown is as follows:

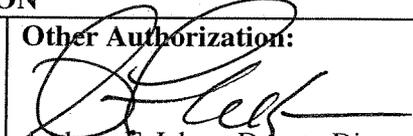
LAND:
Parcel AY7-040 (Easement)
5,430 square feet @ \$10.25.....\$55,658.00 (rounded)

TOTAL CONSIDERATION\$55,658.00

It is recommended that authority be given through Council Motion to CONDEMN Parcel AY7-040, owned by Joe L. Werner, Sr. The property is to be used as street right of way. This parcel contains 5,430 square feet of land situated in the Joel Wheaton Survey, Abstract 80, Harris County, Texas and being out of Lot 7, Block 2 of the Addicks Dam Subdivision according to the map or plat thereof, recorded in Volume 36, Page 15 of the Harris County Map Records, as conveyed to Joe L. Werner, Sr. and wife Dorothy S. Werner in Harris County Clerk's File P016424 of the Official Public Records of Real Property, Harris County, Texas according to City of Houston field notes.

MSM:NPC:hht
cc: Marty Stein

Tyler/AY7040RCA	CUIC #20HHT187
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REQUIRED AUTHORIZATION		
Finance Department:	Other Authorization:	Other Authorization:  Andrew F. Icken, Deputy Director Planning and Development Services Division

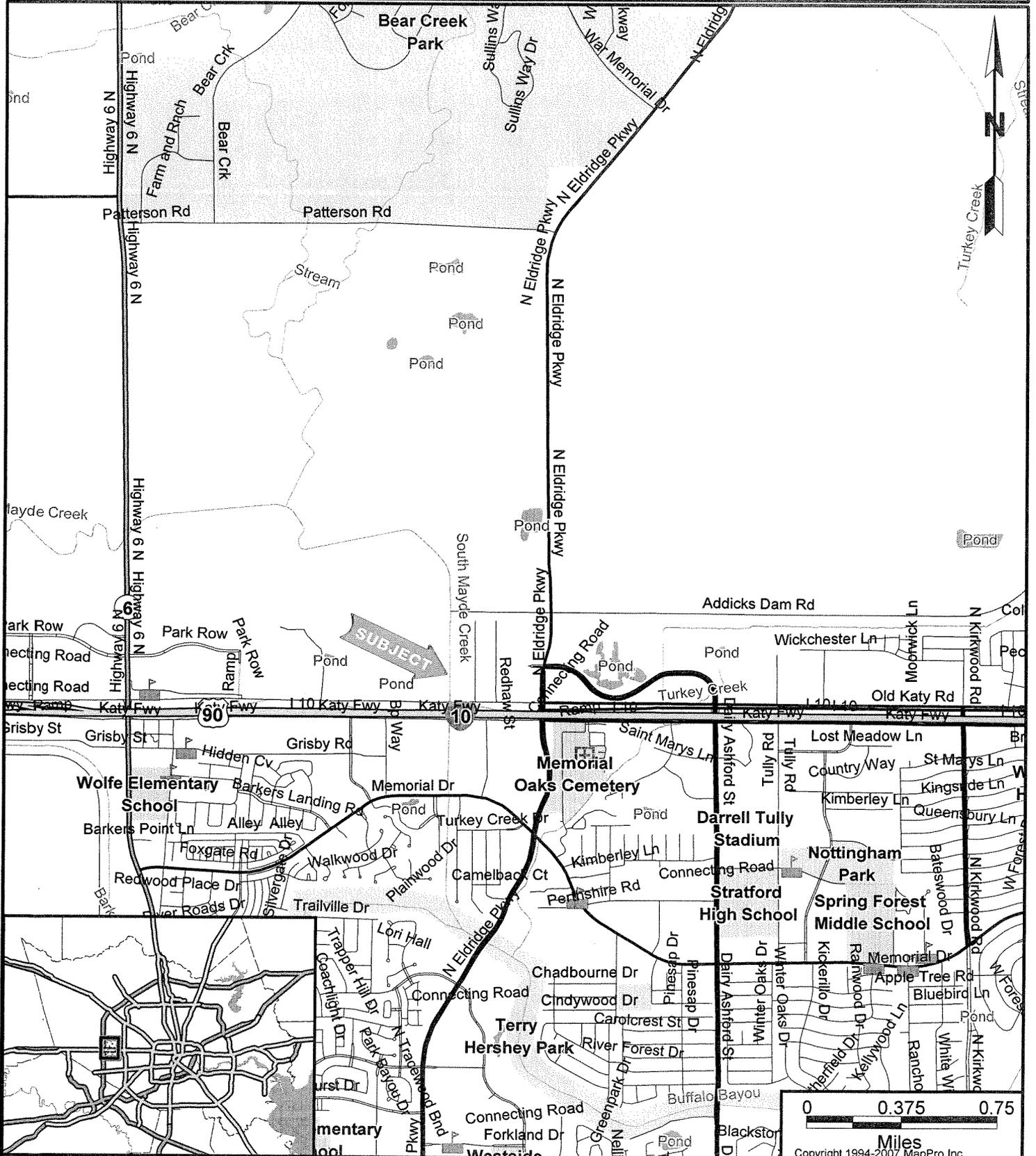
LOCATION MAP

Description: Park Row Road Paving Project (from State Highway 6 to Eldridge Parkway)

Located at 1026 Blackhaw Street, Parcel AY7-040

WBS N-000723-0001-2, Key Map 488 C, Council District A

Prepared by: City of Houston, 611 Walker, Houston, TX 77002



CAUTION:

Inaccuracies may exist on map such as missing, incorrectly drawn, or incorrectly addressed streets. Please report any such inaccuracy to MapPro, Inc. so that appropriate corrections can be made.

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 8028

Subject: Purchase of Asbestos Abatement, Demolition and Site Clean-Up Services for the Police Department
S08-Q23022

Category #
4

Page 1 of 2

Agenda Item

9

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

Origination Date
August 25, 2008

Agenda Date
OCT 01 2008

DIRECTOR'S SIGNATURE

Calvin D. Wells

Council District(s) affected
F

For additional information contact:

Joseph Fenninger Phone: (713) 308-1708
Ray DuRousseau Phone: (832) 393-8726

Date and Identification of prior authorizing Council Action:

RECOMMENDATION: (Summary)

Approve an award to Arrow Services, Inc. on its low exempt bid in the amount of \$419,550.00 and contingencies (10% for unforeseen changes within the scope of work) in the amount of \$41,955.00 for a total amount not to exceed \$461,505.00 for asbestos abatement, demolition and site clean-up services for the Police Department.

Award Amount: \$461,505.00

Finance Budget

\$461,505.00 - Dangerous Building Consolidated Fund (1801)

SPECIFIC EXPLANATION:

The City Purchasing Agent recommends that City Council approve an award to Arrow Services, Inc. on its low exempt bid in the amount of \$419,550.00 and contingencies (10% for unforeseen changes within the scope of work) in the amount of \$41,955.00 for a total amount not to exceed \$461,505.00 for asbestos abatement, demolition and clean-up services for the Police Department and that authorization be given to issue purchase orders as necessary. The structural integrity of these abandoned buildings is unsound; therefore, these services are needed to protect and preserve the health and safety of the residents in the areas surrounding these commercial and residential buildings.

Three of the ten certified companies approved by City Council to perform these types of services were requested to submit a bid on this project as itemized below:

	<u>Company</u>	<u>Total Amount</u>
1.	Arrow Services, Inc.	\$419,550.00
2.	AAR Incorporated	\$423,451.00
3.	Assured Environmental Quality	\$544,378.00

The scope of work requires the contractor to provide all labor, materials, equipment, supervision and transportation necessary to provide asbestos abatement, demolition and site clean-up services. The abandoned buildings and pools listed on Page 2 of 2 were determined to be dangerous and pose an imminent threat to the health and safety of citizens in the immediate areas. Due to the 10-day "waiting period" as required by the Texas Department of Health, this project will take approximately 136 calendar days to complete. The school principals are notified by City inspectors of current and future demolitions/abatements in the area.

The City will place liens against these properties to recover all costs associated with these services. Liens are paid when the property title is transferred and there is a change in ownership.

REQUIRED AUTHORIZATION

Finance Department:

Other Authorization:

Other Authorization:

NOT

9 JAN

This purchase is related to public health and safety, and is therefore exempt from the competitive bid laws.

<u>Address:</u>	<u>Council District</u>	<u>Nearest School</u>
835 Autumnwood		
(Bldg. #3)	F	Roland Harris Elementary
(Bldg. #4)	F	Roland Harris Elementary
(Bldg. #5-Slab)	F	Roland Harris Elementary
(Bldg. #6-Slab)	F	Roland Harris Elementary
840 Autumnwood		
(Bldg. #1)	F	Roland Harris Elementary
(Bldg. #2-Slab)	F	Roland Harris Elementary
(Bldg. #3)	F	Roland Harris Elementary
(Bldg. #4)	F	Roland Harris Elementary
(Bldg. #5)	F	Roland Harris Elementary
(Bldg. #6)	F	Roland Harris Elementary
(Bldg. #7)	F	Roland Harris Elementary
(Bldg. #8)	F	Roland Harris Elementary
(Bldg. #9)	F	Roland Harris Elementary
(Bldg. #10)	F	Roland Harris Elementary
(Bldg. #11)	F	Roland Harris Elementary
(Bldg. #12)	F	Roland Harris Elementary
(Bldg. #13)	F	Roland Harris Elementary
(Bldg. #14-slab)	F	Roland Harris Elementary
(Pool #1)	F	Roland Harris Elementary
(Pool # 2)	F	Roland Harris Elementary

Buyer: Angela Dunn
PR 10055739

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 8029

Subject: Asbestos Abatement, Demolition, and Site Clean-up Services for the Police Department
S19-Q23023

Category #
4

Page 1 of 2

Agenda Item

10

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

Origination Date
August 29, 2008

Agenda Date
OCT 01 2008

DIRECTOR'S SIGNATURE

Calvin D. Wells

Council District(s) affected
H

For additional information/contact:

Joseph Fenninger Phone: (713) 308-1708
Ray DuRousseau *9/24/08* Phone: (832) 393-8726

Date and Identification of prior authorizing Council Action:

RECOMMENDATION: (Summary)

Approve an award to CST Environmental, Inc. on its low exempt bid in the amount of \$72,500.00 and contingencies (10% for unforeseen changes within the scope of work) in the amount of \$7,250.00 for a total amount not to exceed \$79,750.00 for asbestos abatement, demolition, and site clean-up services for the Police Department.

Award Amount: \$79,750.00

Finance Budget

\$79,750.00 - Dangerous Building Consolidated Fund (1801)

SPECIFIC EXPLANATION:

The City Purchasing Agent recommends that City Council approve an award to CST Environmental, Inc. on its low exempt bid in the amount of \$72,500.00 and contingencies (10% for unforeseen changes within the scope of work) in the amount of \$7,250.00 for a total amount not to exceed \$79,750.00 for asbestos abatement, demolition, and site clean-up services for the Police Department and that authorization be given to issue purchase orders as necessary. The structural integrity of these abandoned buildings is unsound; therefore, these services are needed to protect and preserve the health and safety of the residents in the areas surrounding these commercial and residential buildings.

Three certified companies approved by City Council to perform these types of services were requested to submit a bid on this project as itemized below:

	<u>Company</u>	<u>Total Amount</u>
1.	CST Environmental, Inc.	\$72,500.00
2.	Abatement, Inc.	\$78,000.00
3.	AAR, Inc.	\$79,650.00

The scope of work requires the contractor to provide all labor, materials, equipment, supervision and transportation necessary to provide asbestos abatement, demolition and site clean-up services. The abandoned buildings listed below were determined to be dangerous and pose an imminent threat to the health and safety of citizens in the immediate areas. Due to the 10-day "waiting period" as required by the Texas Department of Health, the listed property will take approximately 35 calendar days to complete. The school principals are notified by City inspectors of current demolitions/abatements in the area.

The City will place liens against these properties to recover all costs associated with these services. Liens are paid when the property title is transferred and there is a change in ownership.

REQUIRED AUTHORIZATION

Finance Department:

Other Authorization:

Other Authorization:

MA

10

Date: 8/29/2008	Subject: Asbestos Abatement, Demolition, and Site Clean-up Services for the Police Department S19-Q23023	Originator's Initials RK	Page 2 of 2
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This purchase relates to public health and safety and is therefore, exempt from the competitive bid laws.

<u>Address:</u> 4202 Airline	<u>Council District</u> H	<u>Nearest School</u> Burrus Elementary
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Buyer: Roy Korthals
Purchase Requisition 10055737

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 8005

Subject: Asbestos Abatement, Demolition, and Site Clean-up Services for the Police Department
S19-Q23000

Category #
4

Page 1 of 2

Agenda Item

11

FROM (Department or other point of origin):

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

Origination Date

August 29, 2008

Agenda Date

OCT 01 2008

DIRECTOR'S SIGNATURE

Calvin D. Wells

Council District(s) affected

B, D, E, H, I

For additional information contact:

Joseph Fenninger Phone: (713) 308-1708
Ray DuRousseau Phone: (832) 393-8726

Date and Identification of prior authorizing Council Action:

RECOMMENDATION: (Summary)

Approve an award to Inland Environments, Ltd. on its low exempt bid in the amount of \$123,265.00 and contingencies (10% for unforeseen changes within the scope of work) in the amount of \$12,326.50 for a total amount not to exceed \$135,591.50 for the Police Department.

Award Amount: \$135,591.50

Finance Budget

\$135,591.50 - Dangerous Building Consolidated Fund (1801)

SPECIFIC EXPLANATION:

The City Purchasing Agent recommends that City Council approve an award to Inland Environments, Ltd. on its low exempt bid of in the amount of \$123,265.00 and contingencies (10% for unforeseen changes within the scope of work) in the amount of \$12,326.50 for a total amount not to exceed \$135,591.50 for asbestos abatement, demolition, and clean-up services for the Police Department and that authorization be given to issue a purchase order as necessary. The structural integrity of these abandoned buildings is unsound; therefore, these services are needed to protect and preserve the health and safety of the residents in the areas surrounding these commercial and residential buildings.

Six certified companies approved by City Council to perform these types of services were requested to submit a bid on the projects as itemized below.

Group 1:

	<u>Company</u>	<u>Total Amount</u>
1.	Inland Environments, Ltd.	\$ 56,434.00
2.	AAR, Inc.	\$ 76,495.00
3.	CST Environmental, Inc.	\$118,240.00
4.	Abatement, Inc.	\$245,950.00

Group 2:

	<u>Company</u>	<u>Total Amount</u>
1.	Inland Environments, Ltd.	\$ 66,841.00
2.	Arrow Services	\$ 77,700.00
3.	Assured Environment Quality	\$ 91,925.00
4.	AAR, Inc.	\$ 99,970.00
5.	Abatement, Inc.	\$188,500.00

REQUIRED AUTHORIZATION

Finance Department:

Other Authorization:

Other Authorization:

MT

11 920

Date: 8/29/2008	Subject: Asbestos Abatement, Demolition, and Site Clean-up Services for the Police Department S19-Q23000	Originator's Initials RK	Page 2 of 2
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The scope of work requires the contractor to provide all labor, materials, equipment, supervision and transportation necessary to provide asbestos abatement, demolition and site clean-up services. The abandoned buildings listed below were determined to be dangerous and pose an imminent threat to the health and safety of citizens in the immediate areas. Due to the 10-day "waiting period" as required by the Texas Department of Health, the listed properties will take approximately 49 calendar days to complete. The school principals are notified by City inspectors of current demolitions/abatements in the area.

The City will place liens against these properties to recover all costs associated with these services. Liens are paid when the property title is transferred and there is a change in ownership.

This purchase relates to public health and safety, and is therefore exempt from the competitive bid laws.

Group 1:

<u>Address</u>	<u>Council District</u>	<u>Nearest School</u>
9205 Rosehaven	D	Reynolds Elementary
6713 Conley	D	Foster Elementary
7113 St. Augustine	D	Foster Elementary
7311 Amarillo Bldg. #1	E	Martinez Elementary
7311 Amarillo Bldg. #2	E	Martinez Elementary
7311 Amarillo Bldg. #3	E	Martinez Elementary
7311 Amarillo Bldg. #4	E	Martinez Elementary
3302 Folger	H	Mendel Elementary
1501 Berry Rd.	H	Berry Elementary
132 Owens	I	MacArthur Elementary
6728 Avenue B	I	Tijerina Elementary

Group 2:

<u>Address</u>	<u>Council District</u>	<u>Nearest School</u>
1202-1210 75 th	B	Gallegos Elementary
7820 King	B	Hilliard Elementary
7818 King	B	Hilliard Elementary
7525 E. Houston	B	Hilliard Elementary
1826 Wilburforce	B	Bethune Elementary
2327 W. Little York	B	Bethune Elementary
2331 W. Little York	B	Bethune Elementary
4203 Reed	D	Grimes Elementary
6911 Calhoun	D	Cook Elementary

Buyer: Roy Korthals
Purchase Requisitions 10057666 and 10057632

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

SUBJECT: Ordinance approving Amendments to Chapter 12 of the City of Houston Code of Ordinances.

Category #

Page
1 of 1

Agenda
Item# *12*

FROM: (Department or other point of origin):

Dawn Ullrich, Director
Convention and Entertainment Facilities Department

Origination Date

August 28, 2008

Agenda
Date
PCT 01 200

DIRECTOR'S SIGNATURE:

Dawn Ullrich

Council Districts affected:
District I - Rodriguez

For additional information contact:

Stephen W. Lewis

Phone: 713-853-8888

Date and identification of prior authorizing Council Action:

RECOMMENDATION: (Summary)

Approve an Ordinance amending Chapter 12 of the City of Houston Code of Ordinances, reflecting provisions related to operations with the Convention and Entertainment Facilities Department.

Amount of Funding:

N/A

FIN Budget:

Enterprise Fund C&E –

SPECIFIC EXPLANATION:

The Convention & Entertainment Facilities Department seeks approval of certain amendments to Chapter 12 of the City of Houston Code of Ordinances.

Collectively, these amendments reflect operational and procedural changes designed to increase the efficiency of administering the facilities. Specific changes include some clarification of key terms, a revision of the manner in which applications for use of the facilities are processed, and the deletion of obsolete sections and definitions. We further propose to adjust facility license fees as well as the structure of those fees to more accurately reflect current market conditions and the progressively diverse utilization of facility space by licensees.

The amendments will allow the surcharge for ticketed events to be increased to a maximum of \$2.00 per ticket, although any increase affecting Theater District resident companies must be made in accordance with existing contracts established between the City and the resident companies at those facilities. The revenue derived from the ticket surcharge in the Theater District will continue to be used for primarily backstage improvements at those facilities.

And finally, we propose that the range for the non-contract parking rate for the Theater District Garage be increased to allow for rate adjustments to reflect current market rates for the Downtown area.

The Convention and Entertainment Facilities Department recommends that City Council approve the amendments to Chapter 12.

LH:dv

REQUIRED AUTHORIZATION

Finance Department

Other Authorization

Other Authorization

12

PROPOSED REVISIONS TO CHAPTER 12 OF THE CODE OF ORDINANCES

<p>Amend Sec. 12-1 (Definitions) to delete the following terms and definitions: Class I, Class II, Class III, Nonprofit organization, Occupancy, Rental fee. Reason: Under the amendments, Classes I, II, and III have been restructured as Consumer Shows and Meetings. The term "Occupancy" is generally substituted by "licensed" for accuracy and the terms "Nonprofit Organization" and "Rental fee" have been revised as "Tax exempt rate" and "License Fee" under the proposed changes to Section 12-46.</p>
<p>Amend Sec. 12-1 (Definitions) to delete the following terms and definitions: Firearm, Gun show, Outdoor trade show. Reason: As a result of previous amendments, the terms "Firearm", "Gun show" and "Outdoor trade show" are not used anywhere in Chapter 12. Thus, these definitions are unnecessary and should be deleted.</p>
<p>Amend Sec. 12-1 (Definitions) to add the following terms and definitions: Consumer Show, Meeting, Theater District Outdoor Venues. Reason: The new definitions for "Consumer show" and "Meeting" are needed as part of the restructuring of rate schedules for the facilities. A definition for "Theater District Outdoor Venues" is needed to identify the outdoor venues operated by the department with greater specificity.</p>
<p>Amend Sec. 12-1 (Definitions) to revise the definitions for Convention, Event, Facility, Licensee, Parking Facility, Season of events, and Student event. Reason: The revisions will clarify how these terms are used throughout Chapter 12 and are also needed as part of the restructuring of rate schedules for the facilities.</p>
<p>Amend Sec. 12-5(3) & 12-5(5) (Duties of the director) to delete the phrases "rental and" and replace "Rent" with "License". Reason: The facilities are licensed, not rented.</p>
<p>Amend Sec. 12-5(5) (Duties of the director) to add the phrase "and other city-owned property operated and managed by the department". Reason: This addition would allow the director to sign license agreements for use of Miller Outdoor Theatre.</p>
<p>Delete Sec. 12-5(7) (Duties of the director) which reads "Administer the city's residential parking permit program contained in article XVII of chapter 45 of this Code or appoint a designee to carry out such function". Reason: This duty has been reassigned to GSD/Parking Management.</p>
<p>Renumber Sec. 12-5(8) (Duties of the director) as 12-5(7). Reason: The former Section 12-5(7) has been deleted.</p>
<p>Amend Sec. 12-6 (Hearing) to delete the phrase "rental or". Reason: Under the amendments, the definition of "rental fee" has been replaced with the term "license fee".</p>
<p>Amend Article II (Rental of Facilities) to replace "rental" with "licensing". Reason: Under the amendments, the definition of "rental fee" has been replaced with the term "license fee".</p>
<p>Amend Sec. 12-21 (License Agreement) to add the phrase "and any amendments thereto for the facilities and other city-owned property operated and managed by the department". Reason: To clarify that the director may execute amendments to facility license agreements.</p>
<p>Amend Sec 12-22 (General admission seating prohibited) to add the phrase "at any facility". Reason: To clarify that general admission seating is generally prohibited at all venues.</p>
<p>Amend Sec 12-23 (City owned/sponsored events) to delete the words and phrases "of similar character", "unless otherwise provided by the director", "secondary to conventional uses by license agreement and shall be", "seek", "rental fee" and "whichever is less" and add "endeavor" and "lesser of the estimated license fee". Reason: To clarify the requirements of the section.</p>
<p>Amend Article II, Division 2 (Rental Provisions) to replace "rental" with "licensing". Reason: Under the amendments, the definition of "rental fee" has been replaced with the term "license fee".</p>
<p>Amend Sec. 12-31(a) (Application) to replace "in any form deemed acceptable" and add "for any purpose other than a convention or tradeshow" and "on a standard form in accordance with rules promulgated". Reason: To clarify that license application forms are standardized and excuse larger events the city is actively seeking to host (e.g., Microsoft conventions) from the application process.</p>
<p>Amend Sec. 12-31(a) (Application) to delete "Without limitation, the director may require the submission of a non-refundable application processing fee, which shall not be</p>

**PROPOSED REVISIONS TO
CHAPTER 12 OF THE CODE OF ORDINANCES**

applied toward any rental fees, to defray costs of processing the application”.

Reason: This change was recommended by the legal department; as no license application processing fee is charged, this reference is unnecessary.

Amend Sec. 12-31(b)(4) and (b)(5) (Application) to add “of this Code”.

Reason: These housekeeping changes were recommended by the legal department for clarity.

Amend Sec. 12-31(c) (Application) to replace “one” with “a single” and “a season of events or a run of” with “one or more”.

Reason: To clarify that separate applications are not required of licensees scheduling multiple events.

Amend Sec. 12-32(b)(2) (Advance booking periods) to add the term “first”.

Reason: For accuracy, as the majority of events at the facility last more than one day.

Amend Sec. 12-33 (Risk index; damage deposit) to replace “Risk index; damage” with “Contract” and the phrase “in the application” with “by the applicant”.

Reason: In practice, the method of determining the deposit is more quantitative than an assessment of risk and the most frequent deductions from deposits are for routine costs such as equipment rental. The change from “application” to “applicant” is for clarification purposes.

Amend Sec. 12-33(a) (Risk index; damage deposit) to delete “+3E” from the deposit indicator formula.

Reason: Originally, there were five factors to consider in processing a license application. Under these amendments, the criterion relating to the applicant’s history of meeting financial obligations with the department has been merged into the assessment of the applicant’s credit (due to the fact that many applicants have not licensed a department facility previously). As a result, a fifth factor in the license application review process is no longer needed.

Amend Sec. 12-33(a)(1) (Risk index; damage deposit) to make housekeeping changes, expand subsections (a) & (b), and add a new subsection (c).

Reason: Out of concern for the safety of persons and property, the proposed amendments will generalize the criteria that may be considered when evaluating the probability of damage or injury during the applicant’s event. A new subsection (c) is added to permit consideration of high-risk events (e.g., concerts and sporting events) as part of that assessment.

Delete Sec. 12-33(a)(1)(c), (d), and (e) (Risk index; damage deposit)

Reason: Due to the generalization of the criteria that may be considered during the probability of damage or injury assessment under the amendments, these subsections are no longer needed.

Amend Sec. 12-33(a)(2) (Risk index; damage deposit) to make housekeeping changes, generalize, and delete the default rating.

Reason: Expanding the “compliance” criterion to include all applicable law governing any facility the applicant has occupied will result in a more accurate and empirical assessment of potential licensees. A default rating is unnecessary due to the proposed expansion of what factors may be considered.

Delete Sec. 12-33(a)(3) (Risk index; damage deposit)

Reason: These criteria have been incorporated into the credit evaluation portion of the license application equation.

Renumber Sec. 12-33(a)(4) (Risk index; damage deposit) as 12-33(a)(3) and **Amend** to make certain housekeeping changes and include a numerical scale.

Reason: The former Section 12-33(a)(3) has been deleted. The proposed changes will generalize the criteria that may be considered and include a scale to match the other portions of the formula.

Amend Sec. 12-33(b) (Risk index; damage deposit) to adjust the ranges of potential scores to 0-10, 11-20, 21-35, 36-50, 51-60, 61-65, and 66-70 and add the figures \$0 and \$6,000 to the associated list of deposit amounts.

Reason: The proposed changes are needed to reflect changes under the amendments to the deposit indicator formula and to provide a more consistent and empirical distribution of potential scores.

Add Sec. 12-33(c) (Risk index; damage deposit) to read “If additional information about an applicant comes to the attention of the director prior to the event, then the director may add to the deposit an amount necessary to cover costs reasonably expected to be incurred during the event”.

Reason: To allow a pre-event adjustment in the amount of the deposit required from licensees to cover actual costs. A licensee could, for example, change the floor plan for their event (increasing their need for equipment such as tables and chairs) or elect to sell tickets for their event (thereby incurring a ticket surcharge). This change will ensure that payment is secured up front and reduce the administrative burden of collecting payment after the event.

Amend Sec. 12-34(a) & (b) (Priority of events; challenge) to limit the applicability of the section to Jones Hall and Wortham Theater Center.

**PROPOSED REVISIONS TO
CHAPTER 12 OF THE CODE OF ORDINANCES**

Reason: The challenge process is not needed at other facilities. Specifically, a greater degree of flexibility is needed at the George R. Brown Convention Center to accommodate large conventions likely to provide significant economic benefit to the City. Multiple requests for use of smaller venues, such as Root Memorial Square, is quite rare.

Amend Sec. 12-34(b) & (b)(1) (Priority of events; challenge) to replace two occurrences of the word "rental" with "license".

Reason: Under the amendments, the definition of "rental fee" has been replaced with the term "license fee".

Amend Sec. 12-35 (Transition to licensee status) to replace the word "rental" with "license".

Reason: Under the amendments, the definition of "rental fee" has been replaced with the term "license fee".

Amend Sec. 12-36(d) (Cancellation by director) to replace the word "rental" with "license".

Reason: Under the amendments, the definition of "rental fee" has been replaced with the term "license fee".

Delete Sec. 12-37 (Cancellation by licensee – Refund)

Reason: As written, this section entitles any licensee who cancels their agreement to a refund if their space is resold; it neglects important details and scenarios, such as a deadline for cancellation, an existing default by a licensee, and the issue of charges already incurred by the licensee prior to cancellation. Accordingly, we believe these issues need to be addressed with a far greater degree of specificity and are best covered in the license agreement.

Delete Sec. 12-38 (Same – Change of Date)

Reason: This section is no longer necessary, as the director's ability to execute amendments to license agreements has been added to Section 12-21.

Delete Sec. 12-40 (Director's reservations for the George R. Brown Convention Center)

Reason: The temporary reservation process is no longer needed at the George R. Brown Convention Center. A greater degree of flexibility is called for in order to accommodate large conventions likely to provide significant economic benefit to the City.

Amend Article II, Division 3 (Rental Rates for Facilities) to replace "rental" with "licensing".

Reason: Under the amendments, the definition of "rental fee" has been replaced with the term "license fee".

Amend Sec. 12-46 (Definitions) to delete the terms "Additional Time", "Function space" and "Rental charge".

Reason: Under the proposed amendments, the terms are no longer used in Chapter 12. The issue of additional time (i.e., holdover) will be addressed in facility license agreements. References to "Function Space" have been replaced with "non-exhibit space" and "Rental charge" revised as "License fee".

Amend Sec. 12-46 (Definitions) to add the following terms and definitions: License fee, Net square footage, and Tax-exempt rate.

Reason: The terms "License fee" and "Tax exempt rate" replace "Rental charge" and "Non profit organization", which will be deleted under these amendments. A definition for "Net square footage" is needed to clarify the manner in which licensees are charged for exhibit space.

Amend Sec. 12-46 (Definitions) to revise the definitions for "Day" and "Exhibit Space".

Reason: The proposed revision to the term "Day" recognizes that not all events take place within a twenty-four hour period; in practice, the majority end by 11:59 p.m. and some licensees desire to move in prior to 6:00 a.m. The changes to "Exhibit space charge" reflects an adjustment to the range based on current market conditions and clarifies that the fee is imposed on a per-event basis (as opposed to a per day charge).

Amend Sec. 12-47(a) (Ticket Surcharge) to set the amount of the surcharge up to two dollars per ticket.

Reason: To reflect current market conditions for use of similar facilities for ticketed events.

Number the second paragraph of Sec. 12-33(a)(4) (Ticket Surcharge) as 12-47(c).

Reason: To clarify that these sections apply to all facilities.

Number the third paragraph of Sec. 12-33(a)(4) (Ticket Surcharge) as 12-47(d).

Reason: To clarify that these sections apply to all facilities

Amend Sec. 12-48 to delete "rates are made negotiable" and to clarify when rates are negotiable.

Reason: References to negotiable rates in other sections have been centralized in Section 12-48 and the criteria for negotiation have been defined with greater specificity.

Amend Sec. 12-49 (Rates for other areas) to replace "Rates", "rental charge" and "rented".

Reason: Under the amendments, the definition of "rental fee" has been replaced with the term "license fee".

**PROPOSED REVISIONS TO
CHAPTER 12 OF THE CODE OF ORDINANCES**

<p>Amend Sec. 12-50 (Occupancy of the Jesse H. Jones Hall for the Performing Arts) to replace "Occupancy", "Rental charges" and "rental rates". Reason: Under the amendments, the definition of "rental fee" has been replaced with the term "license fee" and the term "Occupancy" substituted by "licensing".</p>
<p>Amend Sec. 12-50 (Occupancy of the Jesse H. Jones Hall for the Performing Arts) to delete references to Class I, Class II, and Additional Time and adjust the applicable rates for licensing these facilities. Reason: The "Class II" category for tax exempt licensees are no longer used due to the rate structure changes under the proposed amendments. Accordingly, they will be relabeled as "License fee" and "Tax-Exempt rate". The rates for use of the facilities have been adjusted due to changes in the Consumer Price Index as well as to reflect current market conditions.</p>
<p>Amend Sec. 12-52 (Occupancy of the Gus S. Wortham Theater Center) to replace "Occupancy" with "Licensing" and "rental charges" with "License fees". Reason: Under the amendments, the definition of "rental fee" has been replaced with the term "license fee" and the term "Occupancy" substituted by "licensing".</p>
<p>Amend Sec. 12-52(a) and 12-52(b) (Occupancy of the Gus S. Wortham Theater Center) to delete references to Class I, Class II, and Additional Time and adjust the applicable rates. Reason: Just like Section 12-50, the "Class I" and "Class II" categories are replaced with "License fee" and "Tax-Exempt rate", respectively. The rates for use of the Wortham theaters have also been adjusted due to changes in the Consumer Price Index as well as to reflect current market conditions.</p>
<p>Amend Sec. 12-53 (Occupancy of the George R. Brown Convention Center) to replace "Occupancy" with "Licensing". Reason: Under the amendments, the term "occupancy" has been replaced by "licensing".</p>
<p>Amend Sec. 12-53(a) (Occupancy of the George R. Brown Convention Center) to adjust rates and the structure of license fees. Reason: A key goal of the proposed amendments is to more accurately reflect the manner in which facility space is and can be used. Accordingly, subcategories are added to specify how license fees are to be calculated for exhibit space, non-exhibit space and non-event days (e.g., move in and move out). References to "corporate meeting" are to be deleted, as fees for all meetings will be incorporated into the amended Section 12-53(c). License fees for conventions and trade shows have been adjusted to reflect current market conditions.</p>
<p>Amend Sec. 12-53(b) (Occupancy of the George R. Brown Convention Center) to adjust rates and the structure of license fees. Reason: As amended, this section replaces the former "Class I" with "Consumer show" as part of the overall restructuring of rate categories. Like Section 12-53(a), subcategories are added to specify how license fees are to be calculated for exhibit space, non-exhibit space and non-event days (e.g., move in and move out). This section, however, will add a special rate category for tax exempt licensees. License fees have been adjusted to reflect current market conditions.</p>
<p>Delete Sec. 12-53(c) Reason: The "Class II" category for tax exempt licensees is no longer used separately under the proposed amendments. Instead, this special rate category will be incorporated into other portions of Section 12-53 based on the purpose for which the facility space is used (i.e., a consumer show or meeting).</p>
<p>Renumber Sec. 12-53(d) as 12-53(c) and Amend to adjust rates and the structure of license fees. Reason: The former Section 12-53(c) has been deleted. As part of the restructuring of rate categories, "Class III" meal function events will be replaced with a catch-all category for meetings (i.e., any event other than a convention, trade show, or consumer show). Like Section 12-53(b), a special rate category for tax exempt licensees will be added and license fees have been adjusted to reflect current market conditions.</p>
<p>Delete Sec. 12-54 (Additional Time) Reason: Under the proposed amendments, the term "additional time" is no longer used in Chapter 12. A set charge assessed to licensees who occupy a facility for an extended period of time (beyond their license agreement) was intended to dissuade them from doing so, but the amount is often minimal to licensees who have licensed large portions of the facilities. Thus, we believe that the issue of holdover should be addressed in the license agreements for the facilities and tied to a set percentage of the license fee.</p>
<p>Amend Sec. 12-63 (Noncontract Parking) to adjust the applicable rate for the Theater District Garage. Reason: Under the proposed amendments, the rate for noncontract parking will be adjusted from \$8.31 to \$13.86 to reflect current market conditions.</p>

REQUEST FOR COUNCIL ACTION

SUBJECT: Amend Sec. 116.2 of the City of Houston Building Code to correct a scrivener's error.		Page 1 of 1	Agenda Item # 13
FROM (Department or other point of origin): <p style="text-align: center;">Legal</p>		Origination Date September 2, 2008	Agenda Date OCT 01 2008
DIRECTOR'S SIGNATURE: 		Council District affected: <p style="text-align: center;">All</p>	
For additional information contact: Don Cheatham Phone: 832-393-6437		Date and identification of prior authorizing Council action: <p style="text-align: center;">2004-1015; 2006-5</p>	
RECOMMENDATION: (Summary) Pass an ordinance amending Sec. 116.2 of the City of Houston Building Code to correct a scrivener's error relating to the designation of the appropriate Department Director.			
Amount and Source of Funding:			
SPECIFIC EXPLANATION: Ordinance No. 2006-5, passed by the City Council on January 4, 2006, adopted the 2003 International Building Code and the City of Houston modifications to such Code and contained an error in Sec. 116.2 making reference to the Director of Planning and Development. Such reference was an error that was missed at the time of preparation of Ordinance 2006-5, and such reference should have read, "Director of Public Works and Engineering." The proposed ordinance is designed to correct this omission and ensure that the relevant provisions of the City of Houston's Building Code are true, correct and up to date.			
K:\RCA\RDC3612			
REQUIRED AUTHORIZATION			
Other Authorization:	Other Authorization:	Other Authorization:	Other Authorization:

116.2 Hearings. Except where otherwise specifically provided, all hearings held pursuant to this code shall be conducted by the Director of ~~Planning and Development~~ Public Works and Engineering or a representative, who shall hereinafter be referred to as the "hearing official." The director shall not designate any person to be a hearing official under this code who has taken any part in the investigation of the matter that is the subject of the hearing or any person who directly supervised the investigation. The hearing official shall consider only the evidence presented at the hearing in rendering a decision. The decision of the hearing official shall be set forth in writing and shall be served on each party in the same manner as a notice of a right to a hearing.

Date:	Subject: Ordinance authorizing the Preliminary Official Statement, distribution of the Preliminary Official Statement and proceeding with the sale of the Public Improvement Refunding Bonds Series 2008A and Certificates of Obligation Series 2008B.	Originator's Initials	Page 2 of 3
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Certificates of Obligation Series 2008B

Several of the Tax Increment Reinvestment Zones ("TIRZ") have requested assistance with financing certain capital improvement needs, with the intention that TIRZ revenues be used to repay the borrowing associated with these needs. The City has proposed issuing certificates of obligation for these purposes. The anticipated needs total approximately \$30 million.

Summary of Both Series

The following table further summarizes the combined proposed transaction:

Public Improvement Refunding Bonds Series 2008A

Component being Refunded	Up To	Use
Refund CP Series D	\$245,000,000	CIP
Refund CP Series F	\$50,000,000	Drainage
Refund CP Series E	\$45,000,000	EAF - Rolling Stock
Refund CP Series E	\$8,000,000	EAF - IT
Refund CP Series E	\$45,000,000	EAF - Reimbursable

Series A Up to: \$393,000,000

Certificates of Obligation, Series 2008B

TIRZ CIP Plan Funding	\$30,000,000	
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Series B Up to: \$30,000,000

Total Up to: \$423,000,000

This transaction was presented to the Fiscal Affairs Committee on July 29, 2008 and reported out favorably. Some changes in allocations have been made since that Fiscal Affairs Committee review, as detailed below:

- A portion of the requested TIRZ CIP Plan Funding has already been spent as EAF – Reimbursable and therefore the Certificates of Obligation Series 2008B has decreased and Series 2008A EAF – Reimbursable correspondingly increased. TIRZ revenues will still repay the portion reallocated to refund Series E Commercial Paper EAF – Reimbursable.
- A general reallocation of refunding amounts of Series E Commercial Paper.

Date:	Subject. Ordinance authorizing the Preliminary Official Statement, distribution of the Preliminary Official Statement and proceeding with the sale of the Public Improvement Refunding Bonds Series 2008A and Certificates of Obligation Series 2008B.	Originator's Initials	Page 3 of 3
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The Finance Working Group recommends the Series 2008A Bonds and Series 2008B Certificates be issued through a negotiated financing with Goldman, Sachs & Co. serving as book running manager along with Loop Capital Markets, LLC, Morgan Stanley, and Rice Financial, as co-senior managers. Fidelity Capital Market Services, Piper Jaffray & Co., Siebert Brandford Shank, Southwest Securities, Inc., and Wachovia Securities are recommended as co-managers. Vinson & Elkins and Edgardo E. Colon are recommended as co-bond counsel. Bracewell & Giuliani and Monty Partners LLP are recommended as co-disclosure counsel. The co-financial advisors are First Southwest Company and Estrada Hinojosa & Company.

Finally, First Southwest Company is on retainer as Financial Advisor for the City and over the last year they have done significant work outside the scope of their contract. The City has been involved in a prolonged effort to restructure the \$300 Million Collateralized Note to the Houston Municipal Employees Pension System and to refund certain Houston Airport System obligations. At least \$245 million (and up to \$345 million) of auction rate securities issued by the Houston Airport System are being restructured. During these transactions, the City has relied heavily on the advice and efforts of First Southwest Company. First Southwest Company has also provided significant support with the recently enacted Drainage Set Aside Funding Initiative. This additional effort is beyond what was originally considered in the Financial Advisor contract. Therefore, the Finance Working Group recommends approval of a one-time restructuring fee in the amount of \$300,000.

Recommendation- The Finance Working Group recommends that the City proceed with this transaction.

REQUEST FOR COUNCIL ACTION

TC: Mayor via City Secretary

RCA #

SUBJECT: An Ordinance authorizing issuance of City of Houston, Texas Taxable Pension Obligation Bonds Series 2008B; authorizing the execution and delivery of a paying agent/registrars agreement and a bond purchase agreement; approving the use of a preliminary official statement and matters incident thereto

Category #

Page 1 of 1

Agenda Item#

16

FROM: (Department or other point of origin):

Finance Department and Office of City Controller

Origination Date

9/26/2008

Agenda Date

OCT 01 2008

DIRECTOR'S SIGNATURE:

Annise D. Parker

Michelle Mitchell

Council Districts affected:
All

For additional information contact:

Charles Leal
Jim Moncur

Phone: 713-837-9892
Phone: 713-247-2950

Date and identification of prior authorizing Council Action:

July 23, 2008 – 2008-660

RECOMMENDATION: (Summary)

Approve an Ordinance authorizing issuance of City of Houston, Texas Taxable Pension Obligation Bonds Series 2008B; authorizing the execution and delivery of a paying agent/registrars agreement and a bond purchase agreement; approving the use of a preliminary official statement and matters incident thereto

Amount of Funding: N/A

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

SPECIFIC EXPLANATION:

On July 23, 2008, City Council approved Ordinance 2008-660, which authorized the issuance of City of Houston, Texas Taxable Pension Obligation Refunding Bonds, Series 2008A. The City anticipates an additional scheduled payment of \$20 million to the Houston Police Officers' Pension System in February of 2009. In the interest of transactional efficiency, the Finance Working Group recommends including this commitment in the previously approved transaction. This additional issuance will be designated as Taxable Pension Obligation Bonds, Series 2008B. The not to exceed amount of \$450 million will be unchanged.

The Finance Working Group recommends approval of this item.

REQUIRED AUTHORIZATION

Finance Director:

Other Authorization:

Other Authorization:

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 8038

Subject: Ordinance approving the application and acceptance of a grant award from the Department of Homeland Security, Assistance to Firefighters Grant and appropriating the required matching funds from the FY09 Equipment Acquisition Fund (Fund 1800).

Category #
2

Page 1 of 1

Agenda Item

17 + 17A

FROM (Department or other point of origin):

Phil Boriskie
Fire Chief
Fire

Origination Date

August 29, 2008

Agenda Date

OCT 01 2008

DIRECTOR'S SIGNATURE

Phil Boriskie

Council District(s) affected

All

For additional information contact:

Karen Dupont Phone: (713) 859-4934
Jack Williams Phone: (713) 247-8793

Date and Identification of prior authorizing Council Action:

RECOMMENDATION: (Summary)

Approve an Ordinance to apply for and accept a Federal grant from the Department of Homeland Security, Office of Domestic Preparedness for funding through the Title XVII (Assistance to Firefighters) of the Fire Prevention and Control Act and appropriate funds from the FY09 Equipment Acquisition Fund (Fund 1800) for the required 20% match.

\$1,173,903.12

Finance Budget

Grant Fund 5030 \$936,000.00
FY09 Equipment Acquisition Fund 1800 \$ 237,903.12

SPECIFIC EXPLANATION:

The Fire Chief requests City Council approve an Ordinance authorizing the application and acceptance of Federal Grant funds from the Department of Homeland Security, Office of Domestic Preparedness in the amount of \$936,000.00 and appropriating \$237,903.12 from the FY09 Equipment Acquisition Fund (Fund 1800) for the required 20% match.

The City of Houston submitted an application to the Department of Homeland Security for Title XVII (Assistance to Firefighters) funding through the Fire Prevention and Control Act. On 8/22/2008 the Houston Fire Department was notified of the grant award for our proposed **Operations and Safety** project. The approved project is for the purchase of 11 Thermal Imaging Cameras, 200 Self Contained Breathing Apparatus (SCBAs) and 209 Air Cylinders for the SCBAs. The SCBA and cylinders will be compliant with the 2007 standards for Chemical, Biological, Radiological, and Nuclear (CBRN) standards as recommended by NFPA. The breakdown is as follows.

Description	Unit Cost	# of Units	Fund	Total Cost
4.5 Airpacks	\$4,575.06	148	5030	\$677,108.88
4.5 Airpacks	\$4,575.06	52	1800	\$237,903.12
Air Cylinders	\$837.15	209	5030	\$174,964.35
Bullard T3 (TIC for Rescue)	\$9,995.00	1	5030	\$9,995.00
Scott Eagle X TIC	\$6,675.00	11	5030	\$73,425.00
Fire Prevention Activities	\$506.77	N/A	5030	\$506.77

Total cost of all purchases is \$1,173,903.12. \$936,000.00 will be actual Federal Grant Funds and the remainder which is slightly over the required (\$234,000.00) 20% match and will be funded from the FY09 Equipment Acquisition Fund (Fund 1800). The performance period for the grant began on 8-10-2008 and will terminate on 8-11-2009. The approval and actual timing of the receipt of grant funds is somewhat unpredictable and requires occasional reorganization of planned spending to accommodate their use.

REQUIRED AUTHORIZATION

Finance Department:

Michelle Mitchell

Other Authorization:

[Signature]

Other Authorization:

1908

SUBJECT: Major Accessory Shop Enforcement 17 Interlocal Agreements	Category #	Page 1 of 1	Agenda Item # 18
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FROM: (Department or other point of origin): Houston Police Department	Origination Date September 2, 2008	Agenda Date OCT 01 2008
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DIRECTOR'S SIGNATURE: Harold L. Hurtt, Chief of Police <i>Harold L. Hurtt</i>	Council Districts affected: All
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For additional information contact: Lt. Ward 713-308-1934 Joseph Penninger 713-308-1700 <i>8/28/08</i>	Date and identification of prior authorizing Council Action: April 30, 2008 (funding was approved)
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RECOMMENDATION: (Summary)

Create an ordinance approving the interlocal agreements to satisfy the special condition of the grant.

Funding Previously Approved				FIN Budget:
ABTPA Funding	Cash Match Funding	In-Kind Funding	Total Funding	
\$984,370	\$565,328	\$330,153	\$1,879,851	

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

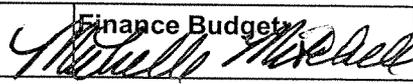
The Houston Police Department is the coordinating agency for the Major Accessory Shop Enforcement Grant. This program was created with grant monies to reduce the auto theft rate in the Houston surrounding area. The grant has been a tremendous success and is currently in its seventeenth year of funding. The success is partially credited to the participation of the Department of Public Safety, the Fort Bend County Sheriff's Office and the Metro Police Department. These law enforcement agencies have requested to continue their participation in the program by presenting individual inter-local agreements for renewal.

Additionally, the funding agency (Texas Automobile Burglary & Theft Prevention Authority) requires as a special condition of the grant that the inter-local agreements be approved by City Council.

cc: Arturo Michel, City Attorney
Marty Stein, Agenda Director
Anna Russell, City Secretary

REQUIRED AUTHORIZATION

FIN Director: <i>Michelle Mitchell</i>	Other Authorization:	Other Authorization:
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SUBJECT: An ordinance approving and authorizing a First Amendment to the Second Lien Construction Financing Agreement between the City of Houston, Affordable Communities Development Corporation and Capital One Community Development Corporation II to replace "Exhibit A" (Project Summary and Description of Property) of the Agreement.		Category #	Page 1 of 1	Agenda Item # <i>19</i>
FROM (Department or other point of origin): Housing and Community Development Department		Origination Date: 09/24/08	Agenda Date: OCT 0 1 2008	
DIRECTOR'S SIGNATURE:  Richard S. Celli, Director		Council District affected: "D"		
For additional information contact: Donald Sampley, Assistant Director Phone: 713-868-8458		Date and identification of prior authorizing Council action: 2008-174, 03/05/2008		
RECOMMENDATION: (Summary) The Department recommends approval of an ordinance authorizing a First Amendment to the Second Lien Construction Financing Agreement ("First Amendment") between the City of Houston, Affordable Communities Development Corporation and Capital One Community Development Corporation II to replace "Exhibit A" (Project Summary and Description of Property) of the Agreement.				
Amount of Funding:		Finance Budget: 		
SOURCE OF FUNDING <input type="checkbox"/> General Fund <input type="checkbox"/> Grant Fund <input type="checkbox"/> Enterprise Fund				
N/A				
SPECIFIC EXPLANATION: Pursuant to Ordinance No. 2008-174, on March 5, 2008, City Council approved a Second Lien Construction Financing Agreement ("Agreement") between the City, Affordable Communities Development Corporation and Capital One Community Development Corporation II, for the financing and construction of ten (10) affordable town houses on ten (10) lots. Lots Twelve (12) and Thirteen (13), in Block Three (3) of FLOWER CITY, an addition in HARRIS County, Texas, according to the map or plat thereof, recorded in Volume 23, Page 12 of the Map Records of HARRIS County, Texas were inadvertently omitted in Exhibit A of the Agreement. The lots will be replatted as three (3) lots. The other seven (7) lots, which are in the Agreement are: Lots One (1), Two (2), Three (3), Four (4), Five (5), Six (6) and Seven (7) of MAGGIE MANORS, a subdivision in Harris County, Texas, according to the map or plat thereof, recorded at Film Code No. 614237 of the Map records of Harris County, Texas (constituting a partial replat of Lots Fifteen (15), Sixteen (16) and Seventeen (17) in Block Four (4), of REED TERRACE, an addition in HARRIS County, Texas, according to the map or plat thereof, recorded in Volume 33, Page 66 of the Map Records of HARRIS County, Texas. The development is consistent with the City's Consolidated Plan to provide affordable housing for low-income residents. HCDD secured HUD's approval of this Agreement before submittal to City Council. The Department recommends approval of an ordinance approving and authorizing a First Amendment to the Second Lien Construction Financing Agreement to correctly identify the ten (10) lots to be developed under the Agreement.				
REQUIRED AUTHORIZATION				
Finance Director:		Other Authorization:		Other Authorization:

TO: Mayor via City Secretary

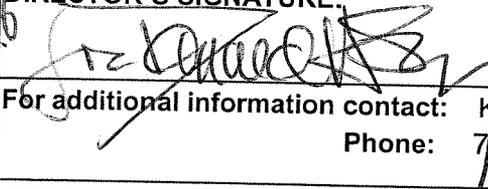
REQUEST FOR COUNCIL ACTION

HCO 08-119

07-BERING

SUBJECT: An ordinance authorizing the Execution of a Contract between the City of Houston and Bering Omega Community Services for a HOPWA Tenant based Rental Assistance Program, Short Term Rent Mortgage and Utility Assistance Program and Supportive Services	Page 1 of 2	Agenda Item #
		20

FROM: (Department or other point of origin): Mr. Richard S. Celli, Director Housing and Community Development Department	Origination Date 9/24/08	Agenda Date OCT 01 2008
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DIRECTOR'S SIGNATURE: 	Council District affected: District D
For additional information contact: Keith Bynam Phone: 713-868-8396 	Date and identification of prior authorizing Council action: N/A

RECOMMENDATION: (Summary)
Approval of an ordinance authorizing the execution of a contract between the City of Houston and Bering Omega Community Services to provide funding for the administration of a "Tenant Based Rental Assistance, Short term Rent Mortgage and Utility Assistance and Supportive Services" project under the Housing Opportunities for Persons With AIDS Program.

Amount of Funding: \$2,273,000.00	Finance Budget: ("HOPWA")
\$1,136,500.00	
\$1,136,500.00 (Renewal Option)	

SOURCE OF FUNDING General Fund Grant Fund Enterprise Fund

Other (Specify) Grant Funds (5000)

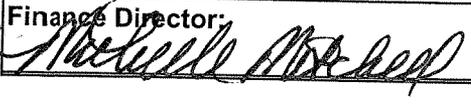
SPECIFIC EXPLANATION:
The Housing and Community Development Department recommends approval of a contract between the City of Houston and Bering Omega Community Services ("Bering") to finance Bering's administrative and emergency housing assistance costs associated with its HIV/AIDS programs. This program provides a bridge in services for individuals in a transitional stage due to lost employment or similar circumstances.

Bering has received HOPWA funding through the City of Houston for various contracts since 1994 for its Short term Rent, Mortgage and Utility Assistance Program. Bering initiated the tenant based rental assistance component last year. The tenant based rental assistance provides scattered site housing for the participants whose needs and circumstances extend beyond the short-term rent, mortgage and utility assistance program. The agency's HOPWA project is a cost-effective one, which helps to prevent homelessness by providing payments of rent, mortgage and utility bills directly to the client's landlord, mortgage lender and utility companies. Bering Memorial United Methodist Church established Bering in 1987 to provide assistance for people living with HIV/AIDS. Other major programs in which the agency is involved include Bering Dental Clinic, a dental clinic for indigent individuals with HIV/AIDS of which HOPWA funded the rehabilitation; Omega House, a residential hospice program for persons in the final stages of AIDS; and the Bering Omega Care Center, an adult day care facility.

Last year, Bering received funding in the amount of \$1,136,500.00 for its HOPWA project. Other funding sources for the agency included Ryan White Title I & II Care Act, and private foundations and corporate supporters.

The agency is requesting funding to provide: (1) tenant-based rental assistance and supportive services at sixty (60) scattered-site units, and (2) short-term rent, mortgage, and utility assistance and supportive services at four hundred (400) scattered-site units for low-income, HIV/AIDS infected individuals and their families.

REQUIRED AUTHORIZATION

Finance Director: 	Other Authorization:	Other Authorization:
--	-----------------------------	-----------------------------

Date
09/24/08

Subject: An ordinance authorizing the Execution of a Contract between the City of Houston and Bering Omega Community Services for a HOPWA Tenant Based Rental Assistance Program Short Term Rent Mortgage and Utility Assistance Program and Supportive Services.

Originators
Initials

Page
2 of 2

Additionally, Bering will provide adult day care to forty (40) persons and permanent housing placement services to fifteen (15) persons under its supportive services activity.

This agreement will provide up to \$2,273,000.00 and a 24-month contract. The funding will provide housing assistance and supportive services to approximately five hundred and fifteen (515) clients and three hundred and seventy (370) family members for approximately eight hundred and eighty-five (885) beneficiaries served.

Total Funds and Services:	\$2,273,000.00
Number of Persons Served:	1030 clients unduplicated persons and family members
Category of Persons	low-income individuals living with HIV/AIDS

The tenant-based rental assistance program will provide approximately \$500/month to clients in long-term rental situations. This assistance will be available each month for a 12-month period, at the end of which the client must re-qualify for the program.

The Short-term rent, mortgage and utility assistance program will be provided to clients facing loss of housing and/or utilities due to a temporary emergency situation. According to HOPWA regulations, an agency can provide up to 21 weeks of assistance to an individual in any 52-week period.

The adult day care program provides case management, nutritional and healthcare services and other social activities. The adult day care program is located at Bering's Care Center. Outcome data for adult day care strongly suggests that participating clients see a reduction in their social isolation and withdrawal, as well as improved medical conditions. Also, housing assistance clients will participate in the Care Center activities that will save the clients money with utility and food costs; therefore, saving the client money for rent.

Permanent housing placement services provide first-month's rent and deposit assistance. This assistance is used to help eligible persons establish a new residence where on-going occupancy is expected to continue. It can be used with persons receiving short-term rent, mortgage and utility assistance and/or tenant-based rental assistance.

This contract will provide funding for the following HOPWA activities during the first 12-month period.

Administrative	\$ 79,186.00
Supportive Services	\$ 94,014.00
Tenant Based Rental Assistance	\$ 400,750.00
Short Term Rent Mortgage Utility	\$ 562,550.00
Total	\$ 1,136,500.00

Therefore, HCDD requesting approval of a contract providing up to \$2,273,000.00 in HOPWA funds, which sum includes a limitation of additional funding for \$1,136,500.00. Funds out of the H-07 and H-08 HOPWA grants for \$1,136,500.00 will cover the first year of the aforementioned 24-months period. Funds up to \$1,136,500.00 to cover the second year renewal option will be identified at the time of renewal.

RC:KB:ab

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

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

Subject: An ordinance adopting the Memorial Park Conservancy Development Agreement

Category #

Page 1 of 1

Agenda Item

21

FROM (Department or other point of origin):
Houston Parks and Recreation Department

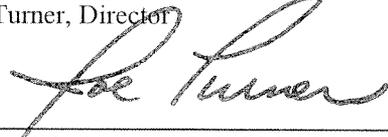
Origination Date:

Agenda Date

September 24, 2008

OCT 01 2008

DIRECTOR'S SIGNATURE: Joe Turner, Director



Council District(s) affected: G

For additional information contact: Rick Dewees, 713-284-8555
Dan Pederson, 713-865-4507

Date and Identification of prior authorizing Council Action:

RECOMMENDATION: (Summary): An ordinance approving and adopting a contract for the Memorial Park Conservancy Development Agreement with the City.

Amount of Funding:
No Funding Required

Finance Budget:

SPECIFIC EXPLANATION:

Houston Parks and Recreation Department (HPARD) recommends that City Council approve a Development Agreement between the City of Houston and the Memorial Park Conservancy (MPC).

The Agreement will establish a process by which the City and the Conservancy will collectively share responsibilities in development projects and programs in Memorial Park, includes processes for approval of construction projects, approval of plans, and provides funding mechanisms for implementation of projects. Key elements of the Agreement include:

- All projects and programs will require approval by the Director of HPARD
- 10 year Agreement term
- Limited to park development projects and programs and does not include management or operations
- Authorizes Memorial Park Conservancy right of entry for construction projects
- **Phase I** has a projected value at \$10 Million. A \$4 Million pedestrian bridge is included in this Phase. The City will contribute \$3 Million and MPC has committed to the remaining \$1 Million in private donations. The 2009-2013 Capital Improvement Plan (CIP) contains the \$3 Million City portion for this project. Design for the bridge has commenced under the General Services Department (GSD). The pedestrian bridge is scheduled to begin construction in January 2009. The remaining \$6 Million in private funds raised by MPC includes an outer loop trail, retaining wall, running center, tennis center plaza and trail lighting.
- **Phase II** will reflect the same 30/70 partnership and all City funding will require Council approval
- The Agreement provides that all publicly funded projects (including projects jointly funded by City and MPC for which a single contract is awarded) will comply with City bid and MWBE requirements.

The Quality of Life Committee favorably reviewed the Agreement on September 4, 2008.

Attachment: COH/MPC Agreement

REQUIRED AUTHORIZATION

Finance Director:
N/A

Other Authorization:

Other Authorization:

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA #

SUBJECT: Ordinance Relating to the Retail Water and Sewer Rates of Southern Water Corporation; Setting a Public Hearing to determine just and reasonable rates to be charged by Southern Water Corporation within the City of Houston

Category #

Page 1 of 1

Agenda Item#

22

FROM: (Department or other point of origin):

Administration and Regulatory Affairs
Alfred J. Moran, Jr. - Director

Origination Date

September 23, 2008

Agenda Date

OCT 01 2008

DIRECTOR'S SIGNATURE:

[Handwritten Signature]

Council Districts affected:

B

For additional information contact:

Tina Paez (713) 837-9630
Nikki Cooper (713) 837-9889

Date and identification of prior authorizing Council Action: Ordinance No. 2008-616

RECOMMENDATION: (Summary)

Adopt an ordinance setting a public hearing to determine just and reasonable rates to be charged by Southern Water Corporation within the City of Houston

Amount of Funding: NONE

F & A Budget:

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

SPECIFIC EXPLANATION:

The Administration & Regulatory Affairs Department recommends that City Council approve an ordinance setting a public hearing to determine just and reasonable water and sewer rates to be charged by Southern Water Corporation ("Southern Water") within the City of Houston.

Southern Water is a private investor-owned utility operating within the City of Houston; therefore the City has original jurisdiction over its rates, subject to review by the Texas Commission on Environmental Quality (TCEQ). TCEQ granted Southern Water the exclusive legal right to provide water and sewer services to the Hidden Valley Subdivision (City Council District B) under Certificate of Convenience ("CCN") No. 11389 (water) and No. 20500 (sewer). These CCNs are issued by TCEQ for an indefinite time period.

On May 30, 2008, Southern Water filed an application with the City of Houston to increase its water and sewer rates in the Hidden Valley Subdivision. Based on the information in Southern Water's Statement of Intent, Southern Water seeks a revenue increase of \$1,179,362, representing a 39% to 54% increase in water rates, and a 50% to 70% increase in sewer rates, depending on individual usage. Southern Water serves approximately 1,246 customers within the City. The specific rate impact of these customers will vary by service, meter size, and gallons used.

By Ordinance No. 2008-616, the City suspended the effective date of Southern Water's new rates for ninety days (from August 1, 2008 to October 30, 2008). During the suspension period, the City conducted two public meetings (on July 9 and July 10, 2008) for in-City customers of Southern Water on the subject of the new rates and customer service concerns. In addition, the City engaged the assistance of a water/sewer rate analyst to assist in preparing the final rate recommendation.

At the public hearing, the Council will consider comments received by customers at the public meetings, Southern Water's requested new rates, and any recommendations by the City for adjustments to Southern Water's rates.

The Administration & Regulatory Affairs Department recommends that City Council approve an ordinance setting a public hearing to determine just and reasonable rates to be charged by Southern Water for its customers within the City of Houston.

REQUIRED AUTHORIZATION

FIN Director:

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA #

SUBJECT: An ordinance approving and adopting an updated ongoing Service & Assessment Plan for and on behalf of the Lamar Terrace Public Improvement District No. 2 covering the years 2008-2017. Also appropriating funds for payment to St. George Place Redevelopment Authority in accordance with the Plan presented.

Category #

Page 1 of 1

Agenda Item#

23-23A

FROM: (Department or other point of origin):

Michelle Mitchell, Director
Finance Department

Origination Date

September 23, 2008

Agenda Date

OCT 01 2008

DIRECTOR'S SIGNATURE:

Finance Department

Michelle Mitchell

Council Districts affected:

C

For additional information contact:

Robert Fiederlein
Julia Gee

Phone: (832)393-8091

Phone: (713)837-7828

Date and identification of prior authorizing Council Action:

Resolution 95-121, 8/9/95
Ordinances 97-64, 1/15/97; 2003-0432, 4/30/03;
2005-926, 7/27/05; 2007-1026, 9/12/07

RECOMMENDATION: (Summary)

That City Council adopt an ordinance approving an updated ongoing Service & Assessment Plan for and on behalf of the Lamar Terrace Public Improvement District No. 2 covering the years 2008-2017.

Amount of Funding: \$245,848.63

Finance Budget:

SOURCE OF FUNDING:

General Fund Grant Fund Enterprise Fund
 Other (Specify) Lamar Terrace PID No. 2, Fund #7508

SPECIFIC EXPLANATION:

In August 1995, City Council passed a resolution for the establishment of the Lamar Terrace Public Improvement District ("PID") No. 2 to perform capital improvement projects and maintenance services. In January 1997, an ordinance was adopted for a Memorandum of Agreement ("MOA") between the City and the St. George Place TIRZ Board to perform the functions of the PID. Under the Financial Services Agreement approved in April 2003, the Redevelopment Authority was allowed to fulfill its obligations under the previous 1997 MOA. The Agreement allows the City to pay collected PID assessments to the Authority for costs associated with the PID's Service & Assessment Plan.

In accordance with Chapter 372 of the Local Government Code, Council is required to approve an annually updated Service & Assessment Plan for purposes of determining the annual assessment rate and budget. As of 2005, the capital improvements for the Western Redevelopment Area have been completed. The last approved Plan was adopted by ordinance in September 2007.

The Plan is hereby submitted for the budget year 2008 (public safety, administration of development regulations, and maintenance services), as approved by the Board. There has been no change in assessment (\$0.07/s.f. of each lot). Assessments were billed in the 2007 property tax bills and have been collected. Council's action will ratify the Plan and assessments which have been previously implemented by the Board.

Appropriate the sum of \$245,848.63 from Fund 7508, Lamar Terrace Public Improvement District No. 2 fund, for payment to St. George Place Redevelopment Authority in accordance with the Plan presented.

cc: Marty Stein, Agenda Director
Anna Russell, City Secretary
Arturo Michel, City Attorney
Deborah McAbee, Senior Assistant City Attorney

REQUIRED AUTHORIZATION

Finance Director:

Other Authorization:

Other Authorization:

[Signature]

**UPDATED
SERVICE AND ASSESSMENT PLAN
FOR YEARS 2008-2017
LAMAR TERRACE PUBLIC IMPROVEMENT
DISTRICT NO. 2**

1. Introduction

This Service and Assessment Plan (this “Plan”) is prepared in conformance with Chapter 372, Texas Local Government Code, and pursuant to City of Houston Resolution No. 95-121, which created the Lamar Terrace Public Improvement District No. 2 (the “District”). This Plan covers years 2008 through 2017.

2. Boundaries

The boundaries of the District are coterminous with the boundaries of Reinvestment Zone Number One, City of Houston, Texas, as more fully described on the map attached hereto as Exhibit A.

3. The Project

The project to be carried out by the District consists of Supplemental Services.

4. Supplemental Services

A. Description of Supplemental Services

The Supplemental Services consist of special services that will confer benefit on all property in the District as follows:

- (i) Public Safety contract services
- (ii) Administration of Development Regulations within the Zone
- (iii) Board Management
- (iv) Annual maintenance services
- (v) Cost of administration and operation of the District related to the provision of Supplemental Services

B. Apportionment of Costs; Supplemental Services

It is hereby found that the Supplemental Services will benefit every lot or parcel within the District; therefore, the Supplemental Services assessment is established as an assessment of \$0.07 per square foot of each lot annually. The assessment assumes a 95 percent collection rate of the payment of assessments.

5. Annual Plan Budget

Year one of this Plan begins January 1, 2008. The following constitutes the annual budget for the District Improvements for each of the ten years of the Plan, unless amended in accordance with Chapter 372, Texas Local Government Code.

SUPPLEMENTAL SERVICES

Revenue:

Supplemental Service Assessment Levy \$189,000.00

Permit Revenue (Includes Past Revenue owed PID) 75,000.00

Total \$264,000.00

Expenses:

Public Safety Services; Enhanced Enforcement of Building, Health and Sanitation laws by the Zone; Landscape Maintenance; Utilities; Insurance; Administration of the Development Regulations of the Zone; and cost of Administration and Operation of the District related to the Provision of Supplemental Services

Total Supplemental Assessments and Permit Revenue \$264,000.00

6. Notice, payment and collection of assessments

A. Notice and payment provisions

The Supplemental Services Assessments will be made each year, and each annual assessment for Supplemental Services shall be identified with a particular assessment year, concurrent with the City's tax year. The Supplemental Services Assessments will be paid annually and may not be financed or paid in installments.

The unpaid annual assessment on a lot or parcel must be paid at the time of the sale or transfer of any lot or parcel. The assessment plan contemplates the City may adjust the assessment annually to reflect the actual collection of assessments in the District, which may represent an increase if the collection of assessments is less than 95 percent, or a decrease if the collection of assessments is more than 95 percent.

Notice of each levy of assessment is to be given as provided by Chapter 372, Texas Local Government Code. The assessment levy statement setting forth all assessments levied by the District shall be sent to each property owner in the District.

B. Collection and delinquency

The payment of any annual assessment becomes due and payable to the City of Houston when mailed and is delinquent on the next-following February 1 or, if the assessment bill is mailed to the landowner after January 10 following the year for which the assessment is levied, the delinquency date is postponed to the first day of the next month that will provide a period of at least 21 days after the date of mailing.

Delinquent installments of the assessment shall incur interest, penalties, and attorney's fees in the same manner as delinquent ad valorem taxes of the City of Houston. The owner of the assessed property may pay at any time the entire assessment then due on each property, with interest that is accrued on the assessment, or any lot or parcel.

A lien will be established against the property assessed effective as of the date of the ordinance levying the assessment, privileged above all other liens, including prior mortgage liens, to the extent allowed by Section 372.018(b) of the Local Government Code. The assessment lien shall be perfected immediately as to the entire assessment, but may be executed only with respect to the amounts then due or past due for current or prior installments or final payment. Assessments are personal obligations of the person owning the property assessed in the year an installment payment becomes due, and only to the extent of such installment(s). Failure of an owner to receive an invoice shall not relieve the owner of the responsibility for the assessment.

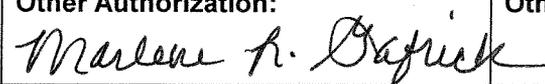
7. Exempt jurisdictions

The payment of the costs of the project attributable to the lots or parcels within the District owned by the Houston Independent School District ("HISD") on the effective date hereof shall be determined by contract with HISD providing for the conveyance of certain rights of way and other good and valuable consideration, the sufficiency of which is hereby acknowledged. No further payment by HISD with regard to the project is required hereunder. There is no municipal or other exempt property within the District.

8. Management of the District

Management and administration of the District shall be provided by the Board of Directors of Reinvestment Zone No. One, City of Houston, Texas (the "Board"), under the terms of a Memorandum and Agreement between the City and the Board. The Board may subcontract such portions of its obligations to the Saint George Place Redevelopment Authority as may be reasonably required.

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

SUBJECT: Proposed Contract for Legal Services between the City of Houston and the law firm of Olson and Olson, L.L.P.		Page 1 of 1	Agenda Item # 24
FROM (Department or other point of origin): Legal Department		Origination Date 9/19/2008	Agenda Date OCT 01 2008
DIRECTOR'S SIGNATURE:  <i>MS</i>		Council District affected: C, D, G, H, I	
For additional information contact: Deborah McAbee Phone: (832) 393-6321		Date and identification of prior authorizing Council action: 11/1/2006 Ord. No. 2006-1098	
RECOMMENDATION: (Summary) That Council adopt an ordinance approving a Contract with the Law Firm of Olson and Olson, L.L.P. to provide Legal Services relating to the preparation of development ordinance changes in connection with the Urban Corridor Planning process.			
Amount and Source of Funding: \$60,000.00 Maximum Contract Amount General Fund (1000)			
SPECIFIC EXPLANATION: The proposed contract provides that Olson and Olson, L.L.P. (Firm), a Houston law firm, will assist the Legal Department and the Planning and Development Department in the preparation of development ordinance changes necessary to implement the Urban Corridor Planning process. The City, in conjunction with METRO, is undertaking Phase III of the Urban Corridor Planning process, a City initiative focused on areas along existing and proposed high-capacity transit systems that are part of METRO Solutions Phase 2. One of the outcomes of this planning process is the development of proposed changes to City development ordinances that will facilitate achievement of the planning goals. The Firm specializes in municipal law. The lawyers assigned to this matter, John Hightower and Scott Bounds, have extensive experience in drafting municipal ordinances. This experience will provide critical support to City land use attorneys. The Firm is currently engaged under a \$23,890 purchase order by the Planning Department to advise in the completion of the Urban Corridor Plans and the preliminary steps of drafting development regulations. The Planning Department has included \$60,000 in its FY 2009 budget for the continuation of these legal services. All legal services and expenses provided by the Firm under the contract are at a maximum amount of \$60,000. The contracted hourly rates are \$295 and \$ 275 for Mr. Hightower and Mr. Bounds, respectively. The Legal Department requests that Council approve this request to retain the Firm to provide legal services on the Urban Corridor Planning process and authorize approval and execution of the proposed agreement with the Firm			
REQUIRED AUTHORIZATION			
Other Authorization:	Other Authorization: 	Other Authorization:	

R

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 8037

Subject: Approve Ordinances Awarding Contracts to the Best Respondents for Professional Audit Support, Cost Recovery and Financial Accounting Services for the Finance Department S37-Q22969

Category #
9

Page 1 of 2

Agenda Item

25

FROM (Department or other point of origin):

Calvin D. Wells
City Purchasing Agent
Finance Department

Origination Date

September 25, 2008

Agenda Date

OCT 0 1 2008

DIRECTOR'S SIGNATURE

Calvin D. Wells

Council District(s) affected

All

For additional information contact:

Michelle Mitchell Phone: (713) 221-0935
Douglas Moore Phone: (832) 393-8724

Date and Identification of prior authorizing Council Action:

RECOMMENDATION: (Summary)

Approve ordinances awarding contracts to Jefferson Wells and Accretive Solutions in the combined maximum amount of \$300,000.00 for professional audit support, cost recovery and financial accounting services for the Finance Department.

Maximum Spending Authority for both contracts: \$300,000.00

Finance Budget

\$300,000.00 General Fund (1000) - General Government

SPECIFIC EXPLANATION:

The City Purchasing Agent recommends that City Council approve an ordinance awarding two-year contracts to both Jefferson Wells and Accretive Solutions in the combined maximum amount of \$300,000.00 for professional audit support, cost recovery and financial accounting services for the Finance Department. The City shall pay the contractors on the basis of invoices submitted by the contractors and approved by the Director showing the hours worked providing on-call services requested by the Director or her designee, in writing, and the applicable hourly rate for the professional who provided such services.

The Director of Finance has the option, at her discretion, to request that either or both of the contractors provide financial and accounting services according to the needs of the Department and may terminate these contracts at any time upon 30-days written notice to the contractors.

The scope of work requires the contractors to provide accounting and financial services professionals with the education, training and experience in accounting to assist the City Finance Department staff in general ledger account reconciliations and preparation for and support of the annual financial audit. They will also provide assistance in identifying internal control weaknesses and provide recommendations to improve them as well as assisting in internal and compliance audits. Finally, they will provide accounting and reporting support for cost recovery from unusual events, such as Hurricane Ike, etc.

A Request for Qualifications (RFQ) was published on the City of Houston Strategic Purchasing Division's website from June 27 through July 14, 2008. Six firms responded to the RFQ and two were selected for participation in the award. The selection criteria were demonstrated competence and qualifications to perform the services.

The following firms are recommended for approval:

Accretive Solutions
Jefferson Wells

REQUIRED AUTHORIZATION

Finance Department:

Other Authorization:

Other Authorization:

27

Date: 9/25/2008	Subject: Approve Ordinances Awarding Contracts to the Best Respondents for Professional Audit Support, Cost Recovery and Financial Accounting Services for the Finance Department S37-Q22969	Originator's Initials JH	Page 2 of 2
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M/WDBE Subcontracting

This RFQ was issued as a goal-oriented contract with a 15% M/WBE participation level.

Jefferson Wells has designated the below-named company as its certified M/WBE subcontractor.

<u>Company</u>	<u>Type of Work</u>
Managetech	IT Consulting Services

Accretive Solutions has designated the below-named company as its certified M/WBE subcontractor.

<u>Company</u>	<u>Type of Work</u>
Clayton, Biltmore & Shouse	Accounting Services

The Affirmative Action Division will monitor this contract.

Buyer: Joyce Hays

Estimated Spending Authority:

DEPARTMENT	FY 2009	OUT YEARS	TOTAL
Finance	\$200,000.00	\$100,000.00	\$300,000.00

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 8003

Subject: Approve an Ordinance Awarding a Contract to the Best Respondent for Forensic DNA Consulting Services for the Houston Police Department.
S29-T22741

Category #
4

Page 1 of 1

Agenda Item

26

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

Origination Date
September 04, 2008

Agenda Date
OCT 0 1 2008

DIRECTOR'S SIGNATURE
Calvin D. Wells

Council District(s) affected
All

For additional information contact:
Joseph Fenninger Phone: (713) 308-1708
Douglas Moore Phone: (832) 393-8724

Date and Identification of prior authorizing Council Action:

RECOMMENDATION: (Summary)
Approve an ordinance awarding a contract to Dr. Charlotte J. Word and Dr. Robin W. Cotton in an amount not to exceed \$1,250,000.00 for forensic DNA consulting services for the Houston Police Department

Maximum Contract Amount: \$1,250,000.00

Finance Budget

\$1,250,000.00 - General Fund (1000)

SPECIFIC EXPLANATION:

The City Purchasing Agent recommends that City Council approve an ordinance awarding a three-year contract, with two one-year options to Dr. Charlotte J. Word and Dr. Robin W. Cotton in an amount not to exceed \$1,250,000.00 for forensic DNA consulting services for the Houston Police Department. The City Purchasing Agent may terminate this contract at any time upon 30-days written notice to the contractor.

The scope of work requires the contractor to provide all transportation, labor and supervision necessary to assist the crime lab in performing technical forensic reviews of all DNA work, mentor Biology Section's supervisors in the technical review process, assist in performing and analyzing recommended validation studies, review the training program, and provide guidance in improving the comprehensibility of DNA reports in the biology section. This scope of work will be in compliance with the HPD Crime Lab and Property Room Independent Investigator's Recommendations.

The Request for Proposal (RFP) was advertised in accordance with the requirements of the State bid laws. Seven perspective bidders downloaded the solicitation document from SPD's e-bidding website and as a result, proposals were received from Dr. Charlotte J. Word and Dr. Robin W. Cotton, The Bode Technology Group and The National Institute of Forensic Science Operations. The Evaluation committee consisted of four evaluators. The proposals were evaluated based upon the following criteria:

- Expertise, Experience & Qualifications
- Conformance to the RFP Requirements
- Financial Strength

Dr. Charlotte J. Word and Dr. Robin W. Cotton received the highest overall score.

Buyer: Douglas Moore

Attachment: M/WBE zero-percent goal document approved by the Affirmative Action Division.

Estimated Spending Authority

Department	FY09	Out Years	Total
Police	\$225,000.00	\$1,025,000.00	\$1,250,000.00

REQUIRED AUTHORIZATION

Finance Department:

Other Authorization:

Other Authorization:

MT

280



CITY OF HOUSTON

Finance & Administration Department
Strategic Purchasing Division (SPD)

Interoffice

Correspondence

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

From: Douglas Moore

Date: January 15, 2008

Subject: MWBE Participation Form

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

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

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

If requesting a revision, how many solicitations were received: _____

Solicitation Number: S29-T22741 Estimated Dollar Amount: \$500,000.00

Anticipated Advertisement Date: 1/25/2008 Solicitation Due Date: 2/15/2008

Goal On Last Contract: 0% Was Goal met: Yes No

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

Name and Intent of this Solicitation:
Forensic DNA Consulting Services

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

The M/WBE goal should be waived for the Forensic DNA Consulting Services proposal. The requested services require that each individual consultant be certified by the National DNA Index System as an approved user from an accredited American Society of Crime Laboratory Directors (ASCLD-LAB) lab. The selected individual will be approved by the FBI, due to the chain of custody for the DNA results is crucial and are admissible in court. To conclude, due to each consultant being independently analyzed to perform the required services, there are no opportunities for subcontracting the services to both M/WBE subs nor Non-M/WBE subs. Therefore, a zero 0% M/WBE goal is being requested.

Concurrence:

Douglas Moore
SPD Initiator

[Signature]
Division Manager

Robert Gallegos
Robert Gallegos, Deputy Assistant Director
*Affirmative Action

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

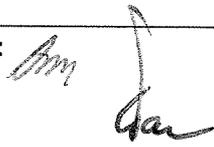
* Signature is required, if the request is for zero percent MWBE participation, or to revise the MWBE goal.

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Lease Agreement between the City of Houston and Becker Industries, Inc. – George Bush Intercontinental Airport/Houston (IAH)	Category #	Page 1 of 2	Agenda Item # 27
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FROM (Department or other point of origin): Houston Airport System	Origination Date September 10, 2008	Agenda Date OCT 01 2008
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DIRECTOR'S SIGNATURE: 	Council District affected: B
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For additional information contact: Janet Schafer  Phone: 281/233-1796 James Valenta Phone: 281/233-1828	Date and identification of prior authorizing Council action:
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AMOUNT & SOURCE OF FUNDING: Revenue 	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 Becker Industries, Inc., for approximately 3.32 acres of land (144,828 square feet), being Lots 5, 6, 7, 8, 10, and 12, Wooded Acres Subdivision and approximately 2.09 acres of land (91,313 square feet), being Lots 17, 19, and Tract 21A, Wooded Acres Subdivision, Harris County, Texas near George Bush Intercontinental Airport/Houston (IAH).

SPECIFIC EXPLANATION:

Under the August 2000 Record of Decision for George Bush Intercontinental Airport/Houston (IAH) the Federal Aviation Administration (FAA) mandated the Houston Airport System (HAS) to acquire certain residential properties exposed to increased noise levels and to relocate impacted residents. With the residential acquisition and relocation program completed, Federal regulations now obligate HAS to expeditiously dispose of unneeded noise mitigation properties to reimburse the federal share of the Airport and Airway Trust Fund used to purchase the properties. The federal requirements are reflected in Grant Assurance 31 and FAA's Program Guidance Letter 08-02.

To comply with the aforementioned federal requirements, HAS requests the approval of a lease agreement between the City of Houston and Becker Industries, Inc., for nine (9) former residential parcels of land that are not abutting or adjacent to IAH. These parcels of land and remaining non-residential improvements have no airport use and will be used as part of Becker Industries, Inc.'s neighboring business. The proposed use of the property is compatible with airport operations and other neighborhood commercial activities.

REQUIRED AUTHORIZATION		
Finance Department	Other Authorization:	Other Authorization:

Date September 10, 2008	Subject: Lease Agreement between the City of Houston and Becker Industries, Inc. – George Bush Intercontinental Airport/Houston (IAH)	Originator's Initials	Page 2 of 2
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The pertinent terms and conditions of the Lease Agreement are as follows:

- Leased Premises:** A total of approximately 5.41 acres (236,141 square feet) of land with non-residential improvements.
- Term:** Thirty (30) years from the date of countersignature by the City Controller unless sooner terminated in accordance with the Lease.
- Options:** None
- Rent:** \$28,405.20 annually (\$2,367.10 monthly) with 15% increases at the end of each five (5) years of the term, being an amount based on the value of the property as determined by professional appraisers under contract with the City.
- Lease Security:** \$4,734.20 in the form of a cash deposit, cashier's check, performance bond, or an irrevocable Letter of Credit.
- Indemnification and Insurance:** Becker Industries, Inc. shall indemnify and hold the City harmless and shall provide the required insurance in the limits as stated in the Lease.

RMV:JLS:JAV

Attachments

- cc: Ms. Marty Stein
 Mr. Anthony W. Hall, Jr.
 Mr. Arturo G. Michel
 Mr. Richard M. Vacar
 Mr. David K. Arthur
 Ms. Monica R. Newhouse
 Mr. Charles Wall
 Ms. Janet Schafer
 Ms. Kathy Elek
 Mr. Aleks Mraovic
 Mr. James Valenta

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Contract for Professional Consulting Services with Carter & Burgess, Inc. for an Electrical Power Distribution System Evaluation for the Houston Airport System (HAS); Project No. 634 (WBS # A-000557-0001-3-01).		Category # # 9	Page 1 of 2	Agenda Item # 28
FROM (Department or other point of origin): Houston Airport System		Origination Date September 2, 2008	Agenda Date OCT 01 2008	
DIRECTOR'S SIGNATURE: <i>[Handwritten Signature]</i>		Council District affected: B, E, & I		
For additional information contact: Eric R. Potts <i>[Handwritten Initials]</i> Phone: 281-233-1999 Adil Godiwalla <i>[Handwritten Initials]</i> Phone: 281-233-1934		Date and identification of prior authorizing Council action: None		
AMOUNT & SOURCE OF FUNDING: CIP No. A-0557.01/03/04.2 \$1,922,000.00 Airports Improvement Fund (8011) <i>[Handwritten Initials]</i>		Prior appropriations: None		
RECOMMENDATION: (Summary) Enact an ordinance to approve a Contract for Professional Consulting Services with Carter & Burgess, Inc. and appropriate the necessary funds to finance the cost of these services.				
SPECIFIC EXPLANATION: A Contract for Professional Consulting Services has been prepared with Carter & Burgess, Inc. for an Electrical Power Distribution System Evaluation for the Houston Airport System (HAS). Carter & Burgess, Inc. will evaluate and modify existing emergency power requirements for terminals and airfields, and perform miscellaneous electrical engineering design services at George Bush Intercontinental Airport/Houston (IAH), William P. Hobby Airport (HOU) and Ellington Field (EFD). The professional engineering services to be provided by Carter & Burgess, Inc. include: <ul style="list-style-type: none">• Field Investigation and Consolidated One-line Diagram Preparation (IAH, HOU and EFD).• Electrical Studies - Report (IAH, HOU and EFD).• IT Infrastructure Evaluation (IAH, HOU and EFD).• Design for Terminal A and B Electrical Vault Replacement (IAH).• Mapping of Existing Normal, Standby, and Utility Electrical Systems.• Assistance with Bidding and Negotiation.• Construction Administration. The contract term is 18 months. The total amount to be appropriated is \$1,922,000.00.				
REQUIRED AUTHORIZATION NDT				
Finance Department:		Other Authorization:		Other Authorization:

Date September 2, 2008	Subject: Contract for Professional Consulting Services with Carter & Burgess, Inc. for an Electrical Power Distribution System Evaluation for the Houston Airport System (HAS); Project No. 634 (WBS # A-000557-0001-3-01).	Originator's Initials RN	Page 2 of 2
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M/WBE Participation:

The Minority and Women Business Enterprise (M/WBE) goal for this project is twenty-one percent (21%) and will be met by the following certified firm:

Firm	Type of Work	Amount	% of Contract
4B Technology Group, L.L.C.	Computer Systems Design Consulting Services	\$ 403,620.00	21.00 %
	Total	\$ <u>403,620.00</u>	<u>21.00 %</u>

RMV: ERP: AG: RN: JDW

- cc:
- Ms. Marty Stein
 - Ms. Monica Newhouse
 - Mr. Anthony W. Hall, Jr.
 - Mr. Frank D. Crouch
 - Mr. Arturo G. Michel
 - Ms. Ellen Erenbaum
 - Ms. Velma Laws
 - Ms. Kathy Elek
 - Mr. Richard M. Vacar
 - Mr. Aleks Mraovic
 - Mr. Eric R. Potts
 - Ms. Roxanne Butler
 - Ms. Marlene McClinton
 - Mr. Dave Arthur
 - Mr. J. Goodwille Pierre
 - Mr. John Silva
 - Ms. Janice D. Woods
 - Mr. Adil Godiwalla

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Purchase and Sale Agreement between Webster and Barbara Beavers (Seller) and the City of Houston (Purchaser) for the purchase of 12,780 square feet of land and a 3,392 square foot building, more or less, more commonly known as 6401 E. Tidwell Road, for the Houston Parks and Recreation Department. WBS#: F-000723-0001-2		Page 1 of 1	Agenda Item 30
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FROM (Department or other point of origin): General Services Department	Origination Date 9-25-08	Agenda Date OCT 01 2008
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DIRECTOR'S SIGNATURE: <i>Issa Z. Dadoush</i> 9/8/08 Issa Z. Dadoush, P.E.	Council District affected: B
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For additional information contact: Jacquelyn L. Nisby <i>JLN</i> Phone: 832-393-8023	Date and identification of prior authorizing council action:
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RECOMMENDATION: Approve a Purchase and Sale Agreement between Webster and Barbara Beavers (Seller) and the City of Houston (Purchaser) for the purchase of land and a building at 6401 E. Tidwell Road for the Houston Parks and Recreation Department, and appropriate funds.

Amount and Source Of Funding: \$151,881.50 Equipment Acquisition Consolidated Fund (1800)	Finance Budget: <i>Michelle Mitchell</i>
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SPECIFIC EXPLANATION: The General Services Department recommends that City Council approve a Purchase and Sale Agreement with Webster and Barbara Beavers to purchase 12,780 square feet of land and a 3,392 square foot building located at 6401 E. Tidwell Road for a purchase price of \$150,000.00, for the Parks and Recreation Department (PARD). PARD will use the land for additional storage for its sports equipment, program supplies for after school and summer camp programs, craft supplies, and seasonal activity supplies.

The following is a breakout of expected costs:

\$150,000.00	Purchase Price
\$ 1,881.50	Closing Costs
\$151,881.50	TOTAL

IZD:BC:JLN:FA:fa

xc: Marty Stein, Anna Russell, Jacquelyn L. Nisby, Mark Ross, Lisa Johnson

REQUIRED AUTHORIZATION

CUIC ID# 25 FA 15

General Services Department:
Forest R. Christy, Jr.
Forest R. Christy, Jr., Director
Real Estate Division

REQUIRED AUTHORIZATION

Parks and Recreation Department:
Joe Turner
Joe Turner
Director

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: First Amendment to Construction Manager at Risk Contract
Gilbane Building Company
Renovation to the Parks and Recreation Department Campus
and Park
WBS No: F-0504D1-0002-4

Page
1 of 2

Agenda
Item

31

FROM (Department or other point of origin):

General Services Department

Origination Date

9.23.08

Agenda Date

OCT 01 2008

DIRECTOR'S SIGNATURE:

Issa Z. Dadoush, P. E.

Issa Z. Dadoush 9/15/08

Council Districts affected: |

For additional information contact:

Jacquelyn L. Nisby *JLN* Phone: 832-393-8023

Date and identification of prior
authorizing Council action:

Ordinance No. 2008-102; February 6, 2008

RECOMMENDATION: Approve First Amendment to the Construction Manager at Risk contract and appropriate funds for construction.

Amount and Source of Funding:

\$2,198,815.00 Parks Consolidated Construction Fund (4502)

\$8,000,000.00 General Improvement Consolidated Construction Fund (4509)

\$10,198,815.00 Total Appropriation

Finance Budget:

Tom P. Merrill - FOR MICHELLE MITCHELL (DIRECTOR)

Previous Funding:

\$170,000.00 Parks Consolidated Construction Fund (4502)

SPECIFIC EXPLANATION: The General Services Department (GSD) recommends that City Council approve a First Amendment to the Construction Manager at Risk (CMAR) contract with Gilbane Building Company to delegate authority to the director of GSD to approve the Guaranteed Maximum Price (GMP) proposal, and appropriate funds for renovations to the Gragg Building for the Parks and Recreation Department.

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

PROJECT DESCRIPTION: The scope of work consists of renovations to the Gragg Building, to include new interior partitions, finishes, lighting, mechanical, electrical, plumbing, HVAC, roof and life safety systems, in addition to site work, which will include parking lots, associated sidewalks and improvements to the main drainage channel. The design of the Gragg Building will incorporate LEED™ (Leadership in Energy & Environmental Design) credits to achieve a Certified Level.

PREVIOUS HISTORY AND PROJECT SCOPE: On February 6, 2008, City Council awarded a CMAR contract to Gilbane Building Company to provide pre-construction and construction phase services for the Renovation to the Parks and Recreation Department Campus and Park, and appropriated funds for pre-construction phase services, which included budgetary estimating, constructability and material selection.

The anticipated contract duration for this project is 385 calendar days. The design consultant for this project is Harrison Kornberg Architects.

NDT

REQUIRED AUTHORIZATION

CUIC ID # 25PARK48

General Services Department:

Parks and Recreation Department:

Humberto Bautista

Humberto Bautista
Chief of Design & Construction Division

Joe Turner

Joe Turner
Director

Date	SUBJECT: First Amendment to Construction Manager at Risk Contract Gilbane Building Company Renovation to the Parks and Recreation Department Campus and Park WBS No: F-0504D1-0002-4	Originator's Initials SNL	Page 2 of 2
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FUNDING SUMMARY: It is recommended that City Council appropriate funds for construction phase services, including an additional appropriation of \$17,000.00 for engineering and testing services under the existing contract with Paradigm Consultants, Inc.

\$ 9,538,000.00	Construction Phase Services
\$ 476,900.00	5% Contingency
\$ 10,014,900.00	Total Contract Services
\$ 17,000.00	Engineering Testing
\$ 166,915.00	Civic Art (1.75%)
\$ 10,198,815.00	Total Funding

CONSTRUCTION GOALS: An MBE goal of 15%, SBE goal of 5%, and WBE goal of 7% have been established for the construction phase of this contract. The construction manager will submit the list of proposed certified sub-contractors with the issuance of each GMP proposal.

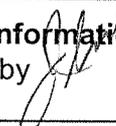

IZD:HB:JLN:LJ;SNL:sl

c: Marty Stein, Velma Laws, Mark Ross, Jacquelyn Nisby, Lisa Johnson, Joseph Kurian, Gabriel Mussio, Webb Mitchell, Sydney Igleheart, Project File

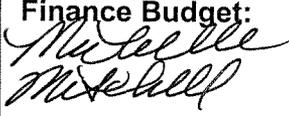
SUBJECT: First Amendment to Construction Contract Eagle Construction and Environmental Services, L.P. Underground Fuel Storage Tank Removal Kelley Light Vehicle Maintenance Facility WBS No. L-000052-0002-4	Page 1 of 1	Agenda Item 32
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FROM (Department or other point of origin): General Services Department	Origination Date 9/25/08	Agenda Date OCT 01 2008
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DIRECTOR'S SIGNATURE: Issa Z. Dadoush, P.E.  9/2/08	Council District affected: B
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For additional information contact: Jacquelyn L. Nisby  Phone: 832-393-8023	Date and identification of prior authorizing Council action: Ordinance 2008-0539; Dated June 18, 2008
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RECOMMENDATION: Approve First Amendment to Construction Contract and appropriate additional funds for the project.

Amount and Source of Funding: \$26,771.00 Solid Waste Consolidated Construction Fund (4503)	Finance Budget: 
Previous Funding: \$86,318.00 Solid Waste Consolidated Construction Fund (4503)	

SPECIFIC EXPLANATION: The General Services Department recommends that City Council approve a First Amendment to the construction contract with Eagle Construction and Environmental Services, L.P. to increase the director's authority to approve Change Orders up to 43.7% of the original contract price. During excavation and removal of the underground storage tanks, the following unforeseen conditions were discovered, which will exceed the original 5% contingency.

- Due to larger tank pit size than anticipated, additional contaminated soil, gravel and concrete pavement had to be saw-cut and excavated.
- Disposal of additional fuel and contaminated liquids due to rising groundwater in the tankhold pit.

PROJECT LOCATION: 5703 Eastex Freeway, Houston, Texas (Key Map 454-S)

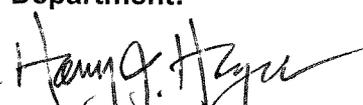
PREVIOUS HISTORY AND PROJECT DESCRIPTION: On June 18, 2008, City Council awarded a construction contract to Eagle Construction and Environmental Services, L.P. to provide construction services at the Kelley Light Vehicle Maintenance Facility for the Solid Waste Management Department. The scope of work consists of removing one 10,000 gallon gasoline underground storage tank (UST), one 10,000 gallon diesel UST and one 550 gallon waste oil UST along with associated lines, observation wells, manholes and ancillary equipment. The work also includes saw-cutting, demolition and removal of concrete paving over the USTs, off-site disposal of concrete, backfilling and compaction, waste classification, loading, hauling and proper disposal.

JZD:HB:JLN:GM:FK:fk

c: Marty Stein, Jacquelyn L. Nisby, Velma Laws, Webb Mitchell, Gary Readore, Gabriel Mussio, File

REQUIRED AUTHORIZATION

CUIC ID # 25GM174

General Services Department:  Humberto Bautista Chief of Design and Construction Division	Other Authorization:	Solid Waste Management Department:  Harry J. Hayes, Director
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Underground Fuel Storage Tank Removal Kelley Light Vehicle Maintenance Facility

5703 Eastex Freeway
Houston, Texas

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Award Construction Contract AAA Asphalt Paving, Inc Police Academy Running Track WBS No. G-HPD002-0001-4	Page 1 of 2	Agenda Item 33
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FROM (Department or other point of origin): General Services Department	Origination Date 9-19-08	Agenda Date OCT 01 2008
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DIRECTOR'S SIGNATURE: Issa Z. Dadoush, P.E. <i>[Signature]</i> 8/11/08	Council District(s) affected: B
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For additional information contact: Jacquelyn L. Nisby <i>[Signature]</i> Phone: 832-393-8023	Date and identification of prior authorizing Council action:
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RECOMMENDATION: Award construction contract and **allocate** funds for the project.

Amount and Source of Funding: \$517,000.00—Police Special Services Fund (2201)	Finance Budget: <i>[Signature]</i>
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SPECIFIC EXPLANATION: The General Services Department recommends that City Council award a construction contract to AAA Asphalt Paving, Inc. on its low bid amount of \$477,000.00 for construction services in connection with a new Running Track at the Police Academy for the Houston Police Department.

PROJECT LOCATION: 17000 Aldine Westfield (373H)

PROJECT DESCRIPTION: The project involves construction of a new paving surface for the Police Academy running track. The existing running track is over 20 years of age and has exceeded its life cycle.

The contract duration for this project is 120 days. Natex Corporation Architects is the design consultant.

BIDS: The following three bids were received on May 22, 2008:

<u>Bidder</u>	<u>Bid Amount</u>
1. AAA Asphalt Paving, Inc.	\$477,000.00
2. Jerdon, Enterprise, L.C.	\$544,444.44
3. Resicom, Inc.	\$626,000.00

REQUIRED AUTHORIZATION		CUIC ID# 25CONS62
General Services Department: <i>[Signature]</i> Humberto Bautista Chief of Design & Construction Division		Houston Police Department: <i>[Signature]</i> <i>[Signature]</i> Harold L. Hurtt Chief of Police

Date	Subject: Award Construction Contract AAA Asphalt Paving, Inc. Police Academy Running Track WBS No. G-HPD002-0001-4	Originator's Initials MT	Page 2 of 2
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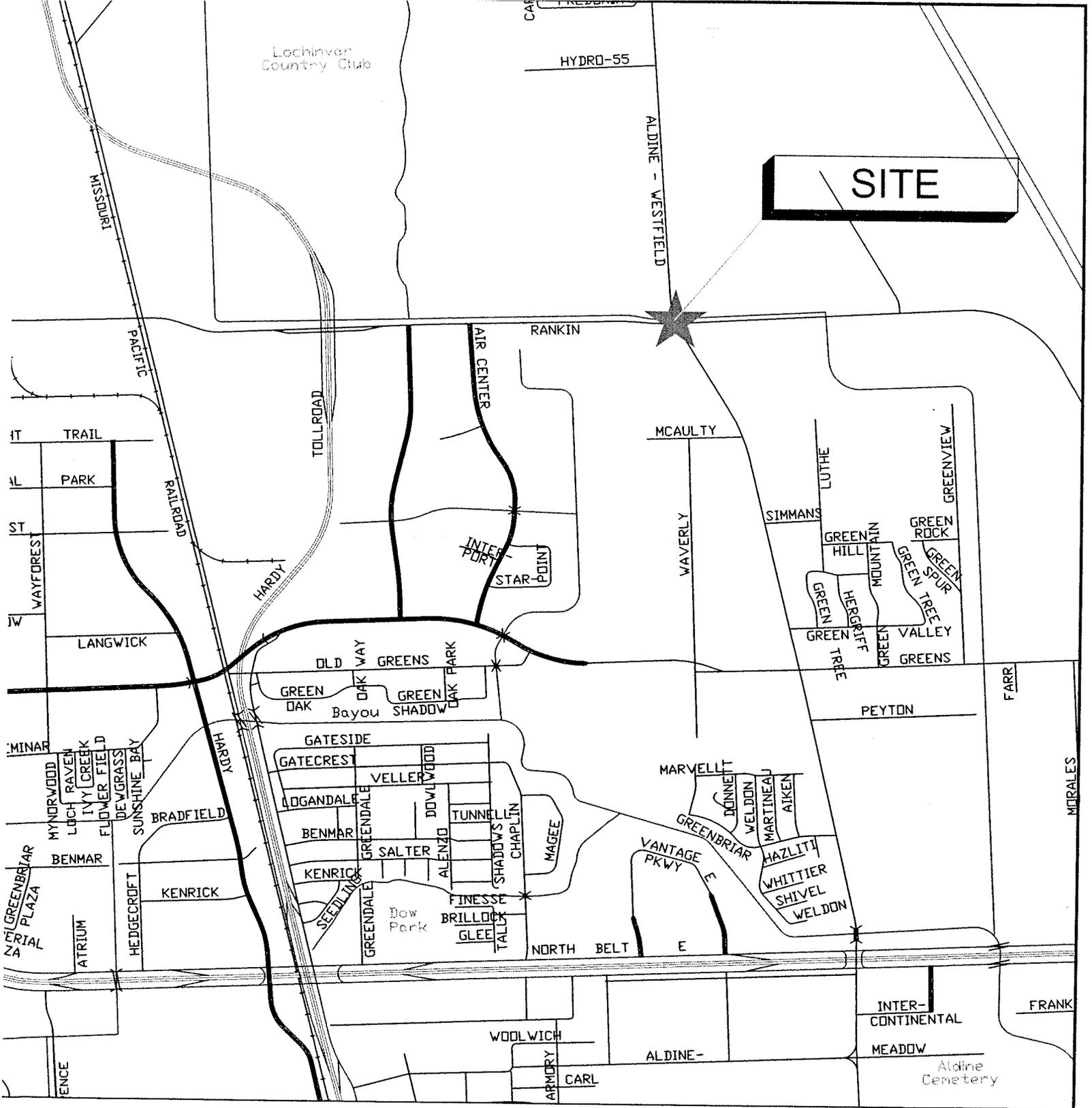
AWARD: It is recommended that City Council award the construction contract to AAA Asphalt Paving, Inc. and **allocate** funds for the project, including an additional **allocation of** \$16,150.00 for engineering and materials testing services under the existing contract with DAE & Associates, Ltd., d/b/a Geotech Engineering, Inc.

FUNDING SUMMARY:

\$ 477,000.00	Construction Contract
\$ <u>23,850.00</u>	5% Contingency
\$ 500,850.00	Total Contract Services
\$ <u>16,150.00</u>	Engineering/Materials Testing
\$ 517,000.00	Total Allocation

IZD:JLN:PG:HB:RAV;MT:ps

c: Marty Stein, Kirk Munden, Jacquelyn Nisby, Webb Mitchell, Gabriel Mussio, Project File



Award Construction Contract
Police Academy Running Track
17000 Aldine Westfield, Houston TX

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Appropriate \$100 million out of the Combined Utility System (CUS) General Purpose Fund and transfer to the Water & Sewer System Consolidated Construction Fund for payment of ongoing CUS CIP project expenditures; and authorize reimbursement of these capital expenditures to the CUS General Purpose Fund out of bond or commercial paper proceeds.	Page 1 of 1	Agenda Item # 34
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FROM (Department or other point of origin): Department of Public Works and Engineering	Origination Date 9/26/08	Agenda Date OCT 01 2008
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DIRECTOR'S SIGNATURE:  Michael Marcotte, P.E., DEE Director, Department of Public Works and Engineering	Council District affected: All
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For additional information contact: Susan Bandy Phone: 713-837-0282 Deputy Director - PWE	Date and identification of prior authorizing Council action:
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RECOMMENDATION: (Summary)
 Approve an Ordinance authorizing the temporary use of funds from the CUS General Purpose Fund to pay for CUS CIP projects, appropriating the funds, and authorizing the reimbursement of these capital expenditures to the CUS General Purpose Fund out of future commercial paper or bond proceeds.

AMOUNT AND SOURCE OF FUNDING:
 \$100 Million – Combined Utility System General Purpose Fund No. 8305

The CUS water & sewer CIP expenditures are funded via CUS Commercial Paper Notes, Series A. As a direct consequence of the worldwide credit/financial market turmoil, on September 22, 2008 the commercial paper note interest rate quote was 9.5% per annum. This 9.5% interest rate quotation compares to the most recent rates of around 2% per annum. The CUS annual CIP is \$275 million, all of which is funded using commercial paper that is periodically converted to bonds. On \$100 million of this amount, the CUS would be paying approximately \$625,000 per month more with a 9.5% interest rate than we are paying currently. Netting out the amount that would have been gained from interest by having \$100 million in the CUS General Purpose Fund (currently earning ~3.8% per annum), the CUS still saves over \$300,000 per month over what we would have paid before the commercial paper interest rates dramatically increased.

The proposed short-term solution is for the CUS to use cash reserves in the CUS General Purpose Fund and temporarily transfer funds to the CUS Construction Fund to pay construction expenditures until the per annum interest rate for the CUS Commercial Paper Notes falls to an acceptable level. This action provides that CUS General Purpose Fund monies transferred to the Water & Sewer System Consolidated Construction Fund (amount not to exceed \$100 million) be reimbursable from Commercial paper notes or bond proceeds at a later time. The CUS General Purpose Fund must be reimbursed prior to fiscal year 2009 year end.

All member of the City's Financial Working Group support this solution.

The City's CUS Financial Working Group Includes: The City Controllers Office, the Finance Department, PWE Department the CUS Financial Advisors, and the CUS Bond Counsel.

MSM:SB:KB
 c: Marty Stein

REQUIRED AUTHORIZATION **CUIC#SB19**

Department of Finance Budget: Michelle Mitchell 	Other Authorization:	Other Authorization:
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TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

Subject: Approve an Amending Ordinance to Increase the Maximum Contract Spending Authority for Radio Automated Meter Reading System (AMR) Contract with Itron, Inc. for Public Works & Engineering Department. S-000956-0002-5	Category 1,4 & 5	Page 1 of 1	Agenda Item 35
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FROM (Department or other point of origin): Michael S. Marcotte, P.E., DEE Director Public Works and Engineering Department	Origination Date 09/04/08	Agenda Date OCT 01 2008
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DIRECTOR'S SIGNATURE:  9/26/08	Council District affected: All
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For additional information contact: David Guernsey Phone: (713) 238-5241	Date and Identification of prior authorizing Council action: Ord. #98-0575, Ord. #01-1181 Ord. #03-0581, Ord. #06-1071
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RECOMMENDATION: (Summary)
Approve an amending ordinance increasing the maximum contract spending authority from \$46,992,750.00 to \$50,492,750.00 for the Radio Automated Meter Reading System (AMR) with Itron, Inc. for Public Works & Engineering Department and allocating funds.

Spending Authority Increase: \$3,500,000.00	F&A Budget:  9/23/08
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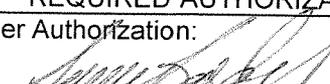
SOURCE OF FUNDING: 8305 Combined Utility System General Purpose Fund

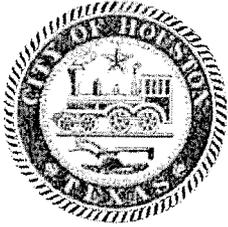
SPECIFIC EXPLANATION:
The Public Works and Engineering Department recommends that City Council approve an ordinance authorizing an increase in spending authority from \$46,992,750.00 to \$50,492,750.00 under the contract with Itron, Inc. for Radio Automated Meter Reading System Encoder, Receiver, Transmitter (ERT) modules for the Public Works & Engineering Department. The meter reading system is composed of a meter including a register and the ERT. It is important to note that the City's water meters have consistently over time functioned as designed to record water usage accurately.

On July 15, 1998, City Council awarded by Ordinance No. 98-575, a five year contract in the amount of \$25,510,709.00. Ordinance No. 01-1181 increased the spending authority to \$31,454,629.00. Ordinance No. 03-581 increased the spending authority to \$42,004,629.00 and extended the term from August 19, 2003 to August 18, 2008. Ordinance No. 06-1071 increased the spending authority to \$46,992,750.00 and extended the contract term to August 17, 2009. Total expenditures to date including pending deliveries are \$46,674,187.42.

The amending ordinance will provide the final installment schedule to complete the correction phase of the ERT upgrade/change-out project to ensure a maintainable automated meter reading system. The third contract amendment focused on replacing 121,000 known non-responsive 1st generation ERT modules out of the approximately 440,000 ERT modules currently in use. During the upgrade/change-out project it was estimated that an additional 85,000 2nd generation ERT modules were non-responsive and would have to be replaced. With the original warranty of only one year plus two months for installation lag time, PWE was responsible for the material and labor cost associated with removal and replacement of all non-responsive ERTs. However, since Houston was the first large city to install an inground automatic metering system and because of some of the issues we have encountered with the first two generations of the ERTs, Itron Inc. agreed to provide most of the labor for the replacement of 183,000 ERT modules. The City of Houston will provide labor to replace the remaining 23,000 ERT modules. In addition to providing installation labor, Itron Inc. has discounted the unit price of the modules from approximately \$64 to \$41.15 and provided a twenty year warranty on the new modules. During the project Itron also provided manual meter reading services at no additional cost to the City resulting in a net savings on labor, equipment and materials of over \$11.5 million. It is requested that City Council approve an increase in spending authority in the amount of \$3,500,000.00 to meet the projected completion date/contract end date of August 2009.

This contract was awarded with a 0.6% M/WBE participation level and the contractor is currently achieving 0.24%. The Affirmative Action Division has determined that the contractor has used the MWBE firm to the fullest extent possible on this contract.

REQUIRED AUTHORIZATION		20KFL28	NDT
Finance Department:	Other Authorization: 	Other Authorization:	



CITY OF HOUSTON

Office of the Mayor

Interoffice

Correspondence
Affirmative Action and
Contract Compliance
Division

To: Karen LeBack
Assistant Director
Public Works & Engineering

From: Velma Laws
Director

A handwritten signature in black ink, appearing to read "Velma Laws", written over the printed name.

Date: September 4, 2008

Subject: **Purchase and Installation of an
Automated Meter Reading System
OA Number 460007289/C39273**

I am approving the Good Faith Efforts for Itron Incorporated on the above-referenced contract. Itron achieved .24% on a .6% goal. Historically, this contract has had a zero goal. However, we recognized an opportunity for a delivery firm. The MWBE firm was used to the fullest extent possible on this contract. Although .6% may seem like a minimal goal, the total contract value is \$45,011,155. The .24% achieved represents a significant amount of work for a small business.

If you have any questions or need any additional information, please contact Robert Gallegos at 713.837.9005 or via e-mail at robert.gallegos@cityofhouston.net.

09/08:06

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Contract Award for Neighborhood Street Reconstruction (NSR) 455.
WBS No. N-000387-0001-4; S-000500-0069-4; R-000500-0069-4.

Page
1 of 2

Agenda Item #

36

FROM: (Department or other point of origin):

Department of Public Works and Engineering

Origination Date:

9/18/08

Agenda Date:

OCT 01 2008

DIRECTOR'S SIGNATURE:

Michael S. Marcotte, P.E., DEE

Council District affected:

D

MD

For additional information contact:

Reid K. Mrsny, P.E. Phone: (713) 837-0452
Senior Assistant Director

Date and identification of prior authorizing Council action:

RECOMMENDATION: (Summary)

Accept low bid, award construction Contract and appropriate funds.

Amount and Source of Funding:

\$6,805,850.00 Street & Bridge Consolidated Construction Fund No. 4506
\$ 934,150.00 Water & Sewer System Consolidated Construction Fund No. 8500
\$7,740,000.00 Total Cost

PROJECT NOTICE/JUSTIFICATION: This project is part of the Neighborhood Street Reconstruction Program and is required to improve the condition of residential streets in addition to enhancing the quality of life in the neighborhood.

DESCRIPTION/SCOPE: This project consists of neighborhood street reconstruction. The proposed improvements will consist of concrete roadway with curbs, sidewalks and underground utilities as required. The Contract duration for this project is 450 calendar days. This project was designed by Huitt-Zollars, Inc.

LOCATION: The streets included in NSR 455 are listed below.

Street	Limits	Key Map Grid	District
Bonnie Brae	Graustark to Mt. Vernon	493W	D
Bonnie Brae	Mandell to Yupon	492Z, 493W	D
Bonnie Brae	Dunlavy to Mandell	492Z	D
Castle Court	Dunlavy to Graustark	492Z, 493W	D
Dunlavy	US 59 to Richmond	492Z	D
Graustark	US 59 to Richmond	493W	D
Lexington	Woodhead to the dead-end	492Z	D
Lexington	Hazard to Woodhead	492Z	D
Main, West	Yoakum to Montrose	493S	D
Mandell	US 59 to Richmond	492Z	D
Norfolk	Dunlavy to Mandell	492Z	D
Sul Ross	Woodhead to the dead-end	492V	D
Sul Ross	Driscoll to Woodhead	492V	D
Yupon	US 59 to Richmond	493W	D
Miramar	Graustark to Mt. Vernon	493W	D
Mt. Vernon	Miramar to US 59	493W	D

BIDS: Bids were received on May 1, 2008. The eight (8) bids are as follows:

Bidder	Bid Amount
1. Total Contracting Limited	\$6,588,489.00
2. Conrad Construction Co., Ltd.	\$6,982,239.90
3. Metro City Construction	\$7,368,916.86
4. Texas Sterling Construction Co.	\$7,378,414.00
5. Angel Brothers Ent., Ltd.	\$7,399,320.50
6. Reytec Construction Resources, Inc.	\$7,938,502.50
7. Pace Services, LP	\$8,222,127.75
8. Triple B Services, LLP	\$10,222,536.20

REQUIRED AUTHORIZATION

CUIC ID #20MXB04

Finance Department

FOR MICHELLE MITCHELL

Other Authorization:

Other Authorization:

NOT

AWARD: It is recommended that this construction contract be awarded to Total Contracting Limited with a low bid of \$6,588,489.00 and that Addendum Number 1 be made a part of this Contract.

PROJECT COST: The total cost of this project is \$7,740,000.00 to be appropriated as follows:

•	Bid Amount	\$6,588,489.00
•	Contingencies	\$ 329,425.00
•	Engineering and Testing Services	\$ 210,000.00
•	Project Management	\$ 132,086.00
•	Construction Management	\$ 480,000.00

Engineering and Testing Services will be provided by The Murillo Company under a previously approved contract.

Construction Management Services will be provided by Infrastructure Associates, Inc. under a previously approved contract.

M/WBE PARTICIPATION: The low bidder has submitted the following proposed program to satisfy the 14% MBE goal, 5% WBE goal and 3% SBE goal for this project.

<u>MBE - Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
1. Bedo Construction Products, Inc	Construction Supplies, Hardware/Materials	\$ 600,000.00	9.11%
2. J. A. Gamez, Trucking Services	Trucking Services	\$ 175,000.00	2.65%
3. Two Way Barricade Equipment Sale and Rental	Traffic Control Flagman, Stripping	\$ 286,600.00	4.35%
TOTAL		\$1,061,600.00	16.11%

<u>WBE - Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
1. Vikki's Service & Supply	Service Tap Connections For Utility Lines	\$329,425.00	5.00%
TOTAL		\$329,425.00	5.00%

<u>SBE - Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
1. Statewide Tree Services DBA Statewide Services	Land Clearing, Tree Removal	\$ 50,000.00	0.76%
2. Reliable Signal & Lighting Solutions, LLC	Traffic Lights/Road Lighting	\$ 50,000.00	0.76%
3. Professional Traffic Control	Sign Making	\$100,000.00	1.52%
TOTAL		\$200,000.00	3.04%

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

S:\design\A-NP-DIVAAA Neighborhood Section Reporting\Board\NSR 455\postbid\RCA 2008 NSR 455 Const.doc

FOS MB
MSM:RKM:FOS:MB:

c: Marty Stein Gary Norman w/attachments
 Susan Bandy Craig Foster
 Velma Laws File No. N-000387-0001-4 (3.7)
 Waynette Chan

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA #

SUBJECT:
Ordinance granting Commercial Solid Waste Operator Franchise

Category #

Page 1 of 1

Agenda Item#

1st Reading

37

FROM: (Department or other point of origin):

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

Origination Date

September 23, 2008

Agenda Date

OCT 01 2008

DIRECTOR'S SIGNATURE:

Council Districts affected:

ALL

For additional information contact:

Juan Olguin Phone: (713) 837- 9623
Nikki Cooper Phone: (713) 837-9889

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

RECOMMENDATION: (Summary)

Approve ordinance granting Commercial Solid Waste Operator Franchise

Amount of Funding:
REVENUE

F & A Budget:

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

SPECIFIC EXPLANATION:

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

1. Safety Kleen, Inc.

The proposed ordinance grants the Franchisee the right to use the City's public ways for the purpose of collecting, hauling or transporting solid or industrial waste from commercial properties located within the City of Houston. In consideration for this grant, 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 terms expire on December 31, 2013.

REQUIRED AUTHORIZATION

Finance Director:

38

SEP 30 2008

MOTION NO. 2008

MOTION by Council Member Khan that the recommendation of the Director of the Department of Public Works and Engineering, for approval of final contract amount and acceptance of work on contract with D. L. Elliott Enterprises, Inc., for 12/16/20-inch Service Upgrades and Grid Extensions in the Greater Greenspoint Area, WBS No. S-000900-00A4-4, be adopted, and the final contract amount of \$1,432,000.41 is hereby approved by the City Council and the work be accepted and final payment is hereby authorized.

Seconded by Council Member Green

Council Member Jones absent on personal business

On 9/24/08 the above motion was tagged by Council Member Johnson.

cr

O: Mayor via City Secretary REQUEST FOR COUNCIL ACTION

SUBJECT: Appropriate Additional Funds and Accept Work for 12/16/20-inch Service Upgrades and Grid Extensions in the Greater Greenspoint Area.

WBS No. S-000900-00A4-4.

Page 1 of 2 **38** Agenda Item # ~~7A~~

FROM (Department or other point of origin):

Department of Public Works and Engineering

Origination Date **9/18/08** Agenda Date ~~SEP 24 2008~~ **SEP 30 2008**

DIRECTOR'S SIGNATURE:

Michael S. Marcotte
Michael S. Marcotte, P.E., DEE, Director

Council Districts affected: **B**

For additional information contact:

J. Timothy Lincoln, P.E.
Senior Assistant Director

Phone: (713) 837-7074

Date and Identification of prior authorizing Council Action:
Ord. #2005-683 dated 06/01/2005

RECOMMENDATION: (Summary) Approve an ordinance appropriating an additional \$58,825.11. Adopt a motion approving the final Contract Amount of \$1,432,000.41, accepting the Work and authorizing the final payment.

Amount and Source of Funding: Additional appropriation of \$58,825.11 from the Water and Sewer System Consolidated Construction Fund, Fund No. 8500. Original appropriation of \$1,497,600.00 for construction and contingencies from Water and Sewer System Consolidated Construction Fund, Fund No. 755.

Finance Department:

Michelle McDowell

PROJECT NOTICE/JUSTIFICATION: This project was part of the Surface Water Transmission Program (SWTP) and it will help the City meet groundwater well withdrawal criteria mandated by the Harris/Galveston Coastal Subside District (HGCSA) and water quality parameters issued by the United States Environmental Protection Agency (USEPA).

DESCRIPTION/SCOPE: The project consisted of 5,973 linear feet of 12 and 16-inch water lines, valves, and appurtenances in the Greater Greenspoint Area. Lockwood, Andrews & Newnam, Inc. designed the project with 150 calendar days allowed for construction. The project was awarded to D.L. Elliott Enterprises, Inc. with an original Contract Amount of \$1,307,786.00.

LOCATION: The project area is located across West Greens Road at Northborough and 925' East of Northborough; across IH-45 at Glenborough Drive; along La Fonda and Cotillion from La Jolla to FM 525 (Aldine Bender); along Easements from 200 Plaza Verde Drive to Beltway 8; along West Road from Sweetwater to Airline Drive. The project is located in the Key Map Grids 372-Q & U, 373-W, and 412-D.

The requested appropriation of \$58,825.11 will cover the overrun costs for Bid Item No. 19, "12-inch Water Line by Open Cut" and Bid Item No. 22, "12-inch Steel Water Line at aerial crossing". These items exceeded their original budgeted amounts due to underestimation in the design phase. As the original scope of work did not change, no formal change order is required.

CONTRACT COMPLETION AND COST: D.L. Elliott Enterprises has completed the Work under subject Contract. The project was completed within the Contract Time with 233 additional days approved by Change Order Nos. 1, 2, 3, 4, and 6. The final cost of the project, including overrun and underrun of estimated bid quantities, and Change Order Nos. 1 through 6 is \$1,432,000.41, an increase of \$124,214.41 or 9.50% over the original Contract Amount.

The increased cost is primarily a result of an overrun in Bid Item No. 19 - 12-inch diameter water line by open cut, Bid Item No. 22- 12-inch diameter Steel water line w/restrained joints at aerial crossing and Bid Item No. 25 -16-inch diameter Steel water line w/restrained joints at aerial crossing, which were necessary to complete the Work.

M/WBE PARTICIPATION: The M/WBE goal for this project was 17%. According to Affirmative Action and Contract Compliance Division, the actual participation was 15.82%. The Contractor achieved a "Satisfactory" rating for the M/WBE Compliance.

NOTE: # 7 ADOPTED 9/24/08

MSM:JTL:AR:DO:mq
S:\E&C Construction\North Sector\CM's\IS-0900-S4 LAN-IS-000900-00A4-4\RCA_CO_No. 7g mqdo4.DOC

C: Velma Laws Michael Ho, P.E. File No. 10448-07-07 - Closeout

REQUIRED AUTHORIZATION

CUIC ID# 20MZQ016

FIN Director:

Other Authorization:

Jeff Taylor
Jeff Taylor, Deputy Director
Public Utilities Division

Other Authorization:

WJ

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: An ordinance amending Ordinance No. 2007-0315 to increase the maximum contract amount of agreement with Hill's Pet Nutrition, Inc. from \$38,625.00 to \$98,625.00 for animal shelter feeding services

Category # 9

Page 1 of 1

Agenda Item

3978

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

Origination Date 7/28/08

Agenda Date ~~SEP 24 2008~~

DIRECTOR'S SIGNATURE:

Stephen L. Williams

Council District affected: ALL SEP 30 2008

For additional information contact: Kathy Barton Telephone: 713-794-9998 ; 713-826-5801

Date and identification of prior authorizing Council action: 3/21/07; 07-0315

RECOMMENDATION: (Summary)

Approval of an ordinance amending Ordinance No. 2007-0315 to increase the maximum contract amount of agreement with Hill's Pet Nutrition, Inc. from \$38,625.00 to \$98,625.00 for animal shelter feeding services

Amount of Funding: New Maximum Contract Amount: \$98,625.000 Total Funding Increase: \$60,000.00 General Fund (1000)

Finance Department:

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

SPECIFIC EXPLANATION:

Ordinance No. 2007-0315 authorized a contract with Hill's Pet Nutrition, Inc. to provide pet food products, free of charge, to the Houston Department of Health and Human Services' (HDHHS) Bureau of Animal Regulation and Care (BARC) with HDHHS being responsible for the shipping costs. HDHHS' request for an increase to the maximum contract amount is due to an increase in shipping rates since the effective date of the contract, which was March 21, 2007.

HDHHS requests that Council approve an ordinance amending the maximum amount of the contract with Hill's Pet Nutrition, Inc. for the continued provision of pet food for the animals being cared for at BARC.

cc: Finance Department
Legal Department
Agenda Director

REQUIRED AUTHORIZATION

Finance Department

Other Authorization:

Other Authorization:

SUBJECT: An ordinance approving the Applications and budget submissions to the Department of State Health Services, (DSHS) for various public health services in the City of Houston	Category # 9	Page 1 of 1	Agenda Item 4020
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FROM (Department or other point of origin): Houston Department of Health and Human Services	Origination Date 8/26/08	Agenda Date SEP 24 2008
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DIRECTOR'S SIGNATURE: <i>Stephen Williams</i>	Council District affected: ALL SEP 30 2008
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For additional information contact: Kathy Barton Telephone: 713-794-9998 ; 713-826-5801	Date and identification of prior authorizing Council action: 8-22-01; 01-0790, 9-4-02; 02-0833, 8-13-03; 03-0747, 8-31-04; 04-0907, 9-14-05; 05-1063, 09-06-06; 06-925, 8-15-07
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RECOMMENDATION: (Summary)
Approval of an ordinance for the applications and budget submissions to the Department of State Health Services for various public health services in the City

Amount of Funding: Total Project Cost: \$17,644,397.00 Federal State Local – Pass Through Fund (5030)	Finance Department:
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SOURCE OF FUNDING: [] General Fund [X] Grant Fund [] Enterprise Fund [] Other (Specify)

SPECIFIC EXPLANATION:
The Houston Department of Health and Human Services (HDHHS) requests City Council approval of the FY 9 applications and budget submissions to the Department of State Health Services (DSHS) for the City's Tuberculosis Control, Titles V, XX & X for Family Planning Services, Immunization Program, and the Bureau of Nutritional Services (WIC program). The period of performance for programs except WIC is September 1, 2008 through August 31, 2009. The period of performance for the WIC program is October 1, 2008 through September 30, 2009.

HDHHS requests City Council authorize the Director of HDHHS to: 1) accept the initial funding of the applicable Contract Change Notices(s) and expend approved funding as soon as awarded; and 2) accept supplemental awards offered by DSHS during this budget year.

Tuberculosis Control **\$4,813,867.00**
Funding from DSHS will continue to provide Directly Observed Therapy (DOT) services for tuberculosis treatment and prevention and expanded outreach services throughout the City of Houston.

Titles V, XX & X – Family Planning Services **\$1,677,100.00**
Funding from DSHS will provide preventative clinic services. These services support family planning at seven community-based health centers.

Immunization Program **\$706,530.00**
Funding from DSHS will support the administration of the HDHHS' Project Milestone which utilized navigators to serve as parent coaches at various City operated WIC sites. The navigators provide information to the parent/guardian about Project Milestone and the importance of bringing their child's immunization record to each WIC visit. The parent is given a needs assessment, and participants are given incentives at immunization milestones to encourage continued participation. The funding will also be used to continue ImmTrac (immunization database) outreach.

Bureau of Nutritional Services (WIC) **\$10,446,900.00**
Funding from DSHS will serve an average of 80,000 WIC participants per month. Immunization screenings are provided to all WIC clients in 18 WIC sites.

cc: Finance Department
Legal Department
Agenda Director

REQUIRED AUTHORIZATION		
Finance Department	Other Authorization:	Other Authorization: