



BILL WHITE
MAYOR

OFFICE OF THE MAYOR
CITY OF HOUSTON
TEXAS

1
MAY 28 2008

COPY TO EACH MEMBER OF COUNCIL:

CITY SECRETARY: 5-9-08

DATE

COUNCIL MEMBER: _____

May 8, 2008

The Honorable City Council
City of Houston

Dear Council Members:

Pursuant to Chapter 331 of the Texas Tax Code and City of Houston Ordinance 97-1589, I am nominating the following individuals for appointment or reappointment to Reinvestment Zone Number Ten, City of Houston, Texas (Lake Houston) Board of Directors, subject to Council confirmation:

Mr. Mike Byers, II, appointment to Position One, for a term to expire December 31, 2009;

Mr. Collin A. Rose, appointment to Position Two, for a term to expire December 31, 2008;

Mr. Joseph L. Stunja, reappointment to Position Three, for a term to expire December 31, 2009 and to serve as Chair for a term ending December 31, 2008;

Mr. Douglas E. "Ed" Dormer, appointment to Position Four, for a term to expire December 31, 2008; and

Mr. Stanley J. Sarman, appointment to Position Five, for a term to expire December 31, 2009.

The résumés of the nominees are attached for your review.

Sincerely,

A handwritten signature in cursive script that reads "Bill White".

Bill White
Mayor

BW/CC/jsk

Attachments

cc: Mr. Robert Fiederlein, special assistant to the mayor for TIRZs





BILL WHITE
MAYOR

OFFICE OF THE MAYOR
CITY OF HOUSTON
TEXAS

2
MAY 28 2008

2 LETTERS
COPY TO EACH MEMBER OF COUNCIL:
CITY SECRETARY: 5-9-08
DATE
COUNCIL MEMBER: _____

May 8, 2008

The Honorable City Council
City of Houston

Dear Council Members:

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

Mr. Mike Byers, II, appointment to Position One, for a term to expire December 31, 2009;
Mr. Collin A. Rose, appointment to Position Two, for a term to expire December 31, 2008;
Mr. Joseph L. Stunja, reappointment to Position Three, for a term to expire December 31, 2009 and to serve as Chair for a term ending December 31, 2008;
Mr. Douglas E. "Ed" Dormer, appointment to Position Four, for a term to expire December 31, 2008; and
Mr. Stanley J. Sarman, appointment to Position Five, for a term to expire December 31, 2009.

The résumés of the nominees are attached for your review.

Sincerely,

Bill White

Bill White
Mayor

BW/CC/jsk

Attachments

cc: Mr. Robert Fiederlein, special assistant to the mayor for TIRZs



BILL WHITE
MAYOR

OFFICE OF THE MAYOR
CITY OF HOUSTON
TEXAS

3
MAY 28 2008

COPY TO THE CITY COUNCIL
CITY CLERK
COUNCIL MEMBER
5-2-08
DATE

May 1, 2008

The Honorable City Council
City of Houston

Dear Council Members:

Pursuant to Texas Local Government Code, Chapter 143, Article Va of the City Charter, and Chapter 14 of the Code of Ordinances, I am appointing Mr. Dwayne L. Mason to Position Two on the Civil Service Commission for Municipal Employees of the City of Houston and on the Firefighters' and Police Officers' Civil Service Commission, subject to the confirmation of City Council, to fill an unexpired term ending June 14, 2009.

The résumé of the appointee is attached for your review.

Sincerely,

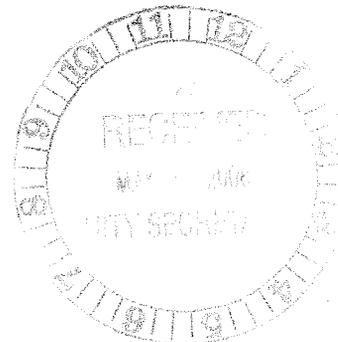
Handwritten signature of Bill White in cursive.

Bill White
Mayor

BW:CC:jsk

Attachments

cc: Ms. Candy Aldridge, acting director, Human Resources



SUBJECT: Dedication Plaque New Fire Station 8 WBS No. C-000149-0002-4		Page 1 of 1	Agenda Item 4
FROM (Department or other point of origin): General Services Department		Origination Date 5-14-08	Agenda Date MAY 28 2008
DIRECTOR'S SIGNATURE Issa Z. Dadoush, P.E. 		Council District(s) affected: 1	
For additional information contact: Jacquelyn L. Nisby  Phone: (832) 393-8023		Date and identification of prior authorizing Council action: Motion No. 83-2736, October 5, 1983 Ordinance No. 2005-0101, February 02, 2005 Ordinance No. 2006-0593, June 07, 2006	
RECOMMENDATION: Approve computer image for dedication plaque.			
Amount and Source Of Funding: No Additional Funding Required.			Finance Budget:
SPECIFIC DESCRIPTION: The General Services Department recommends that City Council pass a motion to approve a computer image for a dedication plaque (copy attached) for the New Fire Station 8.			
PROJECT LOCATION: New Fire Station 8 1919 Louisiana (493Q)			
PROJECT DESCRIPTION: The project involves construction of a 22,789 square foot new Fire Station 8. The scope of work includes living accommodations for 25 firefighters, an eight bay apparatus room, EMT areas, kitchen and lounge, locker rooms, and related parking.			
REPRESENTATION: The plaque identifies the City of Houston elected officials and department heads who served when the project commenced as well as the individuals serving in those positions at the completion of the project.			
IZD:JLN:PJG:MCP:JW:jw			
Attachment			
c: Marty Stein, Issa Z. Dadoush, P.E., Jacquelyn L. Nisby, Jack Williams, File			
REQUIRED AUTHORIZATION			CUIC# 25CONS41
General Services Department::  Phil Golembiewski, P.E. Chief of Design & Construction Division	Other Authorization:	Houston Fire Department:  Phil Boriskie Chief	

FIRE STATION 8 CITY OF HOUSTON

**2005
BILL WHITE, MAYOR**

**2008
BILL WHITE, MAYOR**

DISTRICT COUNCIL MEMBERS

TONI LAWRENCE	DISTRICT A
CAROL MIMS GALLOWAY	DISTRICT B
MARK GOLDBERG	DISTRICT C
ADA EDWARDS	DISTRICT D
ADDIE WISEMAN	DISTRICT E
M.J. KHAN, P.E.	DISTRICT F
PAM HOLM	DISTRICT G
ADRIAN GARCIA	DISTRICT H
CAROL ALVARADO	DISTRICT I

DISTRICT COUNCIL MEMBERS

TONI LAWRENCE	DISTRICT A
JARVIS JOHNSON	DISTRICT B
ANNE CLUTTERBUCK	DISTRICT C
WANDA ADAMS	DISTRICT D
MIKE SULLIVAN	DISTRICT E
M.J. KHAN, P.E.	DISTRICT F
PAM HOLM	DISTRICT G
ADRIAN GARCIA	DISTRICT H
JAMES G. RODRIGUEZ	DISTRICT I

COUNCIL MEMBERS AT LARGE

MARK ELLIS	POSITION 1
GORDON QUAN	POSITION 2
SHELLEY SEKULA-GIBBS, M.D.	POSITION 3
RONALD C. GREEN	POSITION 4
MICHAEL BERRY	POSITION 5

COUNCIL MEMBERS AT LARGE

PETER BROWN	POSITION 1
SUE LOVELL	POSITION 2
MELISSA NORIEGA	POSITION 3
RONALD C. GREEN	POSITION 4
JOLANDA "JO" JONES	POSITION 5

ANNISE D. PARKER CONTROLLER

ANNISE D. PARKER CONTROLLER

PHIL BORISKIE, FIRE CHIEF	HOUSTON FIRE DEPARTMENT
ISSA Z. DADOUSH, P.E., DIRECTOR	BUILDING SERVICES DEPARTMENT
PROZIGN, INC.	ARCHITECT

PHIL BORISKIE, FIRE CHIEF	HOUSTON FIRE DEPARTMENT
ISSA Z. DADOUSH, P.E., DIRECTOR	GENERAL SERVICES DEPARTMENT
STATE CONSTRUCTION, L.P.	GENERAL CONTRACTOR

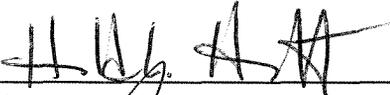
20" X 30"

MULTIPLE PLOT 02

FOR APPROVAL! _____ DATE _____
 PRODUCTION WILL NOT BEGIN UNTIL WE RECEIVE A SIGNED COPY.

SUBJECT TO RE-QUOTING IF NOT APPROVED WITHIN 90 DAYS!
 CHECK THIS DRAWING CAREFULLY! RETURN WITHIN 90 DAYS TO AVOID POSSIBLE CANCELLATION CHARGES. ESPECIALLY CHECK SPELLING & DIMENSIONS. IN APPROVING, BUYER ASSUMES LIABILITY FOR ERRORS NOT CORRECTED.
 THIS DRAWING IS FURNISHED AT THE REQUEST OF THE BUYER FOR HIS CONVENIENCE.

CUSTOMER'S P.O. 024	metallic arts	
	N. 914 LAKE	SPOKANE, WA 99212-1048
DRAWN BY: SIMS	DATE: 1 NOV '07	DRAWING / JOB NO.
CHECKED BY:	SCALE: NONE	136328A SHEET 1
REVISIONS: 1 MAY '08 / TEXT		OF 2
TOLERANCES SHALL BE WITHIN 2% OF SPECIFIED DIMENSIONS		

SUBJECT: Disbursement of court awarded Asset Forfeiture proceeds from joint operations with U.S. Immigration and Customs Enforcement (ICE).		Category # 9	Page 1 of 1	Agenda Item # 5
FROM: (Department or other point of origin): Houston Police Department		Origination Date 5/5/2008		Agenda Date MAY 28 2008
DIRECTOR'S SIGNATURE: Harold L. Hurtt, Chief of Police 		Council Districts affected: All		
For additional information contact: Joseph Fenninger 713 308-1708  5/7/08		Date and identification of prior authorizing Council Action:		
RECOMMENDATION: (Summary) Approval of motion to make disbursement of court awarded proceeds to U.S. Immigration and Customs Enforcement (ICE) resulting of forfeited assets and contraband from joint law enforcement operations.				
SOURCE OF FUNDING <input type="checkbox"/> General Fund <input type="checkbox"/> Grant Fund <input type="checkbox"/> Enterprise Fund			Finance Department Budget:	
<input checked="" type="checkbox"/> Other (Specify) Asset Forfeiture Fund - 2204 \$253,016.94				

SPECIFIC EXPLANATION

Approval from City Council is requested to make disbursement of proceeds from joint law enforcement operations as deemed by the courts. The Houston Police Department is sometimes required to make proportional payment to other agencies of court-awarded asset forfeiture funds. The Houston Police Department's Investigative Divisions such as Narcotics and Vice periodically conduct joint criminal investigative operations with other law enforcement agencies. In the course of these investigations, there may be assets seized under State Forfeiture Law (Chapter 59 of the Texas Penal Code). Under this statute, the courts will award asset forfeiture proceeds to participating agencies, including the Harris County District Attorney's Office. As a lead law enforcement agency, there are times when proceeds for other agencies are paid directly to HPD for proportional disbursement. Currently, HPD is required to make a proportional payment from adjudicated cases of \$253,016.94 to the U.S. Immigration and Customs Enforcement (ICE).

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

REQUIRED AUTHORIZATION

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

TO: Mayor via City Secretary

RCA #

SUBJECT: Designation of residential parking permit areas in various neighborhoods in the City of Houston.

Category #

Page 1 of
16

Agenda Item# 6

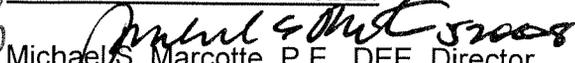
FROM: (Department or other point of origin):
Department of Public Works and Engineering

Origination Date

Agenda Date
MAY 28 2008

April 1, 2008

DIRECTOR'S SIGNATURE:


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

Council Districts affected:

D, H and I

For additional information contact:

Liliana Rambo

Phone: 713-853-8193

Maria Irshad

Phone: 713-853-8270

Date and identification of prior authorizing

Council Action: August 14, 2001

ORD #2001-0759

RECOMMENDATION: (Summary)

That City Council adopt a motion authorizing the designation of five residential parking permit areas in the Super Neighborhoods of the Washington Ave./Memorial Park Coalition, Neartown/Montrose and Afton Oaks/River Oaks Area.

Amount of Funding:

Not Applicable

Finance Budget:

SOURCE OF FUNDING:

General Fund

Grant Fund

Enterprise Fund

Other (Specify)

SPECIFIC EXPLANATION:

Chapter 26, Section 26-311 of the Code of Ordinances provides for the creation of Residential Permit Parking areas in neighborhoods where excessive commuter parking is deemed a problem for residents. To date, 82 permit areas have been designated.

It is recommended that the following five proposed areas be designated residential permit parking areas, where on-street parking at the times of day and days of the week specified in the attachment will require a valid permit. The Public Works & Engineering Department (Parking Management Branch and Traffic Engineering Branch) reviewed the applications. The required public hearing was held on March 6, 2008, and all outstanding issues have been satisfactorily resolved.

The findings and related regulations for the proposed areas are attached.

- 6300 block of Westcott, south side only
- 1600 block of California, south side only
- 1900 block of W. Lamar, both sides
- 1200 block of Bonnie Brae, both sides
- 3200 block of Ella Lee, both sides

The designation will be effective 60 days after passage of the motion, during which time the City will notify residents of on-street parking regulations, post signs and review resident vehicle parking permit applications. Parking Management will issue permits within the permit areas and, after 60 days, enforce the posted parking regulations.

The maps attached show the proposed locations and previously approved areas in the vicinity, if any.

cc: Marty Stein, Agenda Director
Arturo Michel, City Attorney

Richard Smith, Public Works (Traffic Engineering)

REQUIRED AUTHORIZATION

20RXC23A

Finance Director

Other Authorization

Other Authorization



Designation of Residential Parking Permit Areas: Findings

Application 051107-22-114

Permit Area and Restrictions Proposed by Applicant:

6300 Westcott, between Schuler and Coppage, proposed parking restrictions by permit only from 9 a.m. – 2 a.m., Monday through Sunday.

Findings:

Testimony from the Parking Management Branch, approval by the Traffic Engineering Division, and the public at the March 6, 2008 hearing leads the Parking Official to find:

- A parking problem exists between the hours of 6 pm and 2 a.m., Monday through Sunday.
- More than 60 percent of the 7 available parking spots were occupied. More than 25 percent of cars parked curbside were commuter vehicles generated by patrons of a sports bar.
- Excessive commuter parking on the block creates traffic congestion and reduces safety and residential quality.
- Neighborhood support is demonstrated by 58.33% percent of residents (out of 12 households affected) signing the petition in favor of the permit area.
- Designating a parking permit area is the most cost-effective way to resolve the parking problem.

Parking Official Recommendation:

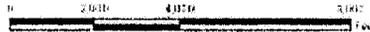
Designate a Residential Parking Permit Area on the south side of the 6300 block of Westcott with regulations requiring a valid residential parking permit to park curbside from 6 p.m. to 2 a.m., Monday through Sunday.

Residential Parking Permit Areas

Legend

-  WASHINGTON AVENUE COALITION / MEMORIAL PARK (SN#22)
-  Existing Areas
-  Proposed Areas

051107-22-114: 6300 Westcott

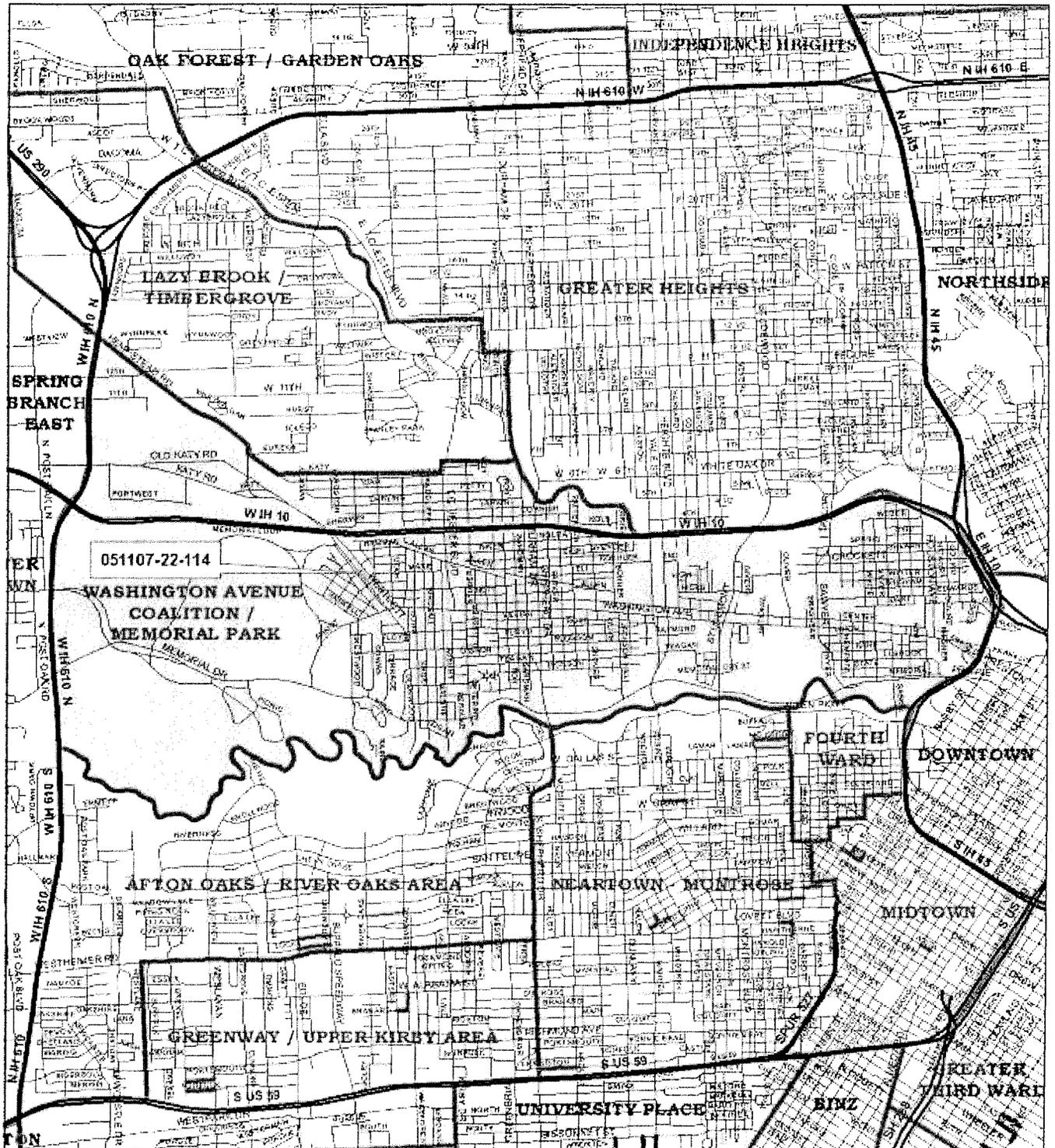


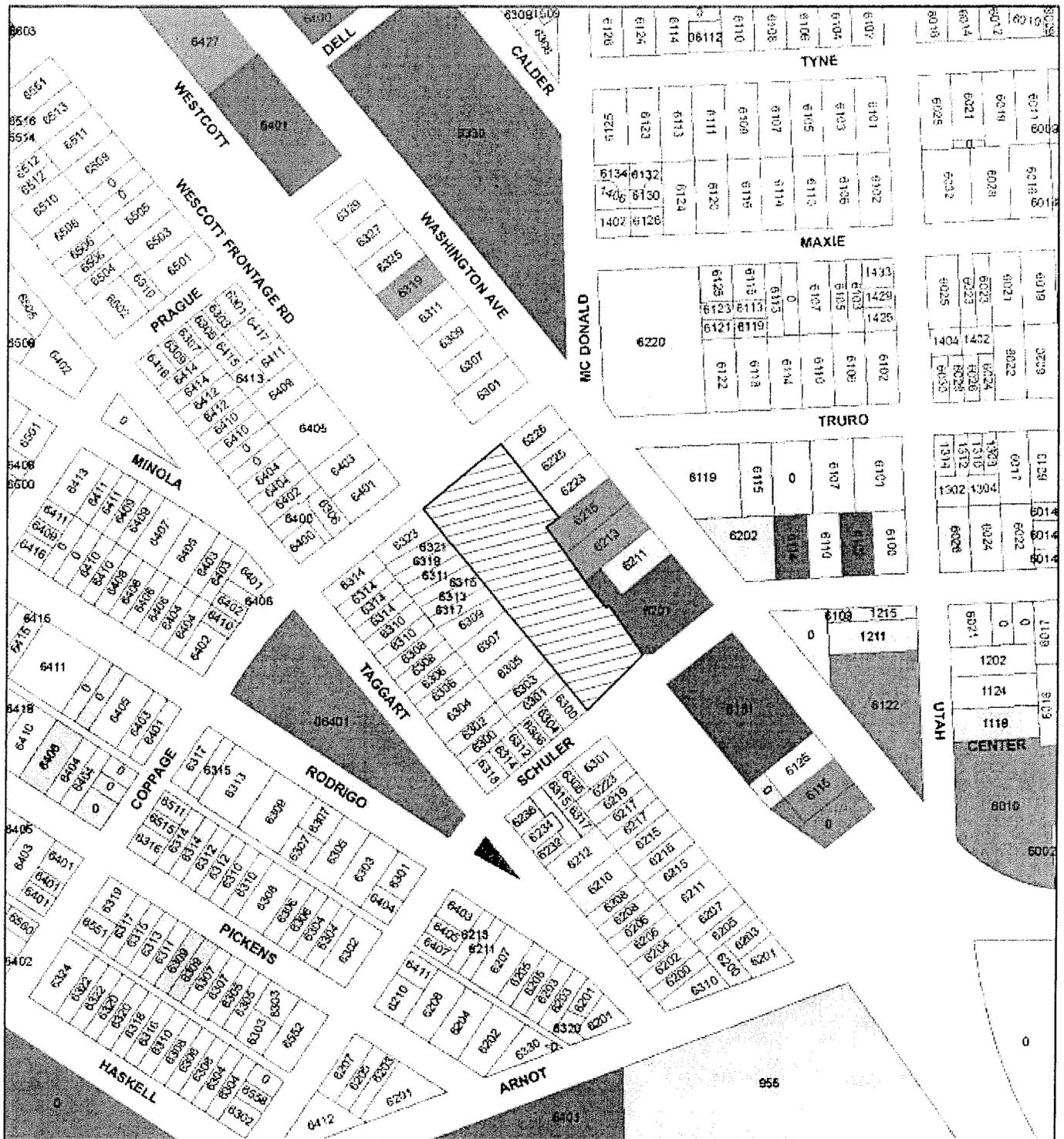
Planning & Development Department
GIS Services Division
Map Date: March 2008



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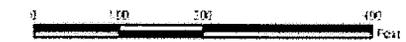


Proposed Residential Parking Permit Area

Application 051107-22-114

6300 Block Of Westcott

City of Houston
 Planning & Development Department
 GIS Services Division
 Map Date: June 2007



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Legend

- Proposed
- Single Family
- Multi-Family
- Commercial
- Office
- Industry
- Public & Institutions
- Transportation & Utilities
- Parks & Open Areas
- Undeveloped
- Agricultural Production
- Open Water
- Other (Mismatched Use/Code)

City of Houston
 6300 Westcott
 pj13558_wstcot



Designation of Residential Parking Permit Areas: Findings

Application 092507-24-120

Permit Area and Restrictions Proposed by Applicant:

1600 California, between Yupon and Windsor, proposed parking restrictions by permit only from 5 p.m. – 5 a.m., Monday through Sunday.

Findings:

Testimony from the Parking Management Branch, approval by the Traffic Engineering Division, and the public at the March 6, 2008 hearing leads the Parking Official to find:

- A parking problem exists between the hours of 5 p.m. and 5 a.m., Monday through Sunday.
- More than 60 percent of the 14 available parking spots were occupied. More than 25 percent of cars parked curbside were commuter vehicles generated by restaurant and bar patrons.
- Excessive commuter parking on the block creates traffic congestion and reduces safety and residential quality.
- Neighborhood support is demonstrated by 100 percent of residents (out of 5 households affected) signing the petition in favor of the permit area.
- The north side of the block is a designated No Parking Tow-Away Zone.
- No oral testimony in opposition was received at the 3/6/2008 hearing.
- Designating a parking permit area is the most cost-effective way to resolve the parking problem.

Parking Official Recommendation:

Designate a Residential Parking Permit Area on the south side of 1600 California with regulations requiring a valid residential parking permit to park curbside from 5 p.m. to 5 a.m., Monday through Sunday.

Residential Parking Permit Areas

Legend

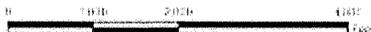
-  NEARTOWN-MONTROSE(SN#24)
-  Existing Areas
-  Proposed Areas



Planning & Development Department
GIS Services Division
Map Date: March 2008

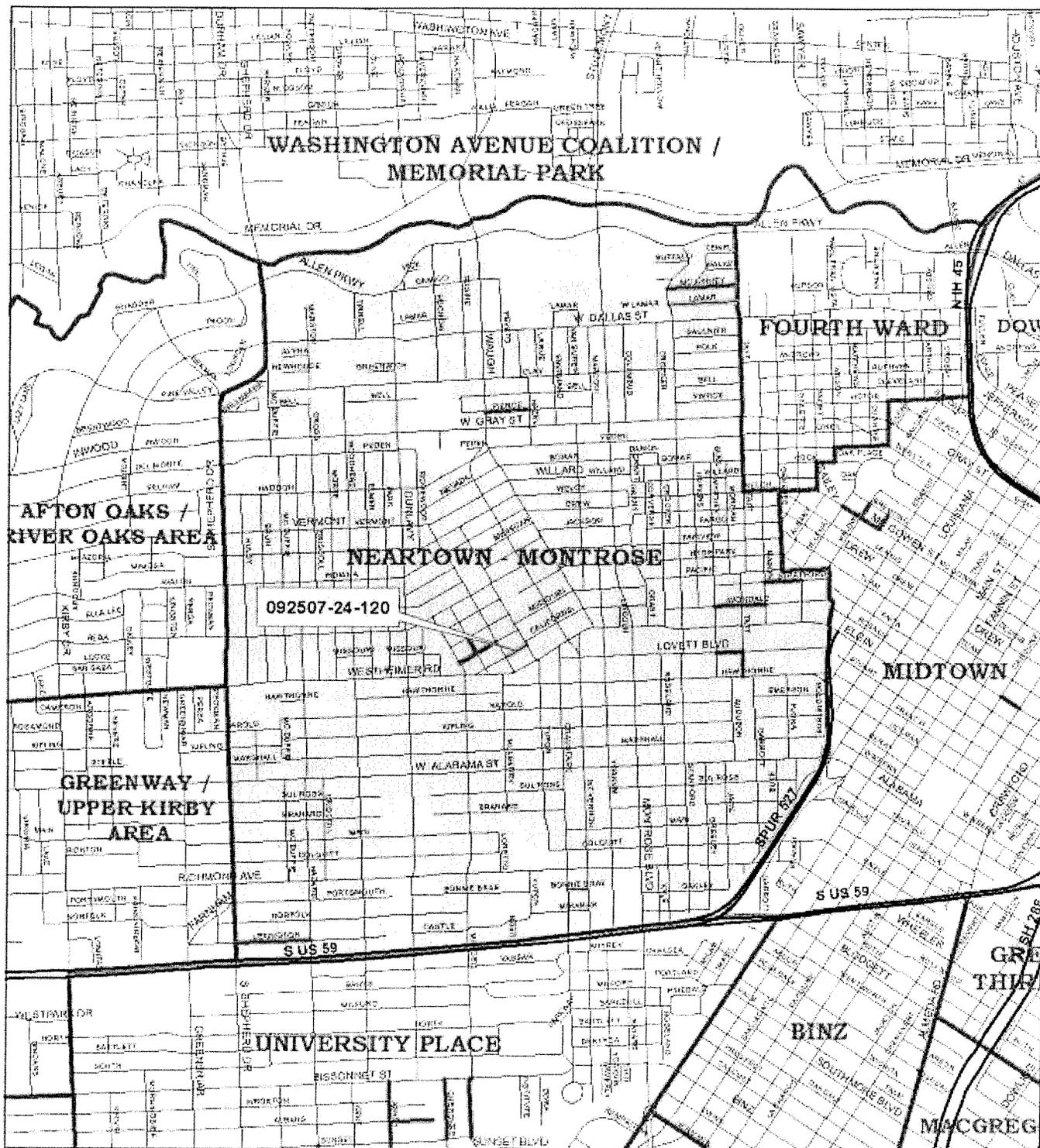


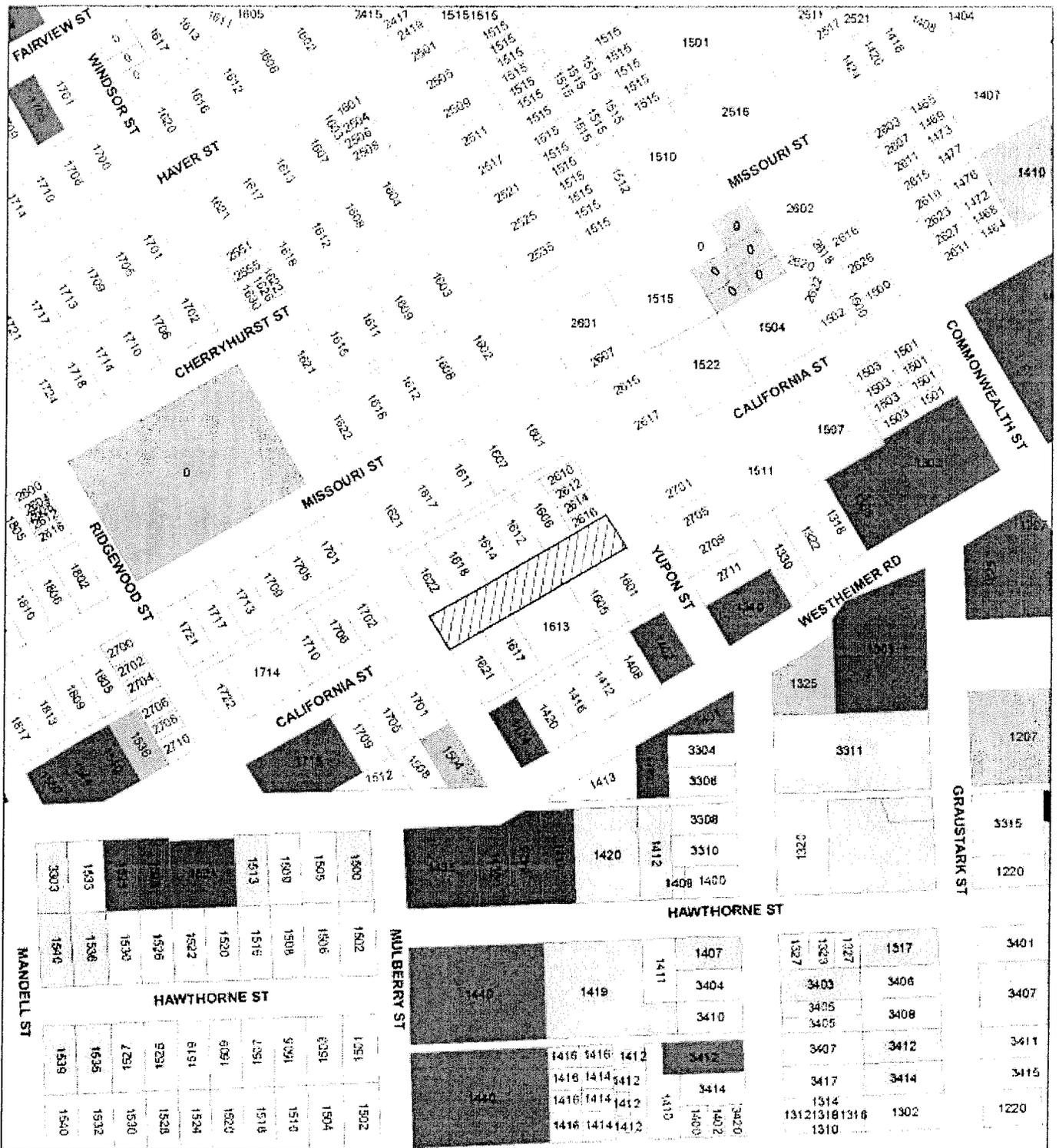
092507-24-120: 1600 CALIFORNIA



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Proposed Residential Parking Permit Area
Application: 092507-24-120
1600 CALIFORNIA

City of Houston
 Planning & Development Department
 GIS Services Division
 Map Date: January 2008

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Legend

- Proposed
- Single-Family
- Multifamily
- Commercial
- Office
- Industrial
- Public & Institutional
- Transportation & Utilities
- Parks & Open Areas
- Undeveloped
- Agriculture/Production
- Unknown

0 100 200 400 Feet

pjt3893_cal

Designation of Residential Parking Permit Areas: Findings

Application 121807-24-124

Permit Area and Restrictions Proposed by Applicant:

1900 W. Lamar, between Stanford and Taft, proposed parking restrictions by permit only from 6 p.m. – 8 a.m., Monday through Sunday.

Findings:

Testimony from the Parking Management Branch, approval by the Traffic Engineering Division, and the public at the March 6, 2008 hearing leads the Parking Official to find:

- A parking problem exists between the hours of 6 p.m. and 8 a.m., Monday through Sunday.
- More than 60 percent of the 34 available parking spots were occupied. More than 25 percent of cars parked curbside were commuter vehicles generated by restaurant patrons and visitors to a nearby apartment complex.
- Excessive commuter parking on the block creates traffic congestion and reduces safety and residential quality.
- Neighborhood support is demonstrated by 74 percent of residents (out of 53 households affected) signing the petition in favor of the permit area.
- Existing parking restrictions include No Parking to Corner signs.
- No oral testimony in opposition was received at the 3/6/2008 hearing.
- Designating a parking permit area is the most cost-effective way to resolve the parking problem.

Parking Official Recommendation:

Designate a Residential Parking Permit Area on the both sides of 1900 W. Lamar with regulations requiring a valid residential parking permit to park curbside from 6 p.m. to 8 a.m., Monday through Sunday.

Residential Parking Permit Areas

Legend

 NEARTOWN-MONTROSE(SN#24)

 Existing Areas

 Proposed Areas

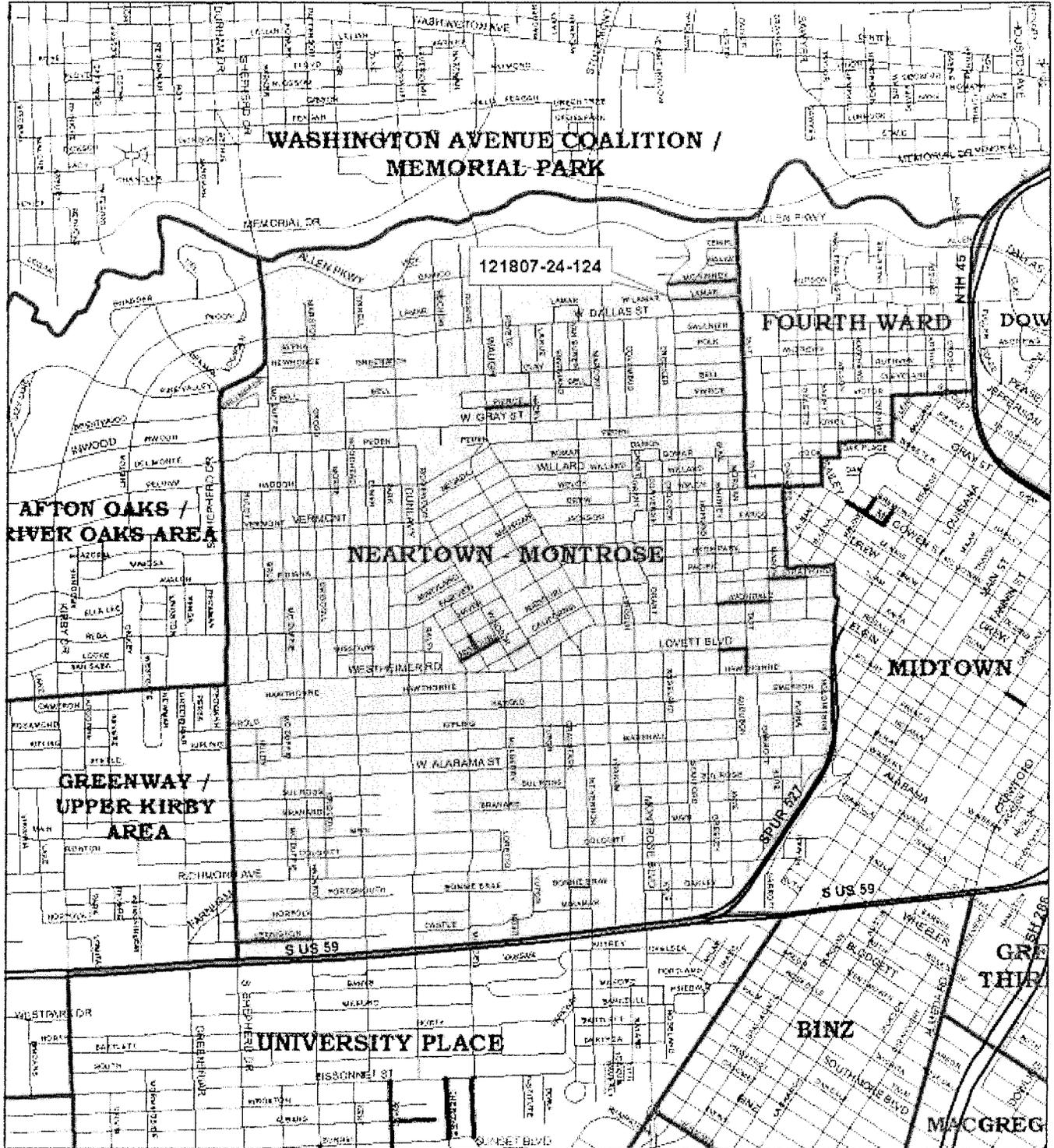
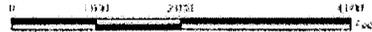
121807-24-124: 1900 W LAMAR

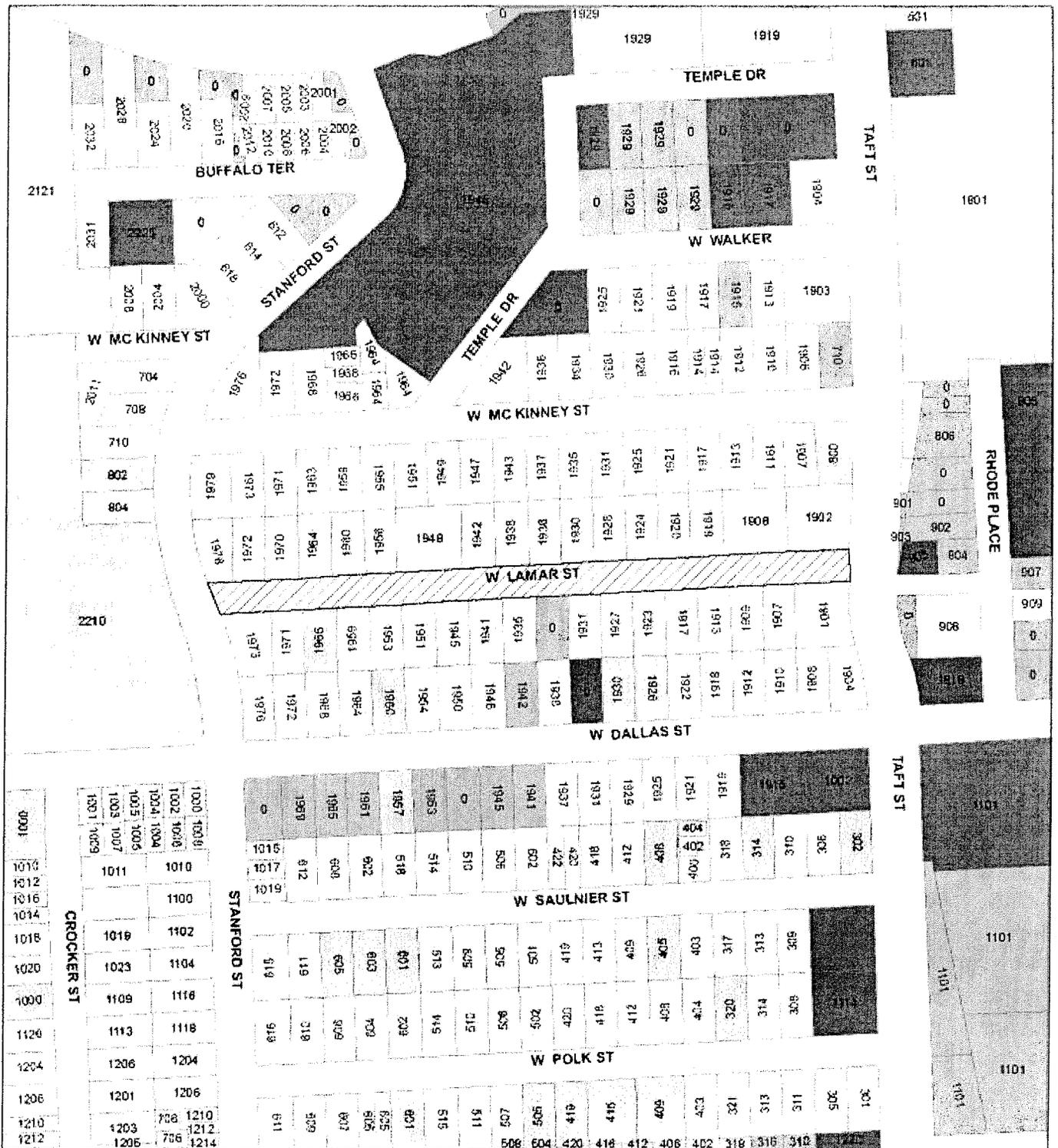


Planning & Development Department
GIS Services Division
Map Date: March 2008



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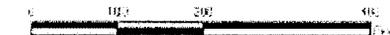


Proposed Residential Parking Permit Area

Application: 121807-24-124

1900 W LAMAR

City of Houston
 Planning & Development Department
 GIS Services Division
 Map Date: January 2008



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Legend

- Single-Family
- Multi-Family
- Commercial
- Office
- Industrial
- Parks & Open Areas
- Transportation & Utilities
- Underdeveloped
- Agricultural Production
- Unknown

121807-24-124
 pj13894_wlamar

Designation of Residential Parking Permit Areas: Findings

Application 010208-24-123

Permit Area and Restrictions Proposed by Applicant:

1200 Bonnie Brae, between Graustark and Mt. Vernon, proposed parking restrictions by permit only from 4 p.m. – 9 a.m. Monday – Friday and 24 hours on Saturday and Sunday.

Findings:

Testimony from the Parking Management Branch, approval by the Traffic Engineering Division, and the public at the March 6, 2008 hearing leads the Parking Official to find:

- A parking problem exists between the hours of 4 p.m. and 7 a.m., Monday through Sunday.
- More than 60 percent of the 17 available parking spots were occupied. More than 25 percent of cars parked curbside were commuter vehicles generated by residents and visitors of a nearby apartment complex and weekend visitors to downtown.
- Excessive commuter parking on the block creates traffic congestion and reduces safety and residential quality.
- Neighborhood support is demonstrated by 100 percent of residents (out of 8 households affected) signing the petition in favor of the permit area.
- Existing parking restrictions include No Parking to Corner on the south side of the block.
- Designating a parking permit area is the most cost-effective way to resolve the parking problem.

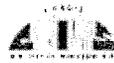
Parking Official Recommendation:

Designate a Residential Parking Permit Area on both sides of the 1200 block of Bonnie Brae with regulations requiring a valid residential parking permit to park curbside from 4 p.m. to 7 a.m., Monday through Sunday.

Residential Parking Permit Areas

Legend

-  NEARTOWN-MONTROSE(SN#24)
 -  Existing Areas
 -  Proposed Areas
- 010208-24-123: 1200 BONNIE BRAE

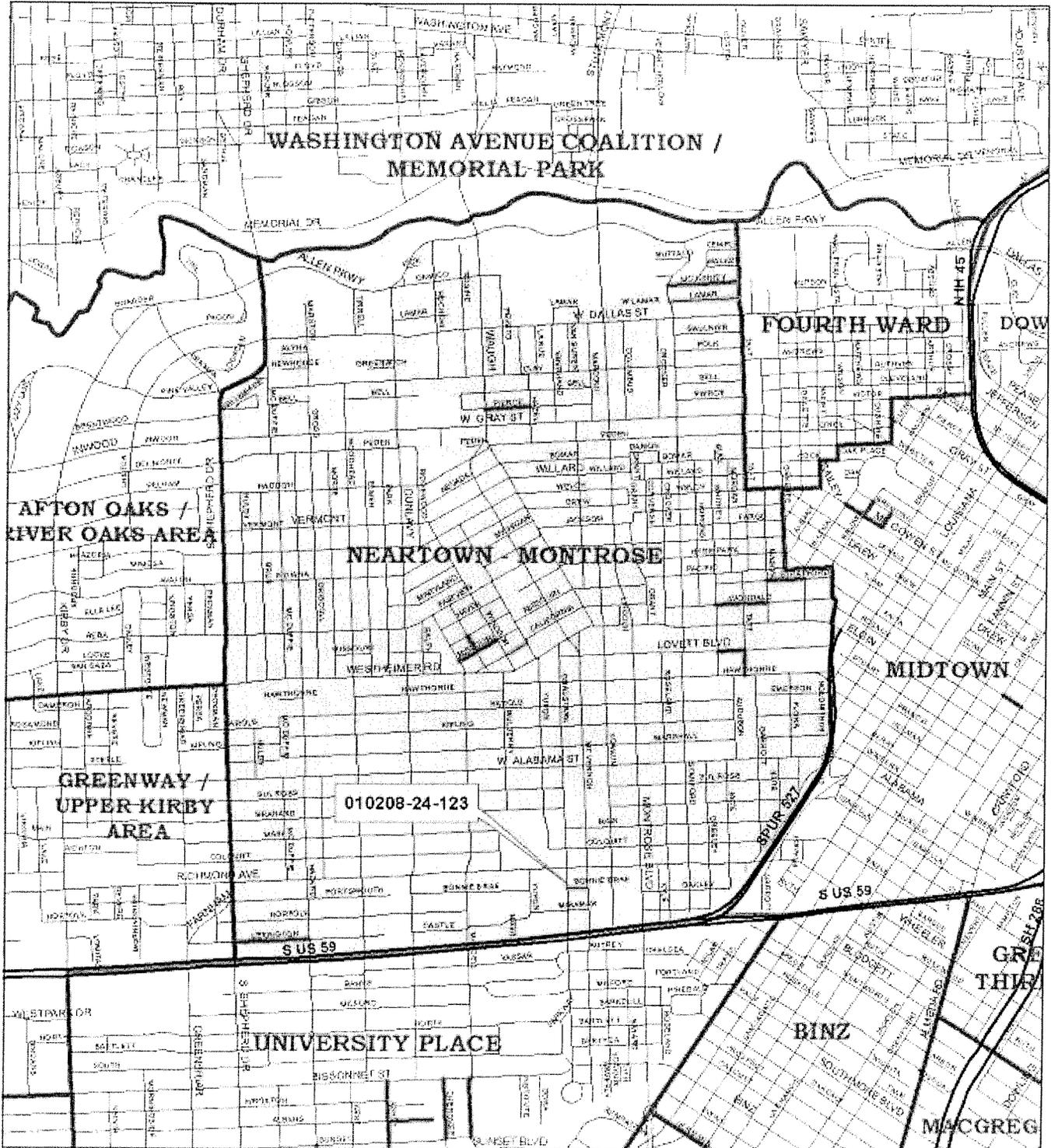
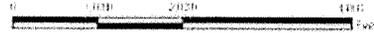


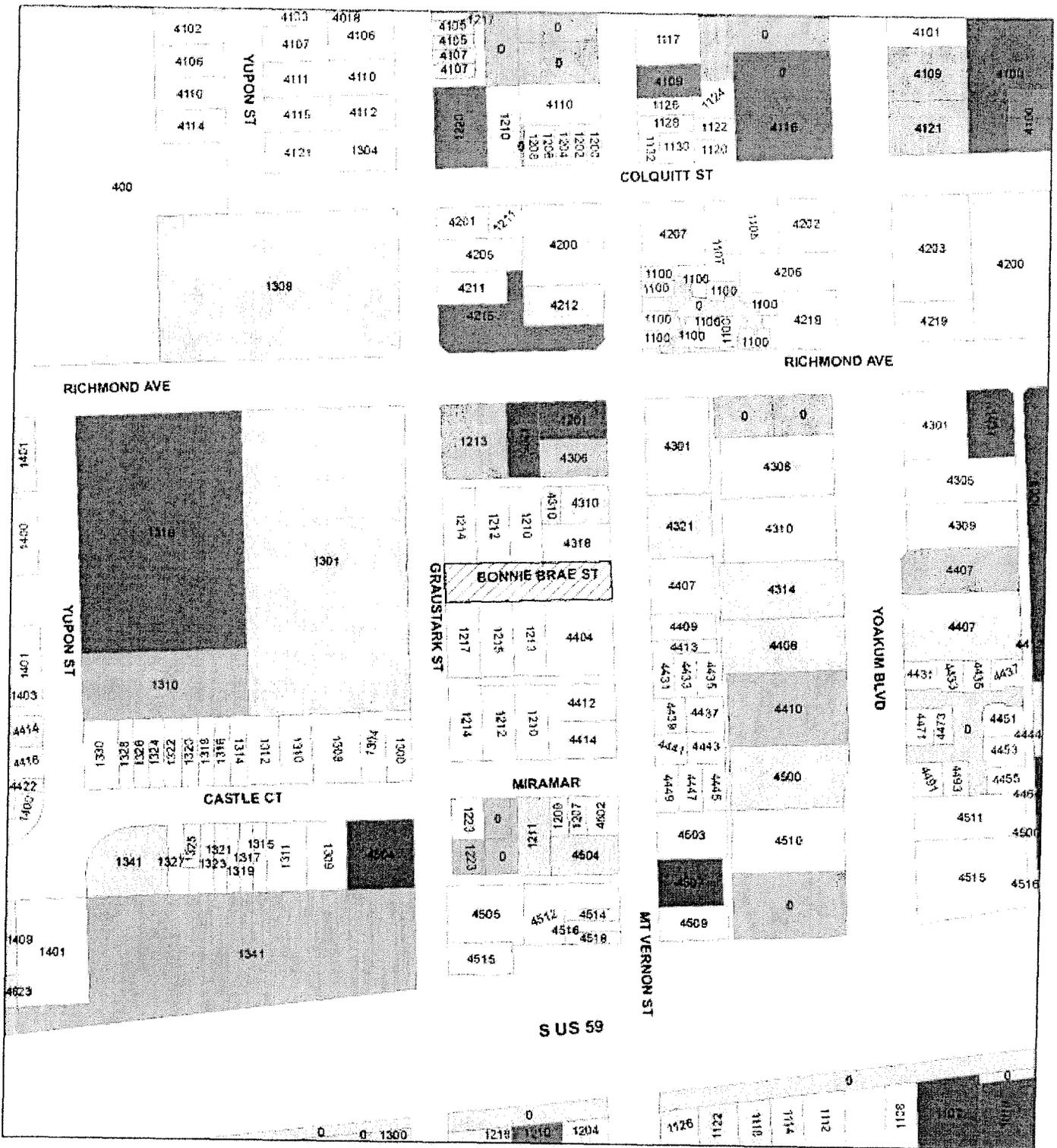
Planning & Development Department
GIS Services Division
Map Date: March 2008



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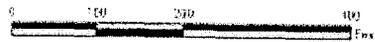


Proposed Residential Parking Permit Area

Application: 010208-24-123

1200 BONNIE BRAE

City of Houston
 Planning & Development Department
 GIS Services Division
 Map Date: January 2008



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pl13898_bonbrae

- Legend**
- Proposed
 - Single-Family
 - Multi-Family
 - Commercial
 - Office
 - Industry
 - Parks & Recreation
 - Transportation & Utilities
 - Parks & Open Areas
 - Undeveloped
 - Agricultural Production
 - Unknown

Designation of Residential Parking Permit Areas: Findings

Application 010908-23-125

Permit Area and Restrictions Proposed by Applicant:

3200 Ella Lee, between River Oaks Blvd. and Bellmeade St., proposed parking restrictions by valid permit only from 7 a.m. – 9 a.m., Monday through Friday.

Findings:

Testimony from the Parking Management Branch, approval by the Traffic Engineering Division, and the public at the March 6, 2008 hearing leads the Parking Official to find:

- Parking is currently restricted from 7 a.m. to 9 a.m., Monday through Friday.
- Parking restrictions were installed to eliminate the commuter parking problem caused by students of Lamar High School.
- Neighborhood support is demonstrated by 73 percent of residents (out of 25 households affected) signing the petition in favor of the permit area.
- No oral testimony in opposition was received at the 3/6/2008 hearing.
- Designating a parking permit area is the most cost-effective way to resolve the parking problem.

Parking Official Recommendation:

Designate a Residential Parking Permit Area on the both sides of 3200 block of Ella Lee with regulations requiring a valid residential parking permit to park curbside from 7 a.m. to 9 a.m., Monday through Friday.

Residential Parking Permit Areas

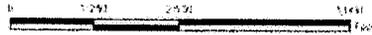
Legend

 AFTON OAKS-RIVER OAKS(SN#23)

 Existing Areas

 Proposed Areas

010908-23-125: 3200 ELLA LEE

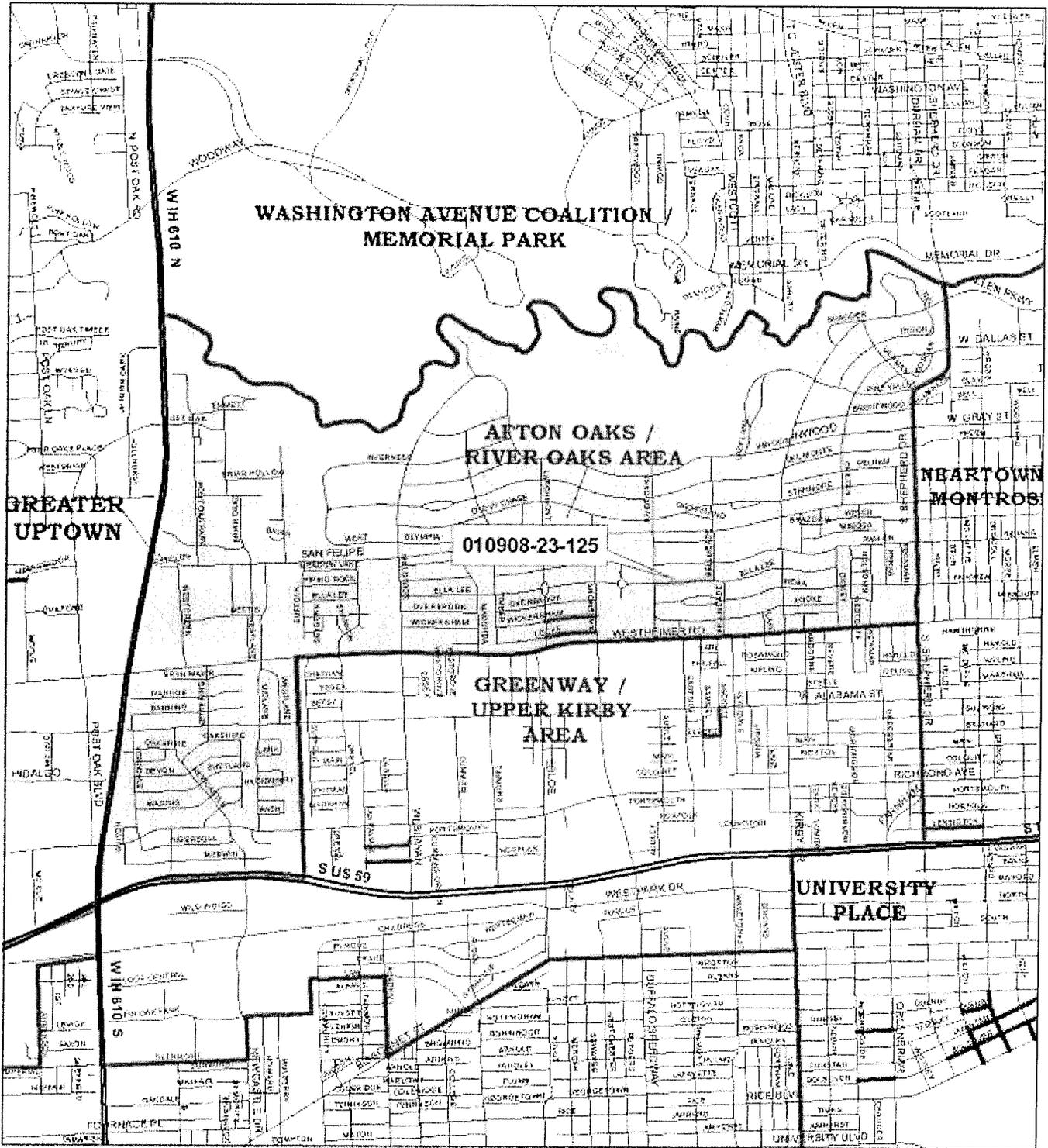


Planning & Development Department
GIS Services Division
Map Date: March 2008



Disclaimer

City of Houston GIS data is provided as a public information product for informational purposes only and should not be used, or relied upon, for specific applications, without independent verification. The City of Houston neither warrants, nor makes any representation, accuracy, or completeness, nor will the City of Houston accept any liability for any errors or omissions with this use. Pg14633_2.doc



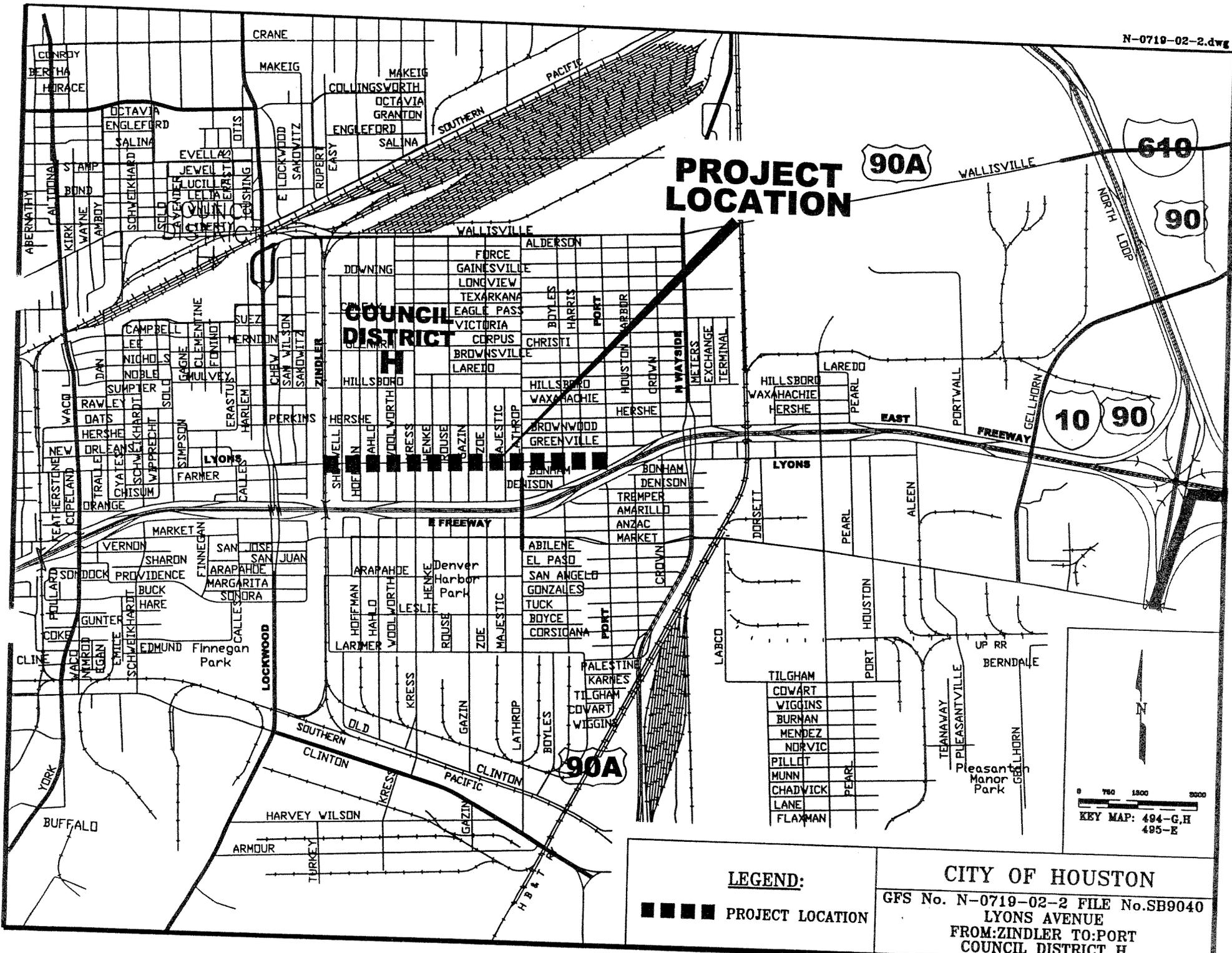
SUBJECT: Accept Work for Lyons Avenue Reconstruction from Zindler Street to Port Street, GFS No. N-000719-0002-4.		Category #1,7	Page 1 of 2	Agenda Item # 7
FROM (Department or other point of origin): Department of Public Works and Engineering		Origination Date 5/20/08		Agenda Date MAY 28 2008
DIRECTOR'S SIGNATURE:  Michael S. Marcotte, P.E, DEE., Director		Council District affected: H M.A.S.		
For additional information contact: J. Timothy Lincoln, P.E Phone: (713) 837-7074 Senior Asst. Director, PW&E 		Date and identification of prior authorizing Council action: Ord. # 2005-1337 dated 12/07/2005 M.A.S.		
RECOMMENDATION: (Summary) Pass a motion to approve the final Contract Amount of \$5,255,976.93 or 6.57% under the original Contract Amount, accept the Work, and authorize final payment.				
Amount and Source of Funding: No Additional Funding Required. Total Original appropriation of \$6,275,679.00 from Series E Commercial Paper Metro Fund No. 49M, \$277,322.00 from Water & Sewer System Consolidated Construction Fund No. 755.				F&A Budget:
SPECIFIC EXPLANATION:				
PROJECT NOTICE/JUSTIFICATION: This project was part of the Street and Traffic Control Improvement Program and was required to upgrade thoroughfares and accommodate bus traffic.				
DESCRIPTION/SCOPE: This project consisted of reconstruction of Lyons Avenue with 12-foot wide vehicle travel lanes and two 6-foot wide bike lanes with curbs, sidewalks, underground utilities and traffic signals. Landtech Consultants designed the project with 540 calendar days allowed for construction. The project was awarded to Texas Sterling Construction, L.P., with an original Contract Amount of \$5,625,662.00.				
LOCATION: This project area is generally bound by Wallisville Road on the north, Market Street on the south, North Wayside on the east and Lockwood Drive on the west. The project is located in the Key Map Grids 494-G and H, 495-E.				
CONTRACT COMPLETION AND COST: The Contractor, Texas Sterling Construction, L.P., has completed the Work under the subject Contract. The project was completed within the Contract Time. The final cost of the project, including overrun and underrun of estimated bid quantities and previously approved Change Order No.1 is \$5,255,976.93 a decrease of \$369,685.07 or 6.57% under the original Contract Amount.				
The decreased cost is a result of difference between planned and measured quantities. This decrease is primarily a result of an underrun in, Bid Item No. 8 – 8” San Swr, Open Cut, in PPCA, Bid Item No.11 – 24” Storm Swr, Open Cut, in PPCA, Bid Item No.12 – 48” Storm Swr, Open Cut, in PPCA, Bid Item No.13 – Transportation and Disposal of Class II Soil at approved facility, Bid Item No.14 – Transportation and Disposal of Class I Soil at approved facility, Bid Item No. 15 – Transportation and Disposal Contaminated Ground water at approved facility, Bid Item No. 46 – 48” Storm Sewer, All depths, Complete in Place, Bid Item No. 62 – New Copper Service Lines with or without Meter Box, Short Side, 5/8 inch to 1 inch, and Extra Bid Items, which were not necessary to complete the work.				
REQUIRED AUTHORIZATION				CUIC ID # 20HA17
F&A Director:			Other Authorization:  Daniel W. Krueger, P.E., Deputy Director Engineering and Construction Division	MOT

Date:	SUBJECT: Accept Work for Lyons Avenue Reconstruction from Zindler Street to Port Street, GFS No. N-000719-0002-4.	Originator's Initials	Page 2 of 2
--------------	--------------------------------------------------------------------------------------------------------------------------	----------------------------------	------------------------

M/WBE PARTICIPATION: The M/WBE goal for this project was 17.00%. According to Affirmative Action and Contract Compliance Division, the actual participation was 18.73%. Contractor's M/WBE performance evaluation was rated Outstanding.

MSM:JTL:JS:MAS:ha

c: Michael Ho, P.E Velma Laws Craig Foster Marty Stein File No.: SB9040



PROJECT LOCATION

90A

610

90

10 90

90A

LEGEND:

■■■■ PROJECT LOCATION

CITY OF HOUSTON

GFS No. N-0719-02-2 FILE No. SB9040
LYONS AVENUE
FROM: ZINDLER TO: PORT
COUNCIL DISTRICT H

SUBJECT: Accept Work for Beltway Wastewater Treatment Plant Improvements.
WBS. No. R-000265-0033-4.

Page 1 of 1
Agenda Item # 8

FROM (Department or other point of origin):

Department of Public Works and Engineering

Origination Date
5-20-08

Agenda Date
MAY 28 2008

DIRECTOR'S SIGNATURE:


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

Council Districts affected:
F

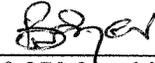


For additional information contact:

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


Phone: (713) 837-7074

Date and Identification of prior authorizing Council Action:
Ord. #2006-588 dated 06/07/2006



RECOMMENDATION: (Summary) Pass a motion to approve the final Contract Amount of \$4,840,370.31 which is 4.60% under the original Contract Amount, accept the Work, and authorize final payment.

Amount and Source of Funding: No additional funding required.
Original appropriation of \$5,722,000.00 from Water and Sewer System Consolidated Construction Fund, Fund No. 755.

Finance Department:

SPECIFIC EXPLANATION:

PROJECT NOTICE/JUSTIFICATION: This project was part of the City's ongoing program for improvements to the major wastewater treatment plants.

DESCRIPTION/SCOPE: This project consisted of upgrades and improvements at the Beltway Wastewater Treatment Plant. Klotz Associates, Inc. designed the project with 480 calendar days allowed for construction. The project was awarded to Boyer, Inc. with an original Contract Amount of \$5,073,899.00.

LOCATION: The project area is located at 10518 Bellaire Blvd., Houston, Texas 77072. The project is located in Key Map Grid 529-G.

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 additional 80 days allowed by previously approved Change Order Nos. 4 and 5. The final cost of the project, including overrun and underrun of estimated bid quantities and previously approved Change Order Nos. 1 through 5 is \$4,840,370.31, a decrease of \$233,528.69 or 4.60% under the original Contract Amount.

The decreased cost is primarily due to the Work not requiring use of most Extra Unit Price Items.

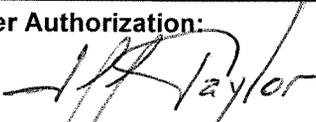
M/WBE PARTICIPATION: The M/WBE goal for this project was 17%. According to Affirmative Action and Contract Compliance Division, the actual participation was 18.04%. The Contractor achieved a "Satisfactory" rating for M/WBE Compliance.

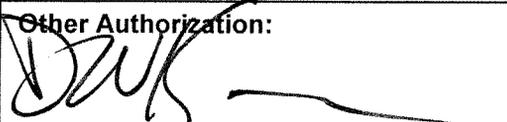
MSM:JTL: CWS:NI:mq
S:\E&C Construction\Facilities\Projects\R-0265-33-3 Beltway\Closeout\RCA\RCA_CL-2.DOC

c: Daniel W. Krueger, P.E. Velma Laws Michael Ho, P.E. File No. S-000265-0033-4 - Closeout

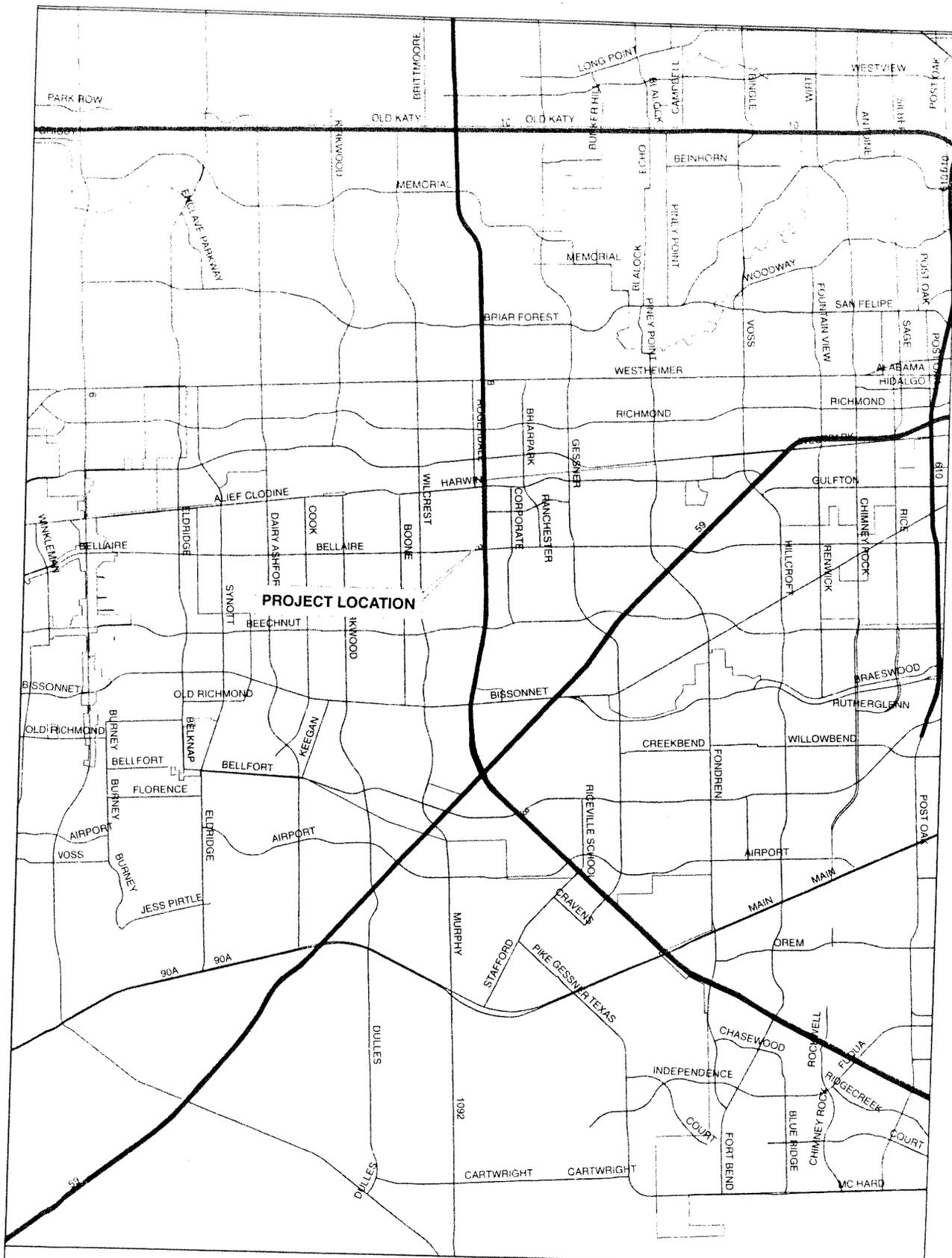
REQUIRED AUTHORIZATION

CUIC ID# 20MZQ045

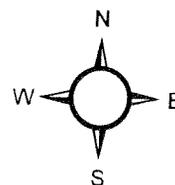
Other Authorization:

Jeff Taylor, Deputy Director
Public Utilities Division

Other Authorization:

Daniel W. Krueger, P.E., Deputy Director
Engineering and Construction Division

MDT

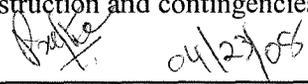
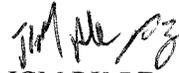
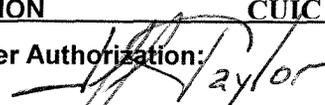


IMPROVEMENTS AT BELTWAY WWTP
10518 BELLAIRE BLVD
GFS. NO: R-0265-33-2
KEYMAP 529 H
COUNCIL DISTRICT F



TO: Mayor via City Secretary

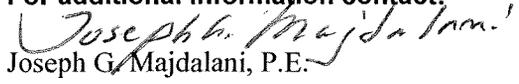
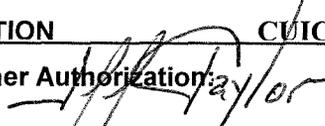
REQUEST FOR COUNCIL ACTION

SUBJECT: Accept Work for Sanitary Sewer Rehabilitation by Sliplining and Pipe Bursting Methods WBS# R-000266-00A3-4		Page 1 of 1	Agenda Item # 9
FROM (Department or other point of origin): Department of Public Works and Engineering		Origination Date 5/20/08	Agenda Date MAY 28 2008
DIRECTOR'S SIGNATURE:  Michael S. Marcotte, P.E., DEE, Director		Council District affected: A, B, C, D, E, F, G, H and I	
For additional information contact:  Joseph G. Majdalani, P.E. Sr. Assistant Director Phone: (713) 641-9182		Date and identification of prior authorizing Council action: Ordinance No. 2004-87, dated 02/04/2004	
RECOMMENDATION: (Summary) Pass a motion to approve the final contract amount of \$3,601,573.61, which is 3.97% over the original contract amount, accept the work, and authorize final payment.			
Amount and Source of Funding: No additional funding required. Original appropriation of \$3,775,559.00 for construction and contingencies from Water and Sewer System Consolidated Construction Fund No. 755.			
SPECIFIC EXPLANATION:			
PROJECT NOTICE/JUSTIFICATION: Under this project, the contractor provided sanitary sewer rehabilitation by sliplining and pipe bursting methods to deteriorated sewer collection systems throughout the City.			
DESCRIPTION/SCOPE: This project consisted of sanitary sewer rehabilitation by sliplining and pipe bursting methods. The project was awarded to PM Construction & Rehab, L.P. with an original contract amount of \$3,464,074.25. The Notice to Proceed date was 05/03/2004 and the project had 730 calendar days for completion.			
LOCATION: The project was located at various locations within Council Districts A, B, C, D, E, F, G, H and I.			
CONTRACT COMPLETION AND COST: The contractor, PM Construction & Rehab, L.P., has completed the work under the contract. The contract was completed within the required time. The final cost of the project is \$3,601,573.61, an increase of \$137,499.36 or 3.97% over the original contract amount. More pipe bursting was needed than anticipated.			
MWDBE PARTICIPATION: The MWDBE goal for this project was 17%. According to the Affirmative Action and Contract Compliance Division, the actual participation was 16.60%. The contractor was awarded a "Satisfactory" rating from Affirmative Action.			
 MSM:JT:JGM:RK:PZ:mf Attachments			
c: Velma Laws Michael Ho, P.E. Craig Foster			
Project File 4257-45		REQUIRED AUTHORIZATION	
		CUIC ID# 20JGM233	
Other Authorization:		Other Authorization:  Jeff Taylor, Deputy Director Public Utilities Division	
		MOT	

4257-45	Sanitary Sewer Rehabilitation by Sliplining & Pipebursting Methods			
WBS No. R-000266-00A3-4	P.M. Construction & Rehab, L.P.			
WORK ORDER	KEY MAP	Subdivision	BASIN	CD
5	410V	WOODLAND TRAILS NORTH	WO126	A
20	450M	WILSON COURT	NW168	A
27	490B	MEMORIAL CITY TERRACE	NE011	A
29	450A	CARVERDALE	NE011	A
2	455T	EAST HOUSTON	NE011	B
4	455T	HOLLEMAN	NE011	B
9	412D	GREENRIDGE NORTH	NE011	B
13	455P,455T	SUMBARDO	HS004	B
14	455P	SETTEGAST GARDENS	HS005	B
15	455P	REBA	HS005	B
16	455P	LIBERTY ROAD MANOR	HS005	B
17	455P	SUMBARDO	HS005	B
18	455N	HOMESTEAD	HS002	B
19	455N,454R	HOMESTEAD	HS002	B
28	495K	PLEASANTVILLE	NE011	B
3	493W	SHADOWLAWN	NE011	C
11	570D	ARBOR MEADOW	SW055	C
12	570D	SOUTHWOOD PLACE CONDO	SW055	C
22	492U	LANIER PLACE	NE011	C
8	611D	GREEN VALLEY ESTATES	NE011	D
10	572L	ALMEDA PLAZA	NE011	D
25	573B,C	SCOTTCREST	NE011	D
26	573G	SCOTTCREST	NE011	D
32	611C	RIDGEMONT	NE011	D
7	576S	BEVERLY HILLS	NE011	E
30	536N	MEADOWCREEK VILLAGE	NE011	E
33	576P,576T	RAINBOW VALLEY	NE011	E
35	576T,X	KIRKWOOD	NE011	E
36	576X	KIRKWOOD	NE011	E
37	576X,576W	KIRKWOOD	NE011	E
38	576W,X	KIRKWOOD	NE011	E
31	529E	DAIRY PROPERTY	NE011	F
21	489E	ASHFORD FOREST	NE011	G
1	453G	OAKCREST	NE011	H
6	452M	NORTHMORE	II061	H
23	493E	HOUSTON HEIGHTS	NE011	H
24	493E	HOUSTON HEIGHTS	NE011	H
34	575H,576E,576J	EASTHAVEN	NE011	I

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Accept Work for Sanitary Sewer Rehabilitation by Sliplining and Pipe Bursting Methods WBS# R-000266-00D9-4		Page 1 of 1	Agenda Item # 10
FROM (Department or other point of origin): Department of Public Works and Engineering		Origination Date 5/20/08	Agenda Date MAY 28 2008
DIRECTOR'S SIGNATURE:  Michael S. Marcotte, P.E., DEE, Director		Council District affected: B, D, E, G and I	
For additional information contact:  Joseph G. Majdalani, P.E. Sr. Assistant Director Phone: (713) 641-9182		Date and identification of prior authorizing Council action: Ordinance No. 2004-1127, dated 11/03/2004	
RECOMMENDATION: (Summary) Pass a motion to approve the final contract amount of \$3,883,902.56, which is 1.45% under the original contract amount, accept the work, and authorize final payment.			
Amount and Source of Funding: No additional funding required. Original appropriation of \$4,275,916.00 for construction and contingencies from Water and Sewer System Consolidated Construction Fund No. 755.		<i>Bulke 04/23/08</i>	
SPECIFIC EXPLANATION:			
PROJECT NOTICE/JUSTIFICATION: Under this project, the contractor provided sanitary sewer rehabilitation by sliplining and pipe bursting methods to deteriorated sewer collection systems throughout the City.			
DESCRIPTION/SCOPE: This project consisted of sanitary sewer rehabilitation by sliplining and pipe bursting methods. The project was awarded to PM Construction & Rehab, L.P. with an original contract amount of \$3,941,043.00. The Notice to Proceed date was 04/25/2005 and the project had 730 calendar days for completion.			
LOCATION: The project was located at various locations within Council Districts B, D, E, G and I.			
CONTRACT COMPLETION AND COST: The contractor, PM Construction & Rehab, L.P., has completed the work under the contract. The contract was completed within the required time. The final cost of the project is \$3,883,902.56, a decrease of \$57,140.44 or 1.45% under the original contract amount. Less sliplining was needed than anticipated.			
MWDBE PARTICIPATION: The MWDBE goal for this project was 16.2%. According to the Affirmative Action and Contract Compliance Division, the actual participation was 31.72%. The contractor was awarded an "Outstanding" rating from Affirmative Action.			
<i>MSM</i> MSM:JT:JGM:RK:PZ:mf Attachments			
c: Velma Laws Michael Ho, P.E. Craig Foster			
Project File 4257-62		REQUIRED AUTHORIZATION	
		CVIC ID# 20JGM232	
Other Authorization:		Other Authorization:  Jeff Taylor, Deputy Director Public Utilities Division	

Agreement 4600004681 Company Code COH1 Purchasing group 300
 Agreement type CPA Purch. Organization 2000
 Vendor 115423 PM CONSTRUCTIONS & REHAB LP

Administrative fields
 Agreement date 04/24/2005 Item number interval 1 Sub-item inter. *
 Validity start 04/24/2005 Validity end 04/24/2007 Language EN

Terms of delivery and payment
 Payment terms 0001 Targ. val. 372,491.34 USD
 Payment in 0 days 0.000 % Exch. rate 1.00000
 Payment in 0 days 0.000 % Incoterms FOB DESTINATION
 Payment in 0 days net

Reference data
 Quotation Date Quotation
 Your reference C58425 Salesperson
 Our reference 04-1127 Telephone
 Suppl. vendor Invoicing party 115423

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

SUBJECT: Accept Work for Dairy Ashford No. 3 Lift Station Diversion. WBS No. R-000267-0086-4.		Category #7	Page 1 of 1	Agenda Item # 11
FROM (Department or other point of origin): Department of Public Works and Engineering		Origination Date 5-20-08	Agenda Date MAY 28 2008	
DIRECTOR'S SIGNATURE:  Michael S. Marcotte, P.E., DEE, Director		Council Districts affected: F		
For additional information contact: J. Timothy Lincoln, P.E. Senior Assistant Director		Date and Identification of prior authorizing Council Action: Ord. #2005-755 dated 06/15/2005 		

RECOMMENDATION: (Summary) Pass a motion to approve the final Contract Amount of \$1,791,856.99 which is 5.58% under the original Contract Amount, accept the Work, and authorize final payment.

Amount and Source of Funding: No additional funding required.
Original appropriation of \$2,130,800.00 for construction and contingencies from Water and Sewer System Consolidated Construction Fund, Fund No. 755.

SPECIFIC EXPLANATION:

PROJECT NOTICE/JUSTIFICATION: This project was part of the City's lift station rehabilitation/replacement program.

DESCRIPTION/SCOPE: The project consisted of demolishing existing Dairy Ashford No. 3 Lift Station, abandoning 8-inch and 15-inch sanitary sewers, installation of 8-inch and 15-inch sanitary sewers along Dairy Ashford and installation of 18-inch sanitary sewer along Newbrook Drive from Dairy Ashford to Cook Rd. Chiang, Patel and Yerby, Inc. designed the project with 360 calendar days allowed for construction. The project was awarded to BRH-Garver Construction, L.P. with an original Contract Amount of \$1,897,852.00.

LOCATION: The project area is generally bounded by Beechnut on the north, Bissonnet on the south, Cook Rd. on the east, and Dairy Ashford on the west. The project is located in Key Map grids 528-R and 529-N.

CONTRACT COMPLETION AND COST: The Contractor, BRH-Garver Construction, L.P. has completed the Work under the subject contract. The project was completed within the Contract Time. The final cost of the project, including overrun and underrun of estimated bid quantities and previously approved Change Order Nos. 1 and 2 is \$1,791,856.99, a decrease of \$105,995.01 or 5.58% under the original Contract Amount.

The decreased cost is primarily due to Change Order No. 1 and the Work not requiring use of most Extra Unit Price Items.

M/WBE PARTICIPATION: The M/WBE goal for this project was 17.00%. According to the Affirmative Action and Contract Compliance Division, the actual participation was 15.28%. The Contractor received a "Standard" rating for the MWDDBE Compliance.

MSM:JTL:JAK:JEC:mq
S:\E&C Construction\South Sector\PROJECT FOLDER\R-0267-86-3 (Dairy Ashford LS #3)\Closeout\RCA\RCA_CL-2.DOC

c: Daniel W. Krueger, P.E. Velma Laws Michael Ho, P.E. File No. R-000267-0086-4 - Closeout

REQUIRED AUTHORIZATION		CUIC ID# 20MZQ044
<p>Other Authorization:</p>  Jeff Taylor, Deputy Director Public Utilities Division	<p>Other Authorization:</p>  Daniel W. Krueger, P.E., Deputy Director Engineering and Construction Division	NOT



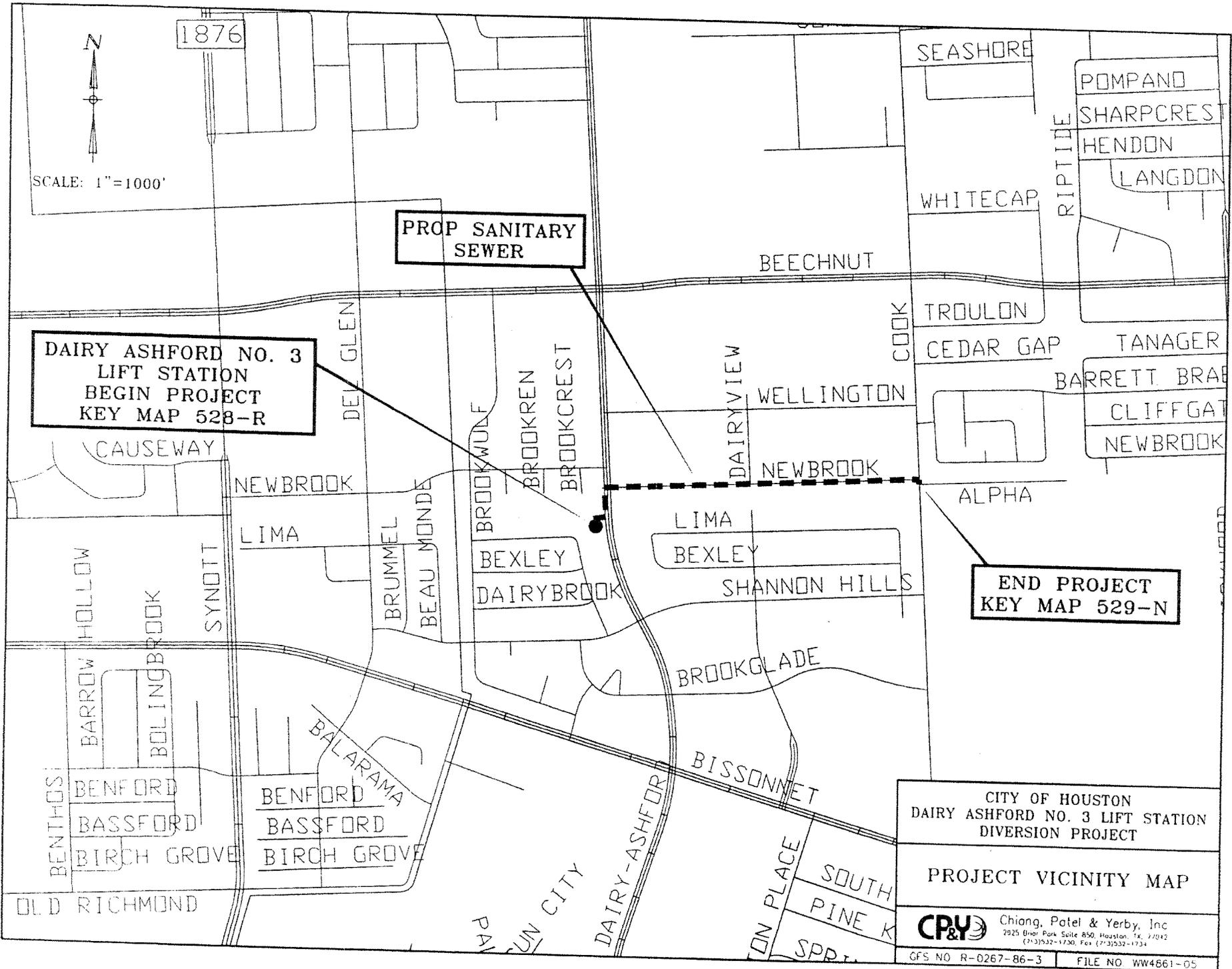
SCALE: 1"=1000'

1876

PROP SANITARY SEWER

**DAIRY ASHFORD NO. 3
LIFT STATION
BEGIN PROJECT
KEY MAP 528-R**

**END PROJECT
KEY MAP 529-N**



CITY OF HOUSTON
DAIRY ASHFORD NO. 3 LIFT STATION
DIVERSION PROJECT

PROJECT VICINITY MAP



Chiang, Patel & Yerby, Inc
2925 Blue Park Suite 850, Houston, TX, 77042
(281)532-1750, Fax: (281)532-1734

GFS NO R-0267-86-3 FILE NO WW4861-05

SUBJECT: Request for a council motion disclaiming, releasing, and relinquishing all the City's right, title, interest, and claim in and to Neurath Place Alley from St. Charles Street to its terminus, located within the Survey of the Neurath Estate on Buffalo at Second Ward. Parcel SY7-068	Category # 7	Page <u>1</u> of <u>1</u>	Agenda Item # 12
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FROM (Department or other point of origin): Department of Public Works and Engineering	Origination Date 5/20/08	Agenda Date MAY 28 2008
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DIRECTOR'S SIGNATURE:  Michael S. Marcotte, P.E., DEE, Director	Council District affected: H Key Map 494N 
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For additional information contact: Nancy P. Collins Phone: (713) 837-0881  Senior Assistant Director-Real Estate	Date and identification of prior authorizing Council Action:
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RECOMMENDATION: (Summary) It is recommended City Council approve a council motion disclaiming, releasing, and relinquishing all the City's right, title, interest, and claim in and to Neurath Place Alley from St. Charles Street to its terminus, located within the Survey of the Neurath Estate on Buffalo at Second Ward. **Parcel SY7-068**

Amount and Source of Funding: Not Applicable

SPECIFIC EXPLANATION:
 Chester Pitts of CP2 Investments LP, 911 North Elder Grove, Pearland, Texas, 77584, requested the abandonment and sale of Neurath Place Alley from St. Charles Street to its terminus, in exchange for conveyance to the City the right of way for, and construction of an alley in the center of the tract, located within the Survey of the Neurath Estate on Buffalo at Second Ward to facilitate construction of townhomes. The Legal Department determined that the plat found within the survey of the Neurath Estate on Buffalo at Second Ward recorded September 3, 1897, in Volume 99, Page 395 of the Harris County Map Records indicated the adjoining property owners retained ownership rights, and the original developer reserved the right to install and maintain utilities. An active 6-inch sanitary sewer line currently occupies the alley. This line was privately constructed.

Research by the Utility Analysis Branch of the Public Works and Engineering Department determined that City maintenance records do not show any City service within the alley; therefore, the City does not assert a prescriptive easement for the sanitary sewer line. Since no prescriptive easement exists and that was the only basis upon which the alley would have been deemed public versus private property, no City interest exists. As such, the City has no property interest to abandon and sell. The applicant was notified, and the abandonment file was closed. Subsequently the applicant filed a petition seeking a Declaratory Judgment to Quiet Title on December 3, 2007 under Cause Number 2007-73406 in Harris County 151 Judicial District.

Therefore, it is recommended on the advice of the Legal Department, City Council approve a council motion disclaiming, releasing, and relinquishing all the City's right, title, interest, and claim in and to Neurath Place Alley from St. Charles Street to its terminus, located within the Survey of the Neurath Estate on Buffalo at Second Ward.

MSM: NPC: dob

- cc: Phil Boriskie
 Raymond D. Chong, P.E., P.T.O.E.
 Marlene Gafrick
 Daniel W. Krueger, P.E.
 Arturo G. Michel
 Erica C. Schwam
 Marty Stein
 Jeff Taylor

dob\sy7-068.rc1.doc

CUIC #20DOB8839

REQUIRED AUTHORIZATION

Finance Department:	Other Authorization:	Other Authorization:  Andrew F. Icken, Deputy Director Planning and Development Services Division
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**HOVIS
SURVEYING
COMPANY**

Land Surveys - Computer Mapping

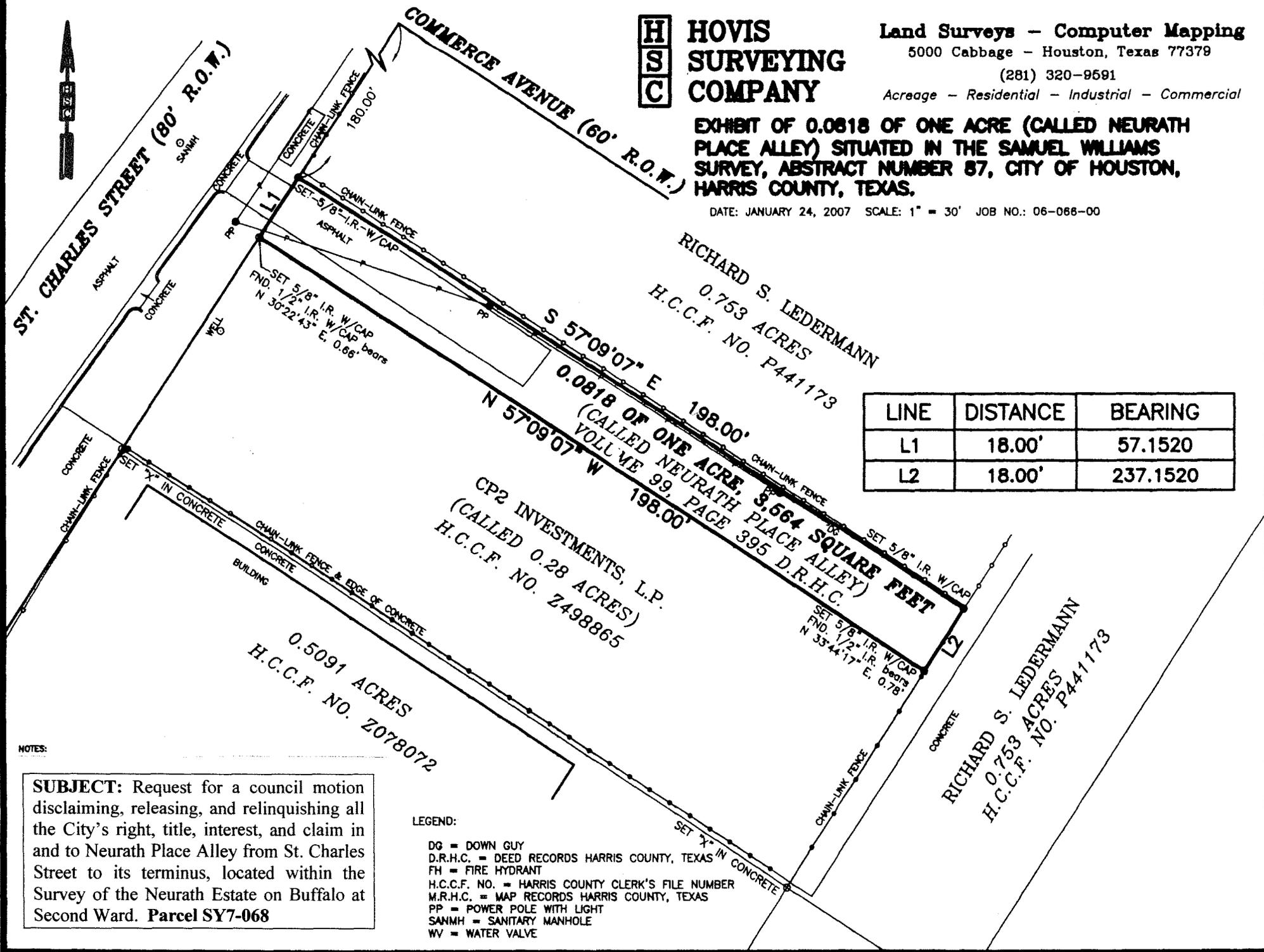
5000 Cabbage - Houston, Texas 77379

(281) 320-9591

Acres - Residential - Industrial - Commercial

EXHIBIT OF 0.0818 OF ONE ACRE (CALLED NEURATH PLACE ALLEY) SITUATED IN THE SAMUEL WILLIAMS SURVEY, ABSTRACT NUMBER 87, CITY OF HOUSTON, HARRIS COUNTY, TEXAS.

DATE: JANUARY 24, 2007 SCALE: 1" = 30' JOB NO.: 06-068-00



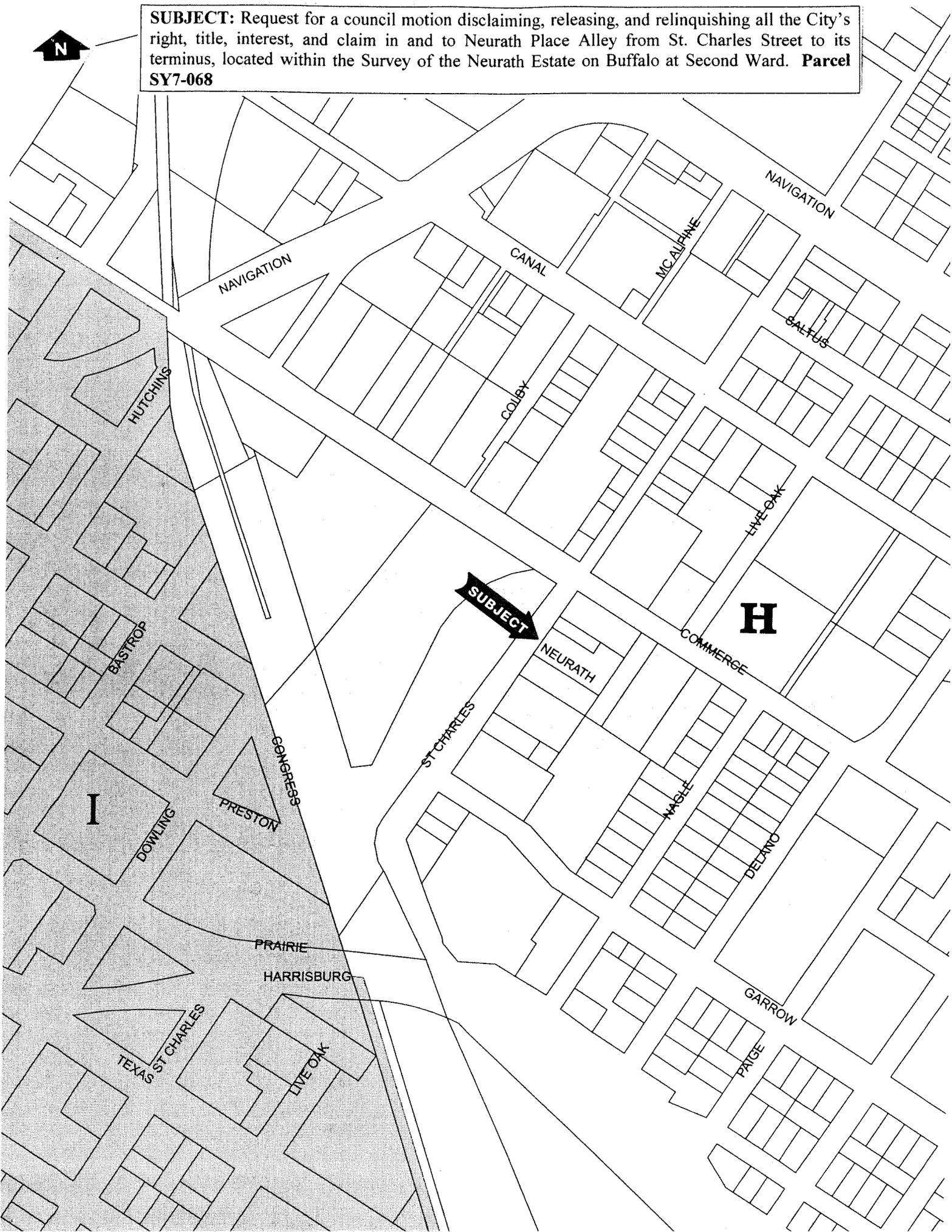
LINE	DISTANCE	BEARING
L1	18.00'	57.1520
L2	18.00'	237.1520

NOTES:

SUBJECT: Request for a council motion disclaiming, releasing, and relinquishing all the City's right, title, interest, and claim in and to Neurath Place Alley from St. Charles Street to its terminus, located within the Survey of the Neurath Estate on Buffalo at Second Ward. **Parcel SY7-068**

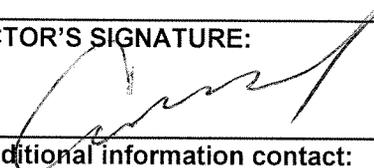
- LEGEND:**
- DG = DOWN GUY
 - D.R.H.C. = DEED RECORDS HARRIS COUNTY, TEXAS
 - FH = FIRE HYDRANT
 - H.C.C.F. NO. = HARRIS COUNTY CLERK'S FILE NUMBER
 - M.R.H.C. = MAP RECORDS HARRIS COUNTY, TEXAS
 - PP = POWER POLE WITH LIGHT
 - SANMH = SANITARY MANHOLE
 - WV = WATER VALVE

SUBJECT: Request for a council motion disclaiming, releasing, and relinquishing all the City's right, title, interest, and claim in and to Neurath Place Alley from St. Charles Street to its terminus, located within the Survey of the Neurath Estate on Buffalo at Second Ward. **Parcel SY7-068**



SUBJECT: Parcels CY4-006 & CY4-007; <i>City of Houston v. Tony Alexander, et al.</i> , Cause No. 881,204; Fresh Water Supply District No. 23 Buffer Zone Project; WBS/CIP No. R-000265-0027-2, L.D. File Nos. 081-0600045-011 & 081-0600045-012.	Category #	Page 1 of 1	Agenda Item # 13
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FROM (Department or other point of origin): Legal Department, Real Estate Division Arturo G. Michel, City Attorney	Origination Date 04/09/08	Agenda Date MAY 28 2008
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DIRECTOR'S SIGNATURE: 	Council District affected: "B" Jarvis Johnson, K.M. # 455G
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For additional information contact: Joseph N. Quintal Phone: 713 437-6748 (alternatively Russell G. Richardson @ 713 437-6750)	Date and identification of prior authorizing Council action: Motion# 2008-0125, psd. 2/13/08; Ord #2005-1102, psd. 09/21/05
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RECOMMENDATION: (Summary)

That the City Attorney be authorized, by Motion, to settle this eminent domain proceeding.

Amount of Funding: \$9,300.00	
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SOURCE OF FUNDING: General Fund Grant Fund Enterprise Fund

Water and Sewer System Consolidated Construction Fund 755; SAP Fund No. 8500

Other (Specify) Blanket Appropriation Ordinance No. 2005-1102, psd. 09/21/05

SPECIFIC EXPLANATION: The Fresh Water Supply District No. 23 Buffer Zone Project will provide for a 300 foot Sanitary Control Buffer Zone surrounding the expansion of a wastewater treatment plant for the Fresh Water Supply District No. 23. The Project will allow for expansion and continued operation of the wastewater treatment facility by ensuring regulatory compliance with State mandates.

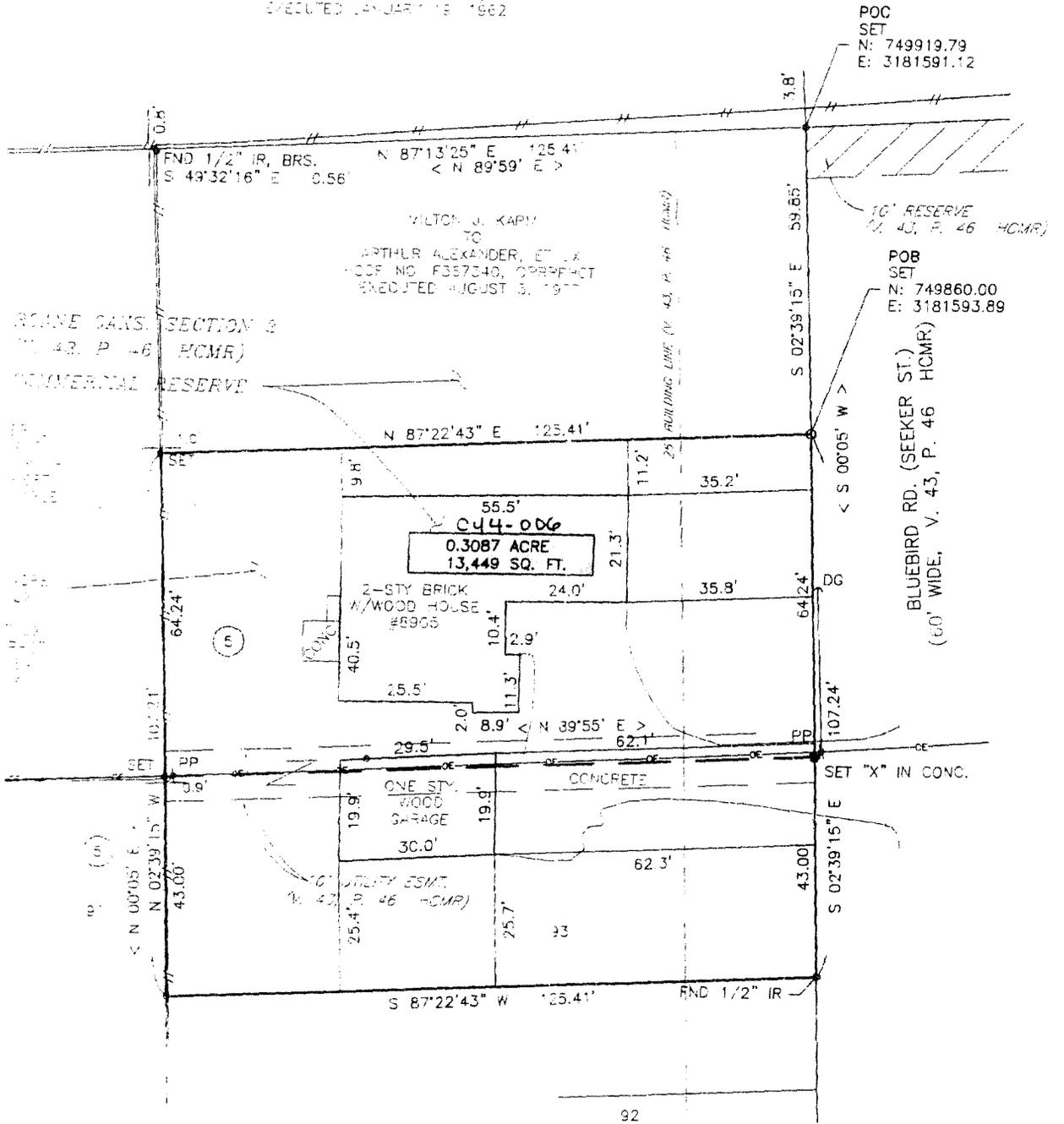
This eminent domain proceeding involves the fee simple acquisition of two (2) contiguous parcels of land, respectively containing 13,449 square feet and 7,484 square feet, located at 8905 Seeker Street. The property is improved with a 2,467 square foot single family dwelling owned by Tony Alexander and others. The Legal Department initiated eminent domain proceedings to acquire the property after efforts to purchase it were unsuccessful due to a plethora of title and other issues. After hearing the evidence and testimony presented, the Special Commissioners returned an Award for \$140,700.00. The landowner filed objections to the Award and the matter was placed on the Court's trial docket. The City deposited the amount of the Award into the registry of the Court on February 12, 2008 in order to gain possession of the land for construction purposes.

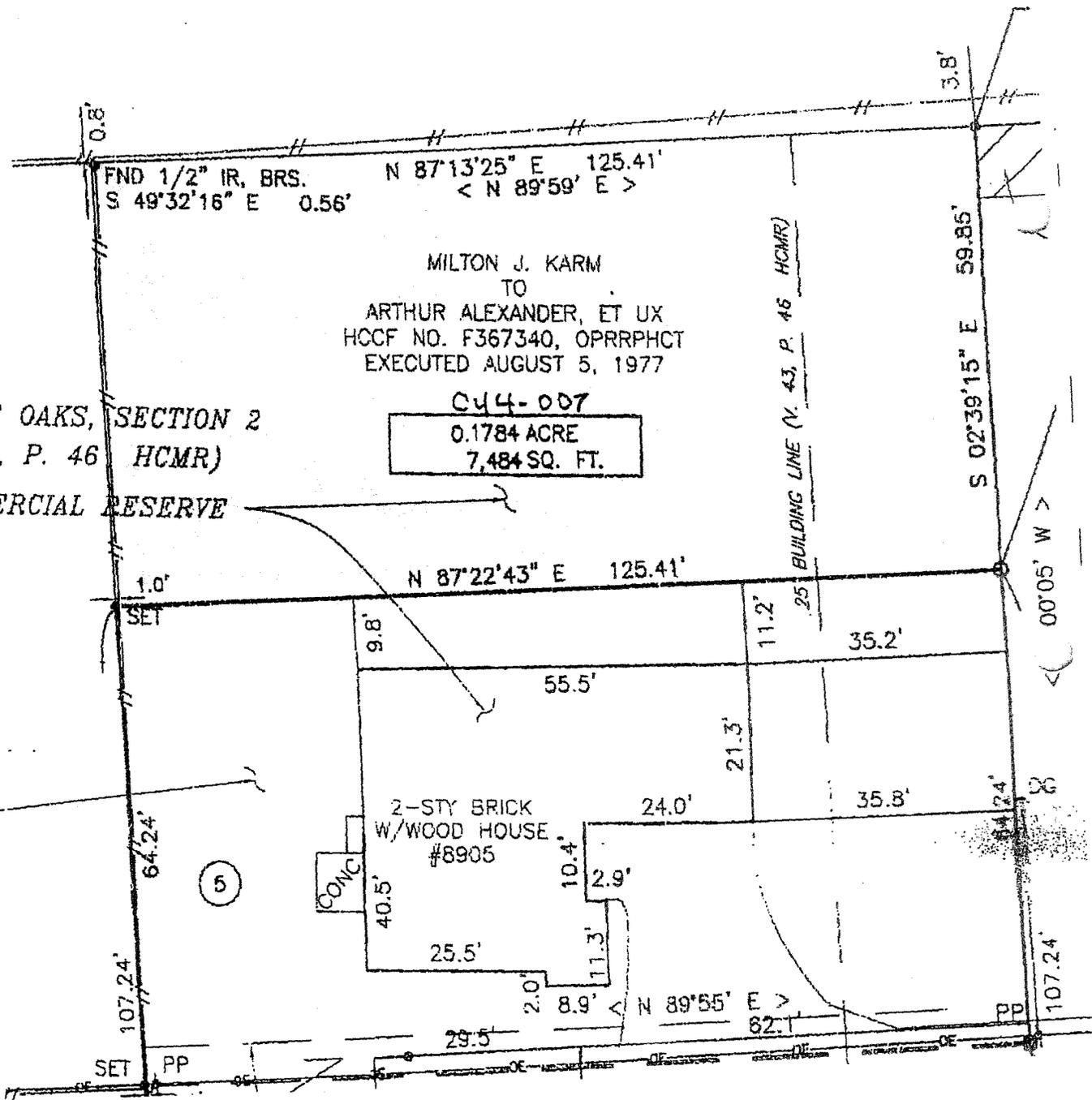
During the course of trial preparation, the parties were able to reconcile their differences and arrive at a proposed settlement, subject to the approval of City Council, for the total consideration of \$150,000.00, being \$9,300.00 more than the amount of the Award of Special Commissioners.

We recommend that the City Attorney be authorized, by Motion, to settle this eminent domain proceeding. Funding will be provided by a previously approved blanket Appropriation Ordinance.

h:\mark\alexanderca2.wpd REQUIRED AUTHORIZATION		
Finance Department	Other Authorization: 	90AH198 Other Authorization: 

CALLED 1.44 ACRES
 J. E. NORFELL
 HARRIS COUNTY FRESH WATER SUPPLY
 DISTRICT NO. TWENTY-THREE (23)
 (V. 2288, P. 70, 401P)
 EXECUTED JANUARY 19, 1962





RESIDUE OF COMMERCIAL RESERVE
 AS SHOWN ON PLAT ROANE OAKS,
 SECTION TWO, VOL. 43, PG. 46, HCMR
 CAD TAX RECORDS SHOW PROPERTY
 TAXES PAYABLE BY ESTATE OF EARLE
 JACKSON

SUBJECT: Request for abandonment and sale of two 20-foot-wide drainage easements and an 80-foot-wide utility and street right-of-way easement, in exchange for the conveyance to the City of a 100-foot-wide utility easement, all located within the Luke Hamenway Survey, A-800 and A-802 and the August Whitlock Survey, A-798. Parcels SY8-005A through C and VY8-051	Category # 7	Page 1 of 2	Agenda Item # 14
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FROM (Department or other point of origin): Department of Public Works and Engineering	Origination Date 5-20-08	Agenda Date MAY 28 2008
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DIRECTOR'S SIGNATURE:  Michael S. Marcotte, P.E., DEE, Director	Council District affected: E Key Map 617C 
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For additional information contact: Nancy P. Collins Phone: (713) 837-0881 Senior Assistant Director-Real Estate 	Date and identification of prior authorizing Council Action:
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RECOMMENDATION: (Summary) It is recommended City Council approve a council motion authorizing the abandonment and sale of two 20-foot-wide drainage easements and an 80-foot-wide utility and street right-of-way easement, in exchange for the conveyance to the City of a 100-foot-wide utility easement, all located within the Luke Hamenway Survey, A-800 and A-802 and the August Whitlock Survey, A-798. **Parcels SY8-005A through C and VY8-051**

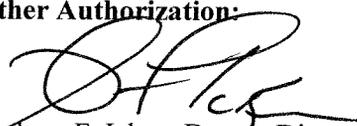
Amount and Source of Funding: Not Applicable	
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SPECIFIC EXPLANATION:
 Tracy Youngblood, Brown & Gay Engineers, Inc., 10777 Westheimer, Suite 400, Houston, Texas, 77042, on behalf of KDC Houston Industrial One, LLC (Tobin Grove, President), requested the abandonment and sale of two 20-foot-wide drainage easements and an 80-foot-wide utility and street right-of-way easement, in exchange for the conveyance to the City of a 100-foot-wide utility easement, all located within the Luke Hamenway Survey, A-800 and A-802 and the August Whitlock Survey, A-798. KDC Houston Industrial One, LLC plans to develop commercial warehouses within its property containing the easements to be abandoned and sold.

This transaction is Part One of a two-step process in which the applicant will first receive a City Council authorized council motion acknowledging the concept of the subject request. Upon the applicant satisfactorily completing all transaction requirements including those enumerated below, the Department of Public Works and Engineering will forward a subsequent recommendation to City Council requesting passage of an ordinance effecting the abandonment and sale. The Joint Referral Committee reviewed and approved this request subject to the conveyance to the City of a 100-foot-wide utility easement and review and approval by the Houston Airport System of the height of any structures to be built on the property due to aviation activity associated with Ellington Field. Therefore, it is recommended:

1. The City abandon and sell two 20-foot-wide drainage easements and an 80-foot-wide utility and street right-of-way easement, in exchange for the conveyance to the City of a 100-foot-wide utility easement, all located within the Luke Hamenway Survey, A-800 and A-802 and the August Whitlock Survey, A-798;
2. The applicant be required to furnish the Department of Public Works and Engineering with a durable, reproducible (Mylar) survey plat and field notes of the affected property;
3. The applicant be required to obtain a letter of no objection from each of the privately owned utility companies for the 80-foot-wide utility and street right-of-way easement being abandoned and sold;
4. The applicant be required to submit a request for a Part 77-Height Hazard Review by the Houston Airport System Planning and Programming Division and obtain approval to determine the height hazard restriction of any structure to be built on the property;

s:\dob\sy8-005.rc1.doc	CUIC #20DOB8878
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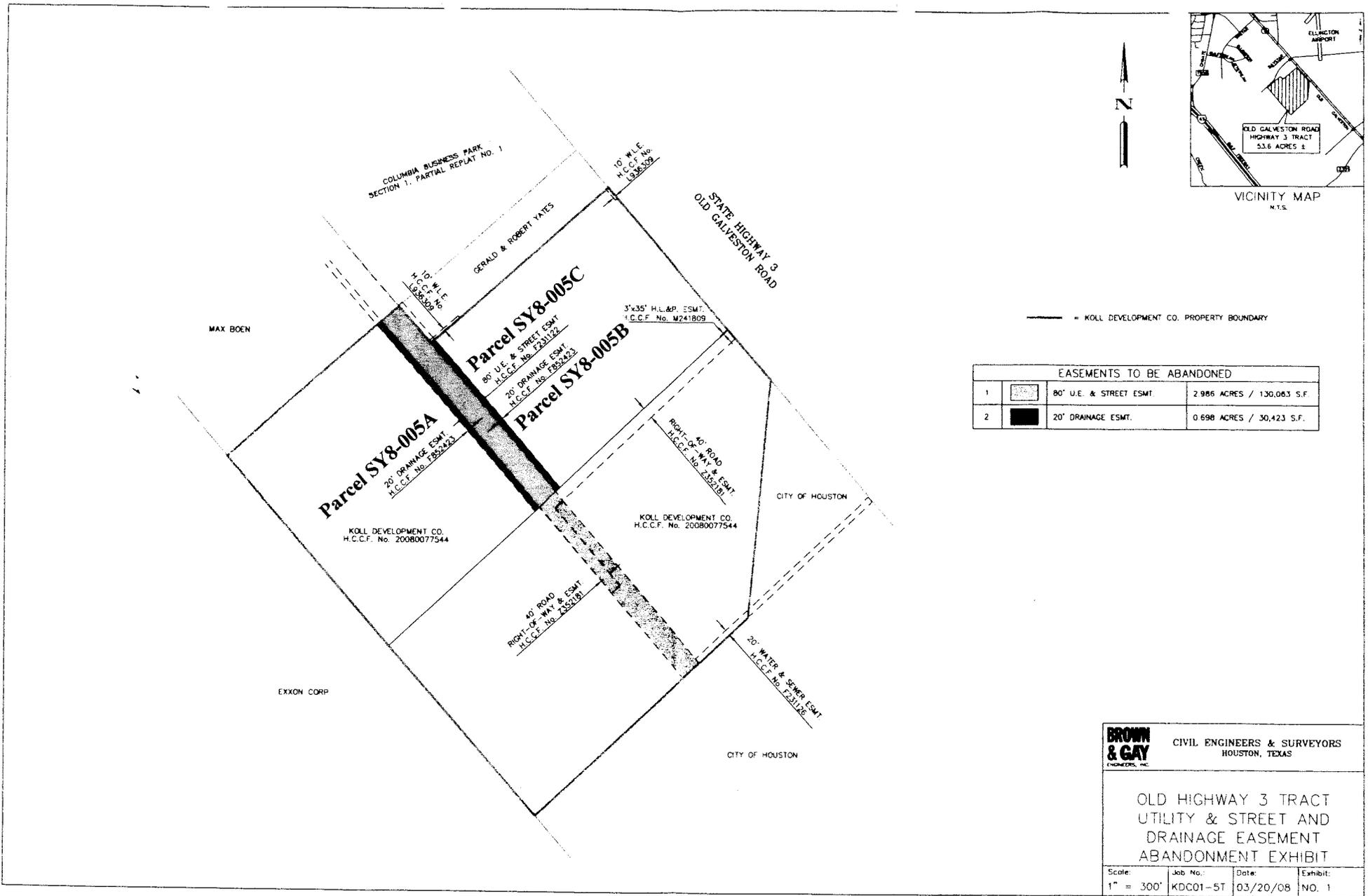
REQUIRED AUTHORIZATION		
Finance Department:	Other Authorization:	Other Authorization:  Andrew F. Icken, Deputy Director Planning and Development Services Division

Date:	Subject: Request for the abandonment and sale of two 20-foot-wide drainage easements and an 80-foot-wide utility and street right-of-way easement, in exchange for the conveyance to the City of a 100-foot-wide utility easement, all located within the Luke Hamenway Survey, A-800 and A-802 and the August Whitlock Survey, A-798. Parcels SY8-005A through C and VY8-051	Originator's Initials 	Page <u>2</u> of <u>2</u>
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5. The Legal Department be authorized to prepare the necessary transaction documents; and,
6. Inasmuch as the value of the property interests is not expected to exceed \$25,000.00, that the value be established by staff appraisal, according to City policy.

MSM:NPC:dob

- c: Phil Boriskie
Raymond D. Chong, P.E., P.T.O.E.
Eric Dargan
Marlene Gafrick
Arturo G. Michel
Marty Stein
Jeff Taylor
William Zrioka



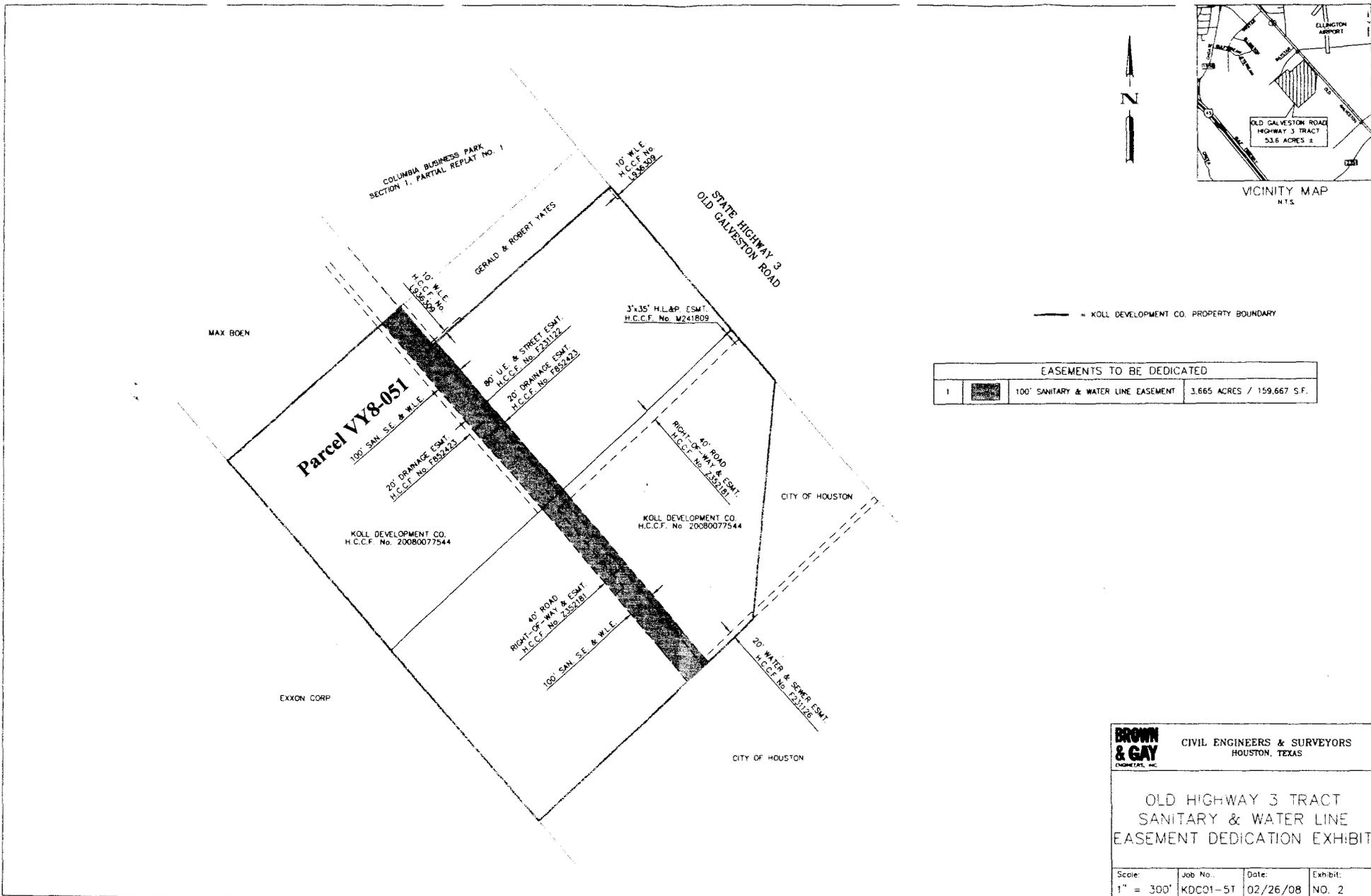
Abandonment and sale of two 20-foot-wide drainage easements and an 80-foot-wide utility and street right-of-way easement, in exchange for the conveyance to the City of a 100-foot-wide utility easement, all located within the Luke Hamenway Survey, A-800 and A-802 and the August Whitlock Survey, A-798. **Parcels SY8-005A through C and VY8-051**

BROWN & GAY
ENGINEERS, INC.

CIVIL ENGINEERS & SURVEYORS
HOUSTON, TEXAS

OLD HIGHWAY 3 TRACT
UTILITY & STREET AND
DRAINAGE EASEMENT
ABANDONMENT EXHIBIT

Scale: 1" = 300'	Job No.: KDC01-5T	Date: 03/20/08	Exhibit: NO. 1
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EASEMENTS TO BE DEDICATED		
1		100' SANITARY & WATER LINE EASEMENT 3.665 ACRES / 159,667 S.F.

BROWN & GAY
ENGINEERS, INC.

CIVIL ENGINEERS & SURVEYORS
HOUSTON, TEXAS

OLD HIGHWAY 3 TRACT
SANITARY & WATER LINE
EASEMENT DEDICATION EXHIBIT

Scale: 1" = 300'	Job No.: KDC01-5T	Date: 02/26/08	Exhibit: NO. 2
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Abandonment and sale of two 20-foot-wide drainage easements and an 80-foot-wide utility and street right-of-way easement, in exchange for the conveyance to the City of a 100-foot-wide utility easement, all located within the Luke Hamenway Survey, A-800 and A-802 and the August Whitlock Survey, A-798. **Parcels SY8-005A through C and VY8-051**

to: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: PROPERTY: Condemnation of Parcel CY7-006, located at 750 Rankin Road for the RANKIN LIFT STATION PUMP AND LIFT STATION RENEWAL AND REPLACEMENT PROJECT
WBS R-000267-0086-2

Category #7

Page 1 of 1

Agenda Item # 15

Owner: Northborough Wiese, J.V.

FROM: (Department or other point of origin):

Origination Date

Agenda Date

Department of Public Works and Engineering

5/20/08

MAY 28 2008

DIRECTOR'S SIGNATURE:

Council District affected:

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

B
Key Map 372F

For additional information contact:

Nancy P. Collins Phone: (713) 837-0881
Senior Assistant Director

Date and identification of prior authorizing

Council Action:
Ordinance 2005-1102, September 21, 2005

RECOMMENDATION: (Summary)

Authority be given through Council Motion to condemn Parcel CY7-006

Amount and

Source of Funding: No Additional Funding Required (to be determined by Condemnation proceedings; covered under Blanket Appropriation Ordinance 2005-1102, R-00019A-00RE-2-01 Water and Sewer System Consolidated Construction Fund 8500)

Finance Department:

SPECIFIC EXPLANATION:

The RANKIN LIFT STATION PUMP AND LIFT STATION RENEWAL AND REPLACEMENT PROJECT is part of the City's ongoing program to upgrade its lift station facilities. This project consists of evaluation and design services to rehabilitate, repair, replace, and/or consolidate various lift stations and related sewer systems. This transaction involves the acquisition of 4,841 square feet located at 750 Rankin Road.

CONDEMNATION:

The City desires to acquire 4,841 square feet from vacant commercial land. Condemnation is being recommended to acquire this parcel due to the owner's refusal of the City's offer. The City's offer was based on an appraisal by Lynette T. Fornerette, CRA, Independent Fee Appraiser. The valuation was reviewed and recommended for approval by a senior staff appraiser of this department. The breakdown is as follows:

Parcel: (Fee)

3,746 square feet (unencumbered) @ \$2.00 PSF\$7,492.00
1,095 square feet (encumbered) @ \$2.00 PSF x 50%\$1,095.00
TOTAL CONSIDERATION.....\$8,587.00

NO COUNTEROFFER SUBMITTED

It is recommended that authority be given through Council Motion to condemn Parcel CY7-006 located at 750 Rankin Road. Parcel CY7-006 is 4,841 square feet of land, out of Restricted Reserve "A" of Northborough Towne Centre recorded in Volume 325, Page 18, Harris County Map Records; said 0.1111 acre of land also being out of a residue of a certain tract of land described in deed dated February 11, 1994 to Northborough Wiese J.V. recorded under Harris County Clerk's File P712087, located in the John Schnell Survey, Abstract No. 741, Harris County, Texas according to the City of Houston field notes.

MSM: NPC: aj
cc: Marty Stein

CUIC #20ANJ05

REQUIRED AUTHORIZATION

Finance Department:

Other Authorization:

Other Authorization:

Jeff Taylor
Jeff Taylor, Deputy Director
Public Utilities Division

Andrew F. Icken
Andrew F. Icken, Deputy Director
Planning and Development Services Division

JOHN SCHNELL SURVEY
ABSTRACT NO. 741

DANIEL O'NEAL SURVEY
ABSTRACT NO. 617

NORTHBOROUGH TOWNE CENTRE
VOL. 325, PG. 18, H.C.M.R.

RESTRICTED RESERVE "A"

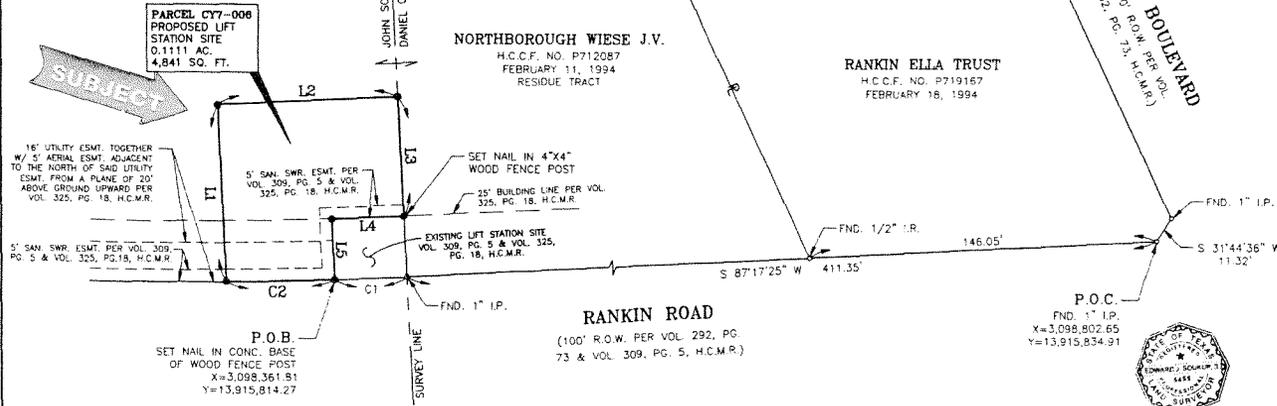
NORTHBOROUGH WIESE J.V.
H.C.C.F. NO. P712087
FEBRUARY 11, 1994
RESIDUE TRACT

NORTHBOROUGH WIESE J.V.
H.C.C.F. NO. P712087
FEBRUARY 11, 1994
RESIDUE TRACT

RANKIN ELLA TRUST
H.C.C.F. NO. P719167
FEBRUARY 18, 1994

RANKIN ROAD
(100' R.O.W. PER VOL. 292, PG. 73 & VOL. 309, PG. 5, H.C.M.R.)

ELLA BOULEVARD
(100' R.O.W. PER VOL. 292, PG. 73, H.C.M.R.)

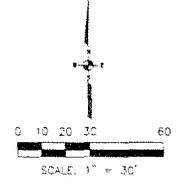


LINE TABLE		
LINE	BEARING	DISTANCE
L1	N 02°42'35" W	73.56'
L2	N 87°17'25" E	75.00'
L3	S 02°42'35" E	56.00'
L4	S 87°17'25" W	30.00'
L5	S 02°42'35" E	24.77'

CURVE TABLE				
CURVE	RADIUS	LENGTH	DELTA	CHORD
C1	1,950.00'	30.00'	00°52'53"	S 87°43'56" W, 30.00'
C2	1,950.00'	45.02'	01°19'22"	S 88°50'03" W, 45.02'

SURVEY OF A PROPOSED LIFT STATION SITE BEING 0.1111 ACRE (4,841 SQUARE FEET) OF LAND OUT OF RESTRICTED RESERVE "A" OF NORTHBOROUGH TOWNE CENTRE RECORDED IN VOLUME 325, PAGE 18, HARRIS COUNTY MAP RECORDS; SAID 0.1111 ACRE OF LAND ALSO BEING OUT OF A RESIDUE OF A CERTAIN TRACT OF LAND DESCRIBED IN DEED DATED FEBRUARY 11, 1994 TO NORTHBOROUGH WIESE J.V. RECORDED UNDER HARRIS COUNTY CLERK'S FILE NO. P712087, LOCATED IN THE JOHN SCHNELL SURVEY, ABSTRACT NO. 741, HARRIS COUNTY, TEXAS.

- LEGEND:
- AC. - ACRES
 - CONC. - CONCRETE
 - ESMT. - EASEMENT
 - FND. - FOUND
 - H.C.C.F. - HARRIS COUNTY CLERK'S FILE
 - H.C.M.R. - HARRIS COUNTY MAP RECORDS
 - I.P. - IRON PIPE
 - I.R. - IRON ROD
 - PG. - PAGE
 - P.O.B. - POINT OF BEGINNING
 - P.O.C. - POINT OF COMMENCING
 - R. - PROPERTY LINE
 - R.O.W. - RIGHT-OF-WAY
 - SAN. S.W. - SANITARY SEWER
 - SQ. FT. - SQUARE FEET
 - VOL. - VOLUME
 - - SET 1/2" I.R. W/CAP (UNLESS NOTED OTHERWISE)



- NOTES:
- The coordinates and bearings shown herein are Texas South Central Zone No. 4204 State Plane Grid Coordinates (NAD 83) and may be brought to surface by dividing by the following combined factor of 0.99992358.
 - This survey was prepared with the benefit of a title commitment issued by Texas American Title Company, of No. 500-07-0788, dated February 22, 2007.
 - This survey is accompanied by a separate metes and bounds description.
 - Subject to restrictive covenants recorded in Volume 325, Page 18, Harris County Map Records and under Harris County Clerk's File Nos. F599038, F700145, F823386, F864512, G330075, H698614 and J186408.
 - Subject to a non-exclusive easement for roadways, walkways, ingress and egress as set forth in the covenants and restrictions recorded under Harris County Clerk's File No. J186408.
 - Subject to restrictions and regulations imposed by City of Houston Airport Zoning Ordinances for the Airport Hazard Area at Houston Intercontinental Airport recorded in Volume 5448, Page 22, Harris County Deed Records and under Harris County Clerk's File No. J040968.



Edward J. Jenkins I

<p>LANDTECH CONSULTANTS, INC. Civil Engineering * Land Surveying 2627 North Loop West Suite 224 Houston, Texas 77008 Tel (713) 861-7088 Fax (713) 861-4131</p>	
<p>CITY OF HOUSTON PUBLIC WORKS AND ENGINEERING DEPARTMENT</p>	
<p>DATE: 05/22/07 <i>Robert J. ...</i> <i>Harold ...</i> RIGHT OF WAY SECTION</p>	
KEY MAP NO.: 372F	CIMS MAP NO.: 5266C
DATE: JAN. 18, 2007	
PARCEL NO.: CY7-006	
WBS NO. R-000267-0086-3	
C.M. NO.:	



COUNTY LOCATION MAP

Description: RANKIN LIFT STATION PUMP AND LIFT STATION RENEWAL AND REPLACEMENT PROJECT
WBS R-000267-0086-2, Parcel CY7-006, Key Map 372F
Council District B

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



Area of Detail shown on Location Map

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 7886

Subject: Furnish and Install Hurricane Protection Screens for the Convention and Entertainment Facilities Department
S38-N22840

Category #
1 & 4

Page 1 of 2

Agenda Item

16

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

Origination Date

April 30, 2008

Agenda Date

MAY 28 2008

DIRECTOR'S SIGNATURE
Calvin D. Wells

Council District(s) affected
1

For additional information contact:
Dawn Ullrich Phone: (713) 853-8083
Ray DuRousseau Phone: (713) 247-1735

Date and Identification of prior authorizing Council Action:

RECOMMENDATION: (Summary)

Approve an award to Armor Screen Corporation on its low bid meeting specifications in the total amount of \$128,018.00 to install hurricane protection screens at the George R. Brown Convention Center for the Convention and Entertainment Facilities Department.

Award Amount : \$128,018.00

FIN Budget

\$128,018.00 - C & E Civic Center Facility Revenue (8601)

SPECIFIC EXPLANATION:

The City Purchasing Agent recommends that City Council approve an award to Armor Screen Corporation on its low bid meeting specification in the total amount of \$128,018.00 to furnish and install hurricane protection screens at the George R. Brown Convention Center for the Convention Entertainment Facilities Department and that authorization be given to issue a purchase order. These hurricane screens will come with a one-year warranty on material and workmanship and an unknown life expectancy due to the nature of their use.

This project was advertised in accordance with the requirements of the State of Texas bid laws. Twelve prospective bidders downloaded this solicitation document on SPD's e-bidding website and two bids were received due to specialized product specifications and the requirement that the hurricane screens be approved by Miami – Dade County.

<u>Company</u>	<u>Total Amount</u>
1. Camlow, LLC	\$52,206.00 (Did Not Meet Specifications)
2. Armor Screen Corporation	\$128,018.00

- A lower bid was submitted by Camlow, LLC but did not meet specifications. Specifically, the product offered has a positive design pressure of 60 (wind speed of 150 mph) instead of the referenced product which has a design pressure of 130 (wind speed of 228 mph). Additionally, the product offered by Camlow, LLC is approved up to a maximum of 12' in height while the product specified is approved up to 24' in height.

This purchase consists of 23 hurricane screens that will cover 23 roll-up doors of various opening dimensions, ranging from 48" x 178" to 378" x 178" at the George R. Brown Convention Center, located at 1001 Avenida de las Americas. The contractor will provide all materials, labor, equipment, transportation, insurance, and permits necessary to design, fabricate and install the hurricane wind abatement screens as required to meet the 2001 Florida Building Code to comply with the high velocity hurricane zone requirements and approved by the Miami-Dade County Product Control Division. The contractor will have 60 days to complete the work on this project upon receipt of the purchase order.

REQUIRED AUTHORIZATION

NDT

FIN Director:

Other Authorization:

Other Authorization:

16/21

Date: 4/30/2008	Subject: Furnish and Install Hurricane Protection Screens for the Convention and Entertainment Facilities Department S38-N22840	Originator's Initials LF	Page 2 of 2
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M/WBE Subcontracting

This invitation to bid was issued as a goal-oriented contract with an 11% M/WBE participation level. **Armor Screen Corporation** has designated the below named company as its certified M/WBE subcontractor.

<u>Name</u>	<u>Type of Work</u>	<u>Amount</u>
Hurricane Solutions	Labor and Installation	\$14,081.98

Buyer: Lena Farris
PR 10047409

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 7871

Subject: Formal Bids Received for Medical, Diagnostic and Virological Test Kits for the Health & Human Services Department
S21-S22700

Category #
4

Page 1 of 2

Agenda Item

17

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

Origination Date
April 25, 2008

Agenda Date
MAY 28 2008

DIRECTOR'S SIGNATURE
Calvin D. Wells

Council District(s) affected
All

For additional information contact:
Sally Switek Phone: (713) 794-9137
Desiree Heath Phone: (713) 247-1722

Date and Identification of prior authorizing Council Action:

RECOMMENDATION: (Summary)
Approve various awards, as shown below, in an amount not to exceed \$707,688.74 for medical, diagnostic and virological test kits for the Health & Human Services Department.

Estimated Spending Authority: \$707,688.74

FIN Budget

\$707,688.74 General Fund (1000)

SPECIFIC EXPLANATION:

The City Purchasing Agent recommends that City Council approve various awards, as shown below, in an amount not to exceed \$707,688.74 for medical diagnostic and virological test kits for the Health & Human Services Department, and that authorization be given to make purchases, as needed, for a 36-month period, with two one-year options. These awards consist of diagnostic test kits, reagents, HIV-1 Western Blot Kits, reconstituting fluid, diluting fluid, probe/electrode assemblies, various mycobacteria identification test kits, and various other tools and accessories necessary for identifying the presence of communicable and sexually transmitted diseases. The supplies will be used to test patients who visit the City's health clinics in accordance with federal mandate.

This project was advertised in accordance with the requirements of the State of Texas bid laws. Thirteen bidders downloaded the solicitation document on SPD's e-bidding website and three bids were received. The suppliers shown below are the sole source manufacturers and sole source distributors of their respective supplies.

Gen-Probe Sales & Service: Award on its sole bid for Line Item Nos. 1 - 12 (antibody assay systems, urine specimen collectors, syringes, culture and diagnostic detection kits) in an amount not to exceed \$189,421.00.

Bio-Rad Laboratories, Inc.: Award on its sole bid for Line Item Nos. 14 - 27 and 48 - 50 (HIV and Hepatitis B retroviral controls, test kits, blot trays, needles, and various test kits) in an amount not to exceed \$272,364.44.

BD Diagnostics Systems: Award on its sole bid for Line Item Nos. 28 - 47 (reagent kits, culture media, fluid test kits, needle heaters, UV lamps, disposable sterile filters, sample racks and accessories) in an amount not to exceed \$245,903.30.

Line Item Nos. 51 - 60 are not being awarded.

Attachment: M/WBE Zero-Percentage Goal Document approved by the Affirmative Action Division.

REQUIRED AUTHORIZATION

(3) NDT

FIN Director:

Other Authorization:

Other Authorization:

178

Date: 4/25/2008	Subject: Formal Bids Received for Medical, Diagnostic and Virological Test Kits for the Health & Human Services Department S21-S22700	Originator's Initials LM	Page 2 of 2
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Buyer: Laura A. Marquez

Estimated Spending Authority

Department	FY08	Out Years	Total
Health & Human Services	\$141,538.35	\$566,150.39	\$707,688.74



CITY OF HOUSTON

Finance & Administration Department
Strategic Purchasing Division (SPD)

Interoffice

Correspondence

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

From: Laura A. Marquez

Date: December 18, 2007

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 0%

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: S21-S22700 Estimated Dollar Amount: \$596,653.56

Anticipated Advertisement Date: 12/21/2007 Solicitation Due Date: 2/7/2008

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:

This bid covers miscellaneous test kits, accessories and supplies that will be used on patients at the Health Clinics citywide by the Department of Health and Human Services for the screening of tuberculosis, HIV, measles, hepatitis, and other communicable and sexually transmitted infectious diseases.

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

These test kits will be shipped directly to the City of Houston from the pharmaceutical/medical supply company who hold the patents/rights and are sole sourced on this type of commodity. Currently, there is no City of Houston M/WBE manufacturing these medical, diagnostic and virological test kits. (Please see attached for a brief history on previous award)

Concurrence:

SPD Initiator

Division Manager

Robert Gallegos, Deputy Assistant Director
*Affirmative Action

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.

RECEIVED

DEC 19 2007

City of Houston

Affirmative Action

REVISED: 07/09/2007

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 7908

Subject: Formal Bid Received for Airborne Thermal Imaging Systems for the Police Department
S34-N22845

Category #
1 & 4

Page 1 of 1

Agenda Item

18-18A

FROM (Department or other point of origin):

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

Origination Date

April 23, 2008

Agenda Date

MAY 28 2008

DIRECTOR'S SIGNATURE

MS Calvin D. Wells

Council District(s) affected
All

For additional information contact:

Joseph Fenninger *JF 5/5/08* Phone: (713) 308-1708
Ray DuRousseau Phone: (713) 247-1735

Date and Identification of prior authorizing Council Action:

RECOMMENDATION: (Summary)

Approve an ordinance authorizing the appropriation of \$1,804,496.00 out of the Equipment Acquisition Consolidated Fund (Fund 1800) and approve an award to FLIR Systems, Inc. on its sole bid in the amount of \$1,804,496.00 for airborne thermal imaging systems for the Police Department.

Award Amount: \$1,804,496.00

FIN Budget

\$1,804,496.00 - Equipment Acquisition Consolidated Fund (Fund 1800)

SPECIFIC EXPLANATION:

The City Purchasing Agent recommends that City Council approve an ordinance authorizing the appropriation of \$1,804,496.00 out of the Equipment Acquisition Consolidated Fund (Fund 1800). It is further recommended that City Council approve an award to FLIR Systems, Inc. on its sole bid in the amount of \$1,804,496.00 for eight airborne thermal imaging systems for the Police Department, and that authorization be given to issue a purchase order. These airborne thermal imaging systems will be installed in the eight 4-passenger helicopters previously awarded by City Council. They will enhance the operational efficiency of the helicopters by providing night vision search capability that allows the helicopter pilots to locate individuals hidden by the darkness, heavy vegetation and tree foliage.

This project was advertised in accordance with the requirements of the State of Texas bid laws. Six prospective bidders were notified via e-mails inviting them to participate and submit bids for this procurement. Only one contractor/supplier submitted a bid for this procurement due to the limited competition for the specified equipment.

These new airborne thermal imaging systems will come with a full one-year warranty, and the projected life expectancy is ten years.

Buyer: Larry Benka
PR No. 10049807

Attachment: M/WBE Zero-Percentage Goal Document Approved by the Affirmative Action Division

REQUIRED AUTHORIZATION

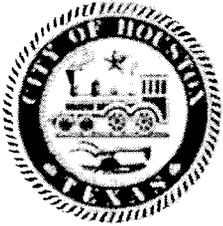
FIN Director:

Other Authorization:

Other Authorization:

NDT

18-18A



CITY OF HOUSTON

Finance & Administration Department
Strategic Purchasing Division (SPD)

Interoffice

Correspondence

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

From: Larry Benka

Date: March 14, 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: S34-N22845 Estimated Dollar Amount: \$1,600,000.00

Anticipated Advertisement Date: 3/21/2008 Solicitation Due Date: 4/17/2008

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:

Purchase of Eight Airborne Thermal Imaging Systems

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

This purchase is for airborne thermal imaging systems. The systems, including all options, will be manufactured as a completely assembled unit by an out-of state manufacturer. The manufacturer will deliver the system to the City of Houston Helicopter Patrol for installation. There is no potential for M/WBE participation.

Concurrence:

Larry Benka
SPD Initiator

S. P. D. [Signature]
Division Manager

Robert D. 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.

Attachment to RPA# 7908

R

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 7916

Subject: Purchase of Interactive Voice Response System Hardware, Software and Professional Services through the City's Master Agreement with the Texas Department of Information Resources (Contract No. C56844)

Category # 4 & 5

Page 1 of 2

Agenda Item

19

FROM (Department or other point of origin):

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

for Kevin M. Coleman

Origination Date

May 23, 2008

Agenda Date

MAY 28 2008

DIRECTOR'S SIGNATURE

Council District(s) affected
All

For additional information contact:

Ogilvie Gericke Phone: (713) 837-0099
Ray DuRousseau Phone: (832) 393-8726

Date and Identification of prior authorizing Council Action:

RECOMMENDATION: (Summary)

Approve the purchase of interactive voice response system hardware, software, and professional services in the total amount of \$678,300.00 through the City's Master Agreement with the Texas Department of Information Resources.

Award Amount: \$678,300.00

Finance Budget

Kuc

\$314,227.00 - Building Inspection Fund (2301)
\$199,850.00 - Combined Utility System Gen Pur Fund (8305)
\$164,223.00 - W & S System Operating Fund (8300)
\$678,300.00 - Total

SPECIFIC EXPLANATION:

The City Purchasing Agent recommends that City Council approve the purchase of interactive voice response (IVR) system hardware, software, and professional services in the total amount of \$678,300.00 through the City's Master Agreement with the Texas Department of Information Resources for the Public Works & Engineering Department (PW&E), and that authorization be given to issue a purchase order to DIR's Go Direct Vendors, North American Communications Resources, Inc. in the amount of \$591,288.00 and Avaya, Inc. in the amount of \$87,012.00.

This purchase consists of one enterprise survivable server, one application enablement server, two media gateways, 51 call center elite software licenses, 51 call management system software licenses and 48 contact centers express software licenses. Additionally, this purchase also includes professional services that will provide an onsite and remote project manager, an on-site technician help desk the first day the IVR system begins operating and an after hours technician to minimize business disruption and installation of servers.

The hardware, software and professional services are being purchased for the implementation of the Avaya IVR touch tone system at the Code Enforcement Division, located at 3300 Main. The Avaya IVR system will replace the nine year old Windows based IVR system that has exceeded its life expectancy and is no longer supported by the manufacturer. The Avaya IVR system will allow customers to check permit status and will provide backup redundancy for Utility Customer Service's Interactive Voice Response System which provides customers self service opportunities to make payments and access general water/sewer account information. The Avaya IVR system will be an expansion of the same system implemented in January 2008 by the Utility Customer Service Division at 4200 Leeland. The Avaya IVR system has the capacity to support both the Utility Customer Service and the Code Enforcement Division's call requirements 24 hours a day 7 days a week. Additionally, the Avaya IVR system will perform as a backup system for PW&E representatives in the

REQUIRED AUTHORIZATION

Finance Director:

Other Authorization:

Other Authorization:

Date: 5/23/2008	Subject: Purchase of Interactive Voice Response System Hardware, Software and Professional Services through the City's Master Agreement with the Texas Department of Information Resources (Contract No. C56844)	Originator's Initials MS	Page 2 of 2
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event of a system outage or natural disaster. North American Communications Resources, Inc. will install equipment and software at 611 Walker to support and backup the main system at 4200 Leeland.

Allocation of funding for the Avaya IVR system is based upon the number of ports that will be utilized to support the Code Enforcement and Utility Customer Service Divisions.

This equipment will come with a one-year warranty and the life expectancy is five years.

The existing equipment will be will be sent to the Property Disposal Management Office for disposition.

M/WBE Subcontracting

North American Communication Resources, Inc. has designated the below-named company as its certified M/WBE subcontractor.

<u>Name</u>	<u>Type of Work</u>	<u>Dollar Amount</u>	<u>Percentage</u>
DC Services, LLC	Interactive Voice Response System Development Services	\$ 111,513.00	16.4%

Buyer: Murdock Smith

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 7764

Subject: Formal Bids Received to Furnish and Install Laboratory Equipment for the Public Works & Engineering Department S23-N22657

Category #
4

Page 1 of 2

Agenda Item

20

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

Origination Date
April 17, 2008

Agenda Date
MAY 28 2008

DIRECTOR'S SIGNATURE
Calvin D. Wells

Council District(s) affected
All

For additional information contact:
Dannelle Belhatche Phone: (713) 837-0847
Ray DuRousseau Phone: (713) 247-1735

Date and Identification of prior authorizing Council Action:

RECOMMENDATION: (Summary)
Approve various awards, as shown below, in the total amount of \$205,553.85 to furnish and install laboratory equipment for the Public Works & Engineering Department.

Award Amount: \$205,553.85

F & A Budget

\$205,553.85 Combined Utility System General Purpose Fund (8305) *Re 4/22/08*

SPECIFIC EXPLANATION:
The City Purchasing Agent recommends that City Council approve various awards, as shown below, in the total amount of \$205,553.85 to furnish and install laboratory equipment for the Public Works & Engineering Department and that authorization be given to issue purchase orders. These analyzers and testing equipment will be used to perform laboratory analysis on potable drinking water for the presence of herbicides, pesticides and polychlorinated biphenyls (PCBs). In addition, the raw and treated water samples shall be tested for organic carbon, inorganic carbon and nitrogen.

This project was advertised in accordance with the requirements of the State of Texas bid laws. Twenty-two prospective bidders downloaded this solicitation document on SPD's e-bidding website, and three bids were received as outlined below:

Agilent Technologies, Inc.: Award on its low bid meeting specifications for Item No. 1, gas chromatograph system, in the amount of \$129,255.25.

<u>Company</u>	<u>Total Amount</u>
1. Thermo Electron NA LLC	\$111,885.73 (Did Not Meet Specifications)
2. Agilent Technologies, Inc.	\$129,255.25

Shimadzu Scientific Instruments, Inc.: Award on its sole bid for Item No. 3, total organic carbon (TOC) combustion analyzer system, in the amount of \$76,298.60.

- A sole bid was received for the specified TOC combustion analyzer system because Shimadzu Scientific Instruments, Inc. is the only manufacturer of the specified equipment.

The scope of work requires the contractors to furnish all labor, equipment, materials, tools, supervision, transportation and insurance necessary to furnish and install the laboratory equipment with the applicable hardware and software packages at the Department's Drinking Water Operations Branch Water Quality Laboratory.

REQUIRED AUTHORIZATION

F&A Director:

Other Authorization:

Other Authorization:

[Signature]

[Signature]

65CDW7764 (2) NO

0004

Date: 4/17/2008	Subject: Formal Bids Received to Furnish and Install Laboratory Equipment for the Public Works & Engineering Department S23-N22657	Originator's Initials RB	Page 2 of 2
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The gas chromatograph system (Item No. 1) will be used to test water samples for the presence of other Environment Protection Agency (EPA) regulated environmental pollutants (to include haloacetic acids and semi-volatile organics). The TOC combustion analyzer system (Item No. 3) will be used to analyze for total organic carbons in potable drinking water for the purpose of compliance with the EPA and Texas Commission on Environmental Quality drinking water regulations. The new systems will come with a two-year warranty and the life expectancy is five years. This equipment will replace existing units that have an average age of 14 years and have exceeded their life expectancy. The old units will be sent to the Property Management Office for disposition.

Item No. 2 will not be awarded.

Buyer: Martin L. King

Attachment: M/WBE Zero-Percentage Goal Document approved by the Affirmative Action Division



CITY OF HOUSTON

Finance & Administration Department
Strategic Purchasing Division (SPD)

Interoffice

Correspondence

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

From: Roy Breaux

Date: 10/19/2007

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: S23-N22657 Estimated Dollar Amount: \$200,000.00

Anticipated Advertisement Date: 11/1/2007 Solicitation Due Date: 11/29/2007

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

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

Name and Intent of this Solicitation:

Furnish & Install Laboratory Instruments for Public Works & Engineering Department

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

The contractor shall furnish & install Laboratory Instruments for Public Works Department. These analyzers and testing equipment will be used for performing analysis on drinking water to identify anions, and sources of drinking water for the presence of herbicides, pesticides and PCB's. In addition the raw & treated water samples shall also be tested for organic carbon, inorganic carbon and nitrogen. These chromatographs and Total Organic Carbon analysis system will be shipped directly from the manufacturer to the City end-user. Therefore, there is no potential for M/WBE participation on this one-time procurement.

Concurrence:

SPD Initiator

Division Manager

Robert Gallegos, Deputy Assistant Director
*Affirmative Action

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.

RECEIVED

CITY OF HOUSTON

REVISION OF AFFIRMATIVE ACTION

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 7873

Subject: Formal Bids Received for Chemical, Carbon Dioxide for the Public Works & Engineering Department S12-S22359

Category #
4

Page 1 of 1

Agenda Item

21

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

Origination Date
April 17, 2008

Agenda Date
MAY 28 2008

DIRECTOR'S SIGNATURE
Calvin D. Wells

Council District(s) affected
All

For additional information contact:
Dannelle Belhatche Phone: (713) 837-0847
Ray DuRousseau Phone: (713) 247-1735

Date and Identification of prior authorizing Council Action:

RECOMMENDATION: (Summary)
Approve an award to Airgas-Southwest, Inc. on its low bid in an amount not to exceed \$99,967.00 for carbon dioxide for the Public Works & Engineering Department.

Estimated Spending Authority: \$99,967.00

F & A Budget

\$99,967.00 - Water & Sewer System Operating Fund (8300) *1/2 4/22/08*

SPECIFIC EXPLANATION:

The City Purchasing Agent recommends that City Council approve an award to Airgas-Southwest, Inc. on its low bid in an amount not to exceed \$99,967.00 for carbon dioxide (CO₂) for the Public Works & Engineering Department. It is further requested that authorization be given to issue purchase orders, as needed, for a 12-month period. This award, consisting of approximately 714,050 pounds of carbon dioxide, will be utilized on a daily basis by the Department's Drinking Water Operations Branch to stabilize the alkalinity of treated water and enhance the quality of potable drinking water during the treatment process. Carbon dioxide is necessary to comply with the Texas Commission of Environmental Quality and Environmental Protection Agency's water quality mandates.

This project was advertised in accordance with the requirements of the State of Texas bid laws. Ten prospective bidders downloaded the solicitation document on SPD's e-bidding website and two bids were received, due to limited regional competition, as outlined below:

<u>COMPANY</u>	<u>TOTAL AMOUNT</u>
1. Airgas-Southwest, Inc.	\$99,967.00
2. Skyhawk Chemicals, Inc.	\$121,388.50

Buyer: Martin L. King

Estimated Spending Authority:

<u>DEPARTMENT</u>	<u>FY 2008</u>	<u>OUT YEARS</u>	<u>TOTAL</u>
PW&E	\$17,000.00	\$82,967.00	\$99,967.00

REQUIRED AUTHORIZATION

F&A Director:

Other Authorization:

Other Authorization:

65CDW17873

[Signatures]

2008

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 7877

Subject: Formal Bid Received for Automotive, White/GMC/Volvo Replacement Parts and Service for Various Departments S06-S22754

Category #
4

Page 1 of 2

Agenda Item

22

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

Origination Date
May 14, 2008

Agenda Date
MAY 28 2008

DIRECTOR'S SIGNATURE
Calvin D. Wells

Council District(s) affected
All

For additional information contact:
Dan Gutierrez Phone: (713) 837-9214
Desiree Heath Phone: (713) 247-1722

Date and Identification of prior authorizing Council Action:

RECOMMENDATION: (Summary)

Approve an award to Sweeten Truck Center, L.C. on its sole bid in an amount not to exceed \$427,368.00 for automotive, White/GMC/Volvo replacement parts and repair service for various departments.

Estimated Spending Authority: \$427,368.00

FIN Budget

\$268,750.00 General Fund (1000)
\$158,618.00 Fleet Management Fund (1005)
\$427,368.00

SPECIFIC EXPLANATION:

The City Purchasing Agent recommends that City Council approve an award to Sweeten Truck Center, L.C. on its sole bid in an amount not to exceed \$427,368.00 for automotive, White/GMC/Volvo replacement parts and repair service. It is further requested that authorization be given to make purchases, as needed, for a 60-month period. This award consists of a price list for various automotive White/GMC/Volvo truck parts: which includes, but is not limited to, door handles, cab fans, exhaust flex pipes, sensors, mud flaps, cylinder heads, and brake drums used by the Parks & Recreation, Public Works & Engineering and Solid Waste Management Departments to repair various models of Volvo trucks used citywide. This award also includes a \$169,240.00 labor component for repair of equipment that cannot be performed by City personnel.

This project was advertised in accordance with the requirements of the State bid laws. Two prospective bidders downloaded the solicitation document on SPD's e-bidding website, and one bid was received. Sweeten Truck Center, L.C. is the only authorized distributor of White/GMC/Volvo truck parts and repair service in the greater Houston area and the surrounding counties.

M/WBE Subcontracting:

This bid was issued with an 11% goal for M/WBE participation. **Sweeten Truck Center, L.C.** has designated the below-named company as its certified M/WBE subcontractor:

<u>NAME</u>	<u>TYPE OF WORK</u>	<u>AMOUNT</u>
Gigi's Package Express	Delivery Service	\$47,010.18

This award will be monitored by the Affirmative Action Division.

Buyer: Tywana L. Rhone

REQUIRED AUTHORIZATION

NDT

FIN Director:

Other Authorization:

Other Authorization:

Date:
5/14/2008

Subject: Formal Bid Received for Automotive, White/GMC/Volvo
Replacement Parts and Service for Various Departments
S06-S22754

Originator's
Initials
TR

Page 2 of 2

Estimated Spending Authority:

DEPARTMENT	FY08	OUT YEARS	TOTAL
Solid Waste Management	\$ 3,000.00	\$167,000.00	\$170,000.00
Public Works & Engineering	\$ 7,930.69	\$150,687.31	\$158,618.00
Parks & Recreation	\$ 2,200.00	\$ 96,550.00	\$ 98,750.00
GRAND TOTAL	\$13,130.69	\$414,237.31	\$427,368.00

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 7825

Subject: Sole Bid Received for Directories, Street Guides for Various Departments
S36-S22675

Category #
4

Page 1 of 2

Agenda Item

23

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

Origination Date
March 14, 2008

Agenda Date
MAY 28 2008

DIRECTOR'S SIGNATURE
Calvin D. Wells

Council District(s) affected
All

For additional information contact:
David Guernsey Phone: (713) 238-5241
Desiree Heath Phone: (832) 393-8742

Date and Identification of prior authorizing Council Action:

RECOMMENDATION: (Summary)

Approve an award to Key Maps, Inc. on its sole bid in an amount not to exceed \$474,500.16 for directories, street guides for various departments.

Estimated Spending Authority: \$474,500.16

F & A Budget

PLR 4/2/08

[Signature]

\$306,955.00 General Fund (1000)
\$ 22,170.00 Storm Water Fund
\$ 6,881.16 HAS - Revenue Fund (8001)
\$138,494.00 Water & Sewer Operating Fund (8300)
\$474,500.16 Total

SPECIFIC EXPLANATION:

The City Purchasing Agent recommends that City Council approve an award to Key Maps, Inc. on its sole bid in an amount not to exceed \$474,500.16 for directories, street guides for various departments. It is further requested that authorization be given to make purchases, as needed, for a 60-month period. This award consists of street guides directories which includes, but is not limited to, Houston/Harris, Montgomery, and Fort Bend counties atlas key maps in loose-leaf sheets with plastic binder cover; spiral wire bound laminated pages key map refills; and various size wall maps to be used by the Public Works & Engineering, Police, Fire, Health & Human Services, Parks & Recreation, Planning & Development, and Solid Waste Management Departments, and the Houston Airport System to aid employees in locating streets, neighborhoods and buildings while conducting various business throughout the City, Harris County and surrounding Montgomery and Fort Bend counties.

This project was advertised in accordance with the requirements of the State of Texas bid laws. Only one prospective bidder downloaded and submitted a bid for the solicitation document on SPD's e-bidding website.

Due to the specialized nature of this commodity, the Strategic Purchasing Division's research found that there were only two potential suppliers that could provide this commodity. Key Maps, Inc. was the only supplier to attend the pre-bid conference. Subsequent to receipt of the bid, the suppliers that visited and viewed the website for this solicitation but did not download the document were contacted to determine the reason why they did not submit a bid. The suppliers advised that their company either purchased the items from the supplier being recommended for award or that they could not provide the commodity.

65(DW)7825

REQUIRED AUTHORIZATION

F&A Director:

Other Authorization:

Other Authorization:

[Signature]

MOT

23

Date: 3/14/2008	Subject: Sole Bid Received for Directories, Street Guides for Various Departments S36-S22675	Originator's Initials VK	Page 2 of 2
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M/WBE Subcontracting:

This bid was issued with a 3% goal for M/WBE participation. **Key Maps, Inc.** has designated the below-named company as its certified M/WBE subcontractor:

<u>NAME</u>	<u>TYPE OF WORK</u>	<u>DOLLAR AMOUNT</u>
Union Printers, Inc.	Printing Services	\$14,500.00

The Affirmative Action Division will monitor this award.

Buyer: Valerie Player-Kaufman

Estimated Spending Authority:

<u>DEPARTMENTS</u>	<u>FY2008</u>	<u>OUT YEARS</u>	<u>TOTAL</u>
Public Works & Eng	\$40,950.60	\$163,802.40	\$204,753.00
Police	\$ 9,949.67	\$109,446.33	\$119,396.00
Fire	\$ 5,000.00	\$ 74,701.44	\$ 79,701.44
Health	\$ 3,345.65	\$ 26,741.11	\$ 30,086.76
Parks & Recreation	\$ 1,100.00	\$ 14,071.80	\$ 15,171.80
Solid Waste Management	\$ 546.48	\$ 8,561.52	\$ 9,108.00
Planning & Development	\$ 2,089.04	\$ 4,356.96	\$ 6,446.00
Houston Airport System	\$ 350.00	\$ 6,531.16	\$ 6,881.16
General Services	\$ 295.60	\$ 2,660.40	\$ 2,956.00
TOTAL	\$63,627.04	\$410,873.12	\$474,500.16



CITY OF HOUSTON

Finance & Administration Department
Strategic Purchasing Division (SPD)

Interoffice

Correspondence

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

From: Valerie Player-Kaufman

Date: January 2, 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 3%

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

If requesting a revision, how many solicitations were received: 0

Solicitation Number: S22675 Estimated Dollar Amount: \$471,489.09

Anticipated Advertisement Date: 1/11/2008 Solicitation Due Date: 1/31/2008

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

If goal was not met, what did the vendor achieve: N/A

Name and Intent of this Solicitation:

This is a renewal for Directories, Street Guides.

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

This is a renewal of a directories, street guides award that will be used by Public Works & Engineering, Police, Fire, Parks & Recreation, Health, Solid Waste Management, and General Services Departments. There is limited opportunity for M/WBE participation on this award, due to infrequent ordering; therefore, a 3% M/WBE goal has been assigned to this award. The 3% M/WBE goal can be achieved by utilizing subcontractors for deliver, paper supplies and printing services.

Concurrence:

SPD Initiator

Division Manager

Robert Gallegos, Deputy Assistant Director
*Affirmative Action

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.

RECEIVED

JAN 11 2008

03:50 PM

REVISED: 07/09/2007

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

Subject: A Resolution providing for a Public Hearing on the FY2009 Proposed Operating Budget.

Category #

Page 1 of 1

Agenda Item

24

FROM (Department or other point of origin):

Michelle Mitchell, Director
Finance Department

Origination Date:

5/20/08

Agenda Date

MAY 28 2008

DIRECTOR'S SIGNATURE

6 

Council District(s) affected:

All

For additional information contact: Michelle Mitchell
Phone: (713) 221-0935

Date and Identification of prior authorizing Council Action: Council Motion (2007-0557)

RECOMMENDATION: (Summary)

City Council call a public hearing on the Proposed FY2009 Operating Budget for June 10, 2008 and authorize the City Secretary to publish notice.

Amount of Funding:

N/A

Finance Budget:

SOURCE OF FUNDING:

General Fund

Grant Fund

Enterprise Fund

Other (Specify)

N/A

SPECIFIC EXPLANATION:

In order to allow for public input and in accordance with the state statute governing municipal budgets (Chapter 102, Section 102.006), a public hearing is required on the proposed FY2009 Operating Budget. The hearing will be held at 1:30 p.m. on June 10, 2008 in the City Council Chambers. Following the public hearing, City Council will consider the adoption of the FY2009 Operating Budget on June 11, 2008.

c: Marty Stein, Mayor's Office
Arturo Michel, City Attorney

REQUIRED AUTHORIZATION

Finance Director:

Other Authorization:

Other Authorization:

TO: Mayor via City Secretary REQUEST FOR COUNCIL ACTION

SUBJECT: Approval of a resolution designating 2 Landmarks and Protected Landmarks (see Attachment - page 2 of 2)		Category #	Page 1 of 2	Agenda Item # 25
FROM (Department or other point of origin): Planning and Development		Origination Date 4/2/2008		Agenda Date MAY 28 2008
DIRECTOR'S SIGNATURE: <i>Maureen A. Saprick</i>		Council District affected: H, D (see Attachment - Page 2 of 2)		
For additional information contact: Thomas McWhorter Phone: 713/837-7963		Date and identification of prior authorizing Council action: August 16, 2005 Ord. 2005-0969		
RECOMMENDATION: (Summary) Approval of a resolution designating 2 Landmarks and Protected Landmarks (see Attachment - Page 2 of 2)				
Amount and Source of Funding: N/A			F & A Budget:	
SPECIFIC EXPLANATION: In accordance with Chapter 33 of the Code of Ordinances relating to historic preservation, a property owner may initiate the application for the designation of a Landmark and Protected Landmark for which a 90-day waiver certificate may not be issued by the planning official. Public hearings were held by the Houston Archaeological and Historical Commission and the Houston Planning Commission as indicated on page two. Both commissions determined that the applications satisfied applicable criteria of the ordinance and unanimously recommended approval of the 2 Landmark and Protected Landmark designations. There were no objections to the applications. MG: rp tm Attachments: Applications and Staff Reports xc: Marty Stein, Agenda Director Emily Todd, Mayor's Liaison for Cultural Affairs Anna Russell, City Secretary Arturo G. Michel, City Attorney Deborah McAbee, Land Use Division, Legal Department Harold L. Hurtt, Chief, Police Department Phil Boriskie, Chief, Fire Department				
REQUIRED AUTHORIZATION				
F & A Director:		Other Authorization:		Other Authorization:

LANDMARKS AND PROTECTED LANDMARKS NAME/ADDRESS:	INITIATED BY:	COUNCIL DISTRICT:	HAHC HEARING:	PLANNING COMMISSION HEARING:
1. Joseph Merkel House 416 N. Hutcheson Street	Owner	H	2-21-2008	3-13-2008
2. Turnbow-Smith House 104 Avondale Street	Owner	D	2-21-2008	3-13-2008

Photos of the proposed Landmarks and Protected Landmarks can be found by going to the following link on the Planning Department's web site: www.houstontx.gov/planning/historic_pres/pending.htm

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PROTECTED LANDMARK DESIGNATION REPORT

LANDMARK NAME: Joseph Merkel House
OWNER: Bert Thomas McWhorter Jr.
APPLICANT: Same as Owner
LOCATION: 416 N. Hutcheson Street – Second Ward
30-DAY HEARING NOTICE: N/A

AGENDA ITEM: IV. b
HPO FILE NO.: 08PL54
DATE ACCEPTED: Jan-20-08
HAHC HEARING: Feb-21-08
PC HEARING: Mar-13-08

SITE INFORMATION

Lot 14, Block 2, Merkel's Third Addition, City of Houston, Harris County, Texas. The building on the site is a one and one half-story, wood frame residence.

TYPE OF APPROVAL REQUESTED: Landmark and Protected Landmark Designation

HISTORY AND SIGNIFICANCE SUMMARY:

The Joseph Merkel House, located at 416 N. Hutcheson Street in Houston's Second Ward, is a five bay Gulf Coast Cottage constructed circa 1860. Joseph Merkel immigrated to Texas in 1846 with his father and siblings. He was a butcher and livestock dealer as well as an influential member of Houston's sizeable German American community during the second half of the nineteenth century. The Merkel House was, at one time, at the center of a 101-acre ranch in Houston's East End. This large ranch was used as both a homestead and as a cattle ranch for the operation of his livestock and butchers business. Merkel eventually opened a portion of this property to the public as a privately owned park called Merkel's Grove. The use of Merkel's Grove as a public recreational area predated the City of Houston Parks system by more than two decades. The land and Joseph Merkel House were also used as the meeting location and clubhouse of the Houston Schuetzen Verein, which was a traditional German rifle and protection club. The land was eventually platted and subdivided as the Merkel's 1st, 2nd, and 3rd Additions by the Merkel family between 1896 and 1899. The Joseph Merkel House qualifies for Landmark and Protected Landmark Designation under Criteria 1, 2, 3, 4, and 6, as well as being constructed prior to 1905.

HISTORY AND SIGNIFICANCE:

The Joseph Merkel House was once a part of a 101-acre suburban cattle ranch owned by Joseph and Caroline Merkel. The couple purchased the land in August 1860 from Samuel and Mary Barron, who had used the large property as their homestead. The Barron family arrived in Texas as early as 1838 and were among Houston's earliest inhabitants. Samuel Barron was born in Maryland in the late 1790s and according to the 1850 Census, the first taken for Harris County, his occupation was listed as a "gardener." The Barron family purchased the land from James Reiley in 1847. The land was all of Lot 67 of the Samuel May Williams survey. According to the 1847 deed, Barron and his family already resided on the purchased property at a location near the banks of Buffalo Bayou. The property's modern day boundaries would best be described as beginning at the south bank of Buffalo Bayou and running south to Commerce Street. North York would be the modern western property boundary and North Drennan, formerly known as "Butcher's Row", would be the approximate eastern property line. In addition to the Barron family's large suburban property on the banks of Buffalo Bayou, they also

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owned an in-town lot at the southwest corner of Texas Avenue and San Jacinto Street, between Christ Church Cathedral and the Houston Academy, one of Houston's earliest private schools.

During the years 1854-1856, Samuel and Mary Barron sold a portion of their personal and real property, which included their town lot and twenty acres from the northernmost portion of their 121 acres. The twenty acres included improvements and it is assumed that the original Barron home was located within this parcel. It can be presumed that a new home was constructed for the Barron family between 1854 and 1860. The proceeds from these sales would have been significant enough to build a house in the style and size of the Joseph Merkel House, but there is no archival evidence to prove this correlation.

In 1860, Samuel and Mary Barron sold their house and the remaining 101 acres to Joseph and Caroline Merkel for three thousand dollars, which was to be paid in several installments with ten percent interest. On the same day, the Merckels sold their ten-acre homestead located near the present site of Elizabeth Baldwin Park.

The Barron family moved to the area of Second Ward near Frost Town at the foot of German Street (later renamed Canal Street) at Chartres. At this location, Samuel Barron built a one-room school house where he was the headmaster. The family lived in a new home constructed behind it. A 1933 Houston Daily Post article recalled the many generations of children that Samuel Barron taught at his private school on German Street, including children of the Bering, Ennis, Lubbock, Usener, and Lockhart families. Samuel Barron died in 1878. Neither the Barron schoolhouse nor residence at the 2204 Canal location is extant.

Joseph Merkel was born in Koblenz Germany on March 25, 1832. He immigrated to America with his father and four siblings in September 1846, and was admitted at the port of Galveston after a two and a half month sea voyage. The Merkel family was one of thousands of German families who immigrated to Texas during this time period, partially as the result of the German Adelsverein. The Adelsverein, a German social welfare group, sought to populate Texas with German settlers at a time when growing discontent in Germany made this a favorable notion. Germany was in a period of upheaval after emerging from its occupation by France as the result of the Napoleonic Wars (1792-1815) and followed by massive crop failures coupled with rising inflation during the 1840s.

During the years following Texas' acceptance into the Union in 1845, the population of Houston nearly doubled every ten years. The years 1846-1860 marked a period of substantial German immigration to Texas. Although Central Texas is well known for its German communities, the history of German settlement in Houston has been largely overlooked. It has been estimated that, at one point during the nineteenth century, nearly forty percent of the Houston population could claim German ancestry. Today, much of the surviving remnants of the German influence in Houston can be seen in Houston's Second Ward. Some of this influence can be found in architectural examples like the Merkel House and in vanished place names like the site of the Volksfest Park at the head of Sampson Street and Navigation, and the Houston Saengerbund, which had been located on Milby Street. Many of the street names in the Second Ward are named for prominent German-American families like Bering, Engelke, Fox, Freund, Rottman, and Schroeder. A Merkel Street exists one block south of the Merkel house in the center of the Merkel subdivision. Canal Street, one of the Second Ward's major thoroughfares was originally named "German Street," but was changed during the anti-German hysteria of World War I.

Joseph Merkel was a butcher in the family tradition of both his father and brother. He operated a stall in the city market located at Market Square in downtown Houston, and raised cattle at his Second Ward ranch. He married fifteen-year-old Caroline Krieger on December 20, 1855. Together, they had

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four children. For the first five years of their marriage, Joseph and Caroline Merkel lived on property near the present day location of Elizabeth Baldwin Park on Elgin Street. They had purchased the land from Henry Dechaumes, real estate investor and son of Michael Dechaumes, a Parisian born architect responsible for many of the Greek Revival styled homes in Texas. The Merckels sold this property in order to finance their purchase of the property in the Second Ward in August 1860.

In 1861, Joseph Merkel enlisted in the Houston Guards as a 4th Sergeant. The Houston Guards were organized on October 12th, 1861, at Turner Hall, for the protection of Houston during the early days of the Civil War. Turner Hall, which was an abbreviation of Turnverein Hall, was a hub of German-American society in Houston. The membership in the Houston guards was fifty men including officers. Another notable member of the Houston Guard was Peter Floeck, a relative of Joseph Merkel through marriage who would go on to help found the Houston Schuetzen Verein shortly after the Civil War. It is likely that the Houston Guards were never engaged in any of the battles of the Civil War as Houston was never attacked during the period 1861-1865. They did, however, escort the casket of Texas Civil War Captain Benjamin Terry of Terry's Texas Rangers when his remains were returned to Houston in December 1861.

Joseph and Caroline Merkel's marriage effectively ended in 1863 when Caroline Merkel and the couple's four children left their home and went to live in Bear Creek in far western Harris County. The marriage formally ended in divorce in May 1867. Two of the grounds for divorce, cited by Caroline, were Joseph Merkel's ill temperament and abusive language. In one such incident, Mr. Merkel is alleged to have called the plaintiff a "sow". Furthermore, Mr. Merkel was accused of living in an adulterous relationship with a Henrietta "Riecha" Schultz during Caroline Merkel's absence.

Caroline Merkel's attorneys from the law firm of Gray, Baker, and Botts made note of Joseph Merkel's estimated annual income of \$3000 from his butcher's business as well as other investment properties and an inheritance from his father's estate. The court found Joseph Merkel guilty of the charges brought against him and ordered a partition of Joseph and Caroline Merkel's community property. In addition to the division of real property the court awarded custody of their four children to Caroline Merkel, along with \$95 in monthly alimony to be paid by the father. Caroline was awarded the Eastern 47 acres of their 101-acre tract as well as half of their herd of 600 head of cattle. The western half of the tract was awarded to Joseph Merkel and is the same half on which the historic Merkel home is situated. Joseph Merkel married Henrietta Schultz shortly after the divorce from Caroline was finalized in 1867. Caroline Merkel was remarried to William Bohlae in January 1868. The Bohlaes sold their 47 acres over the course of the next several years while living in Washington County, and later settled in Houston's Sixth Ward.

Joseph and his new wife, Henrietta, continued to live on the western half of their tract in the Second Ward after 1867. The couple had three children. They prospered through their dealings in real estate, cattle ranching, and through Joseph Merkel's butcher shop. In addition, the couple sold portions of their 51-acre tract as well as other properties scattered throughout the city.

In 1869, the Houston Schuetzen Verein was formed and held its quarterly gatherings on the second Sunday of the months of January, April, July, and October at Merkel's property. The president of the club was Peter Floecke. S. Schrimpf was vice president, Fritz Durer was secretary, and George Schultz was the treasurer. Schuetzen Vereins, or literally "shooting clubs," were competitive rifle clubs which originated in Germany. These clubs used very specialized rifles in competitive marksmanship games. Typical Schuetzen Vereins featured shooting galleries with short stair-step shaped ramps from which the marksmen perched. Several members of the Houston Schuetzen Verein were influential German-

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American businessmen. The Merkels' connection to these influential people undoubtedly led to greater social involvement and helped to establish the Merkels as a prominent family in Houston's German-American community. A formal studio portrait of the Merkel family taken in the late 1860s or early 1870s shows a family of means dressed in the finery of the times.

The Merkels leased several acres of Merkel's Grove to the Houston Schuetzen Verein beginning in 1869-1870. An 1889 contract record provides greater detail about the relationship between Merkel and the Houston Schuetzen Verein. The lease agreement stipulated that the ten dollar annual rent entitled the Schuetzen Verein members to the use of three acres and improvements on the property, including the Merkel house, but the home was to continue to be used as the Merkel residence. Joseph Merkel operated a bar on the premises that served "such kind and class of refreshments as are generally and usually kept in a barroom." Also included in the lease agreement between the Merkels and the Houston Schuetzen Verein was the use of a ten-pin alley and rifle range located on the property. Elsewhere in the lease agreement it is stated that the property was off limits to "notorious characters, lewd women, and children under the age of fifteen." Although the sale and consumption of alcohol and the discharge of firearms coexisted peacefully for many years, it ended in 1895 when a member of the Houston Schuetzen Verein was accidentally shot while at Merkel's Grove and later died of his wounds.

Joseph and Henrietta Merkel opened Merkel's Grove to the general public in the 1880s. This early recreational area was in existence more than a decade prior to the formation of the first City of Houston parks. Due to the relatively rural location of Merkel's Grove and lack of named streets in the area at the time, the location of Merkel's Grove in City Directories of the 1870s and 1880s was given simply as "...eastern city limits 1 and ½ miles northeast of Harris County courthouse". The Merkels are not mentioned in Houston City Street Directories until 1870, when the city limits were extended eastward to encompass the area around Merkel's Grove.

In the 1870s, the Houston Volksfest Association opened up Volksfest Park on land adjacent to the western edge of Merkel's Grove. According to author and historian Sadie Gwynn Blackburn, the Volksfest Association was formed in 1869 and "A parade featuring floats and King Gambrinus, the German Bacchus, usually led the way to the fairgrounds." The adjacent Merkel's Grove and Houston Volksfest Park became such popular destinations that the Bayou Street Railway Company eventually opened a mule car line to service this location in 1889.

In 1895, the Merkel home and grounds were used for the wedding of their daughter Laura Merkel to C. A. Depenbrock. The event was memorialized in a formal wedding invitation. The Depenbrock family would later go into business with the Brand family to operate a dry goods establishment on Houston Avenue and to help develop the area to the east of what would later become Woodland Heights.

Joseph Merkel died in January 1896 of "pulmonary phthisis," a nineteenth-century term for wasting disease or tuberculosis. He was buried in the Merkel family plot in the newly opened Evergreen Cemetery on Altic Street. After Joseph Merkel's death, the remaining Merkel land, which constituted approximately 50 acres, was divided among the surviving heirs. The property was divided into three sections with the northern and southernmost portions being subdivided and sold. The heirs formally platted the land as Merkel's Addition to the City of Houston. Of the Merkel's Addition, there are three parts. The southernmost portion was platted as Merkel's First Addition and the northernmost portion was platted as Merkel's 2nd Addition. Henrietta Merkel continued to reside in the Merkel home located on the central portion of the remaining property that was willed to her. In 1899, Henrietta Merkel platted the central portion of the Merkel property as Merkel's 3rd Addition, which included the land between Bering (later renamed Navigation Blvd) and Fox streets and lots fronting on both N.

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Hutcheson and Rosalie (later renamed N. Everton St) streets. Today the area is still known as the Merkel's Subdivision and is stated as such in legal descriptions.

Henrietta Merkel continued to operate Merkel's Grove until the turn of the 20th century and remained in the Merkel house until 1912, when she constructed a new house directly across Hutcheson Street from the old one. Henrietta Merkel sold Block 2 of Merkel's 3rd Addition, which contains the historic Merkel house, to August, Frank, and Theodore Bering in the same year. Henrietta Merkel resided in the new home until her death in 1920. The 1912 Merkel home was either demolished or moved from its site during the 1960s in order to make way for the widening of nearby North York Street, but the historic circa 1860 Merkel home survived, being just far enough away from the road widening project to insure its survival.

In 1923, the Bering brothers sold the entire block on which the Merkel house stands to Medicus R. Cobia, an investor and carpenter, for \$7,350. A 1914 Sanborn Fire Insurance Company map depicts the house with kitchen ell located in the geographic center of the block in which it now sits and straddling approximately four lots. Also depicted in the 1914 map are four outbuildings located to the rear of the property, which backed up to Rosalie Street (N. Everton Street). By 1923, the Merkel house was moved forward from its former location at the geographic center of the block to front onto Hutcheson Street. At this same time, Medicus Cobia constructed other houses in the bungalow style on adjacent lots. Cobia chose to incorporate the already 60-year-old Merkel house into his new development of Craftsman bungalows. Cobia sold the lot with the Merkel house to Mary J. King and her daughters in 1923 for \$3,000, the same price paid by the Merckels for the entire 101 acres sixty years earlier.

Mary Jane King, nee Mary Jane Headrick, was born in Tennessee in 1866 and moved to Texas in the 1880s, where she and her husband, named Martin Luther King, settled near Georgetown. Together they had sixteen surviving children. The King family eventually moved to Houston where the couple soon separated. From 1923 until 1959, Mary Jane King and several of her children and extended family lived in the house at 416 N. Hutcheson. Mary Jane King was moved to a retirement home where she died in 1966 at the age of 100. Today there are many generations of descendants of the sixteen children of the King family who live in the Houston area.

ARCHITECTURAL DESCRIPTION AND RESTORATION HISTORY:

The earliest known mention of the Joseph Merkel House derives from an 1863 Harris County District Clerk record detailing the divorce of Caroline and Joseph Merkel. When taking into account that few homes were constructed during the Civil War years (1861-1865), it is plausible that the Joseph Merkel house was constructed sometime between 1856 and 1861. However, no archival evidence has been found which proves a link between the current Merkel home and Barron family ownership.

The Joseph Merkel House is a one and one half story, wood framed home on a pier and beam foundation. The house features a gable roof with a full width inset porch. The house is constructed with heavy post and cross brace framing and fastened with mortise and tenon joinery that is pinned with wooden dowels. The home is one of very few extant examples of the Gulf Coast Cottage style of construction in Houston. This vernacular style of residential construction was prolific in Houston during the third quarter of the nineteenth century because of its simple design, efficiency of space, and adaptability to the local environment. Furthermore, the house type was easily remodeled or to which additions could be added. A simple two-room center-hall cottage could easily evolve into a four-room center-hall cottage with sleeping loft upstairs. This style of construction has its origins in 18th century Louisiana. Similarly styled examples can be seen from Central Texas to Florida. Most Texas examples

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and Anglo-built Louisiana Gulf Coast Cottages feature center hall floor plans, whereas most French Louisiana Gulf Coast Cottages were built with interconnected interior rooms without halls and the need for a centralized entry.

The house features a steeply pitched gable roof with closely clipped roof eaves. A porch is inset beneath the roofline along the front facade and runs the full width of the house. The front porch is capped by a wide entablature that is supported by square wood columns. Three equally spaced gable roof dormers are located in the upper half-story along the street facing slope of the roof. The dormers are clad in beveled wood lap siding and each dormer features a single 2/2 lite, single-hung, wood-sash window. The dormers were likely added during a circa 1923 remodeling of the house and at the same time that several small Craftsman bungalows were constructed on either side of and behind the historic Merkel house. Archival evidence indicates the use of dormers as a common characteristic in many Gulf Coast Cottages as well as in other early Texas house types. Although many Gulf Coast Cottages were not originally built with dormers, they appear to have been common early additions. The dormers are now a part of the historic evolution of the house and are themselves more than 80 years old.

The exterior of the house is clad in beveled wood siding. The exterior cladding is punctuated by 6/6 lite, single-hung, wood-sash windows. The windows are of the plane rail variety and operate without the aid of sash weights and feature a flat rather than beveled check rail. The window sashes feature thin “gothic” profiled muntins.

The front façade is five bays in width and features a centrally located front entry door surrounded by a typical, Greek Revival-styled multi-paned sidelights and transom window. The front entry leads to a center hallway which is eight feet in width and thirty feet in length. The entry hall terminates at a doorway, presumed to be the original rear egress from the house, which now leads to an enclosed side porch of a circa 1900 kitchen ell addition. It was customary during the nineteenth century and earlier to locate kitchens in separate buildings away from the main house to prevent the spread of fire and to cut down on the transfer of heat in the main living spaces. The rear kitchen addition is constructed in a style similar to the main body of the house and features a gable end with one window opening and 2/2 lite, double-hung, wood-sash windows on the ground floor and is clad with beveled wood siding as used elsewhere on the house.

The floor plan in the original part of the house follows the strict interpretation of Greek Revival symmetry. The center hall is flanked by two rooms on either side. The rooms to the north (left) of the center hall were likely bedrooms due to their lack of adornment. These rooms are sheathed in rough sawn wood planks which have been plastered and painted. An interior stair is located in the rear or eastern bedroom, and seems to have been constructed after the initial phase of construction but firmly within the nineteenth century as evidenced by its use of cut or “square” nails that waned in popularity after 1895. Architectural evidence also indicates the relocation of an earlier downstairs doorway to accommodate the new stairs during this same phase of construction. The stair accesses the upper half-story, which was commonly used in historic times as a sleeping loft for children. Eyewitness accounts of the loft area from the 1940s indicate that this space was a large open space with a finished floor but no partition walls.

The center hallway and two “formal” rooms located to the right or south side of the hall feature horizontal wainscoting of painted tongue and groove planks capped by a chair railing and decorative molding. Door and window surrounds in these areas are trimmed with a slightly different decorative molding from that used on baseboards and chair railing. The use of the wainscoting, chair railing, and decorative trim molding denotes these spaces as “public” rooms, as sleeping chambers and utilitarian

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spaces were often devoid of decorative detailing. Ceilings throughout the house are of painted tongue and groove wooden planks of varying width.

It is believed that the house was enlarged in 1871-1872. The names Allen and Hinkel were found painted on the wood sheathing of an interior wall. The pair was in business together as lumber merchants for the years 1871 and 1872. It is likely that the interior stair and other decorative embellishments, like chair railing and wainscoting, were added at that time. It is unclear whether or not the overall footprint of the building changed.

A subsequent building phase added an attached kitchen ell to the rear of the existing historic house. The kitchen ell is depicted on a 1914 Sanborn Fire Insurance Company map and is constructed with modern machine-made “wire” nails, which became popular after 1895 and which are still in use at the present. The kitchen ell is believed to have been built circa 1900 with later alterations. Between 1914 and 1925, the side porch of the kitchen ell was enclosed to create the home’s first indoor bathroom. City water was not available to the area until 1915. Prior to that time, the household would have relied on the use of wells, cisterns, and an outhouse for sanitary purposes. Circa 1923, the home was moved approximately thirty feet westward from its historic location to align with the other new homes that would be built on North Hutcheson Street. In 1925, the Merkel home was surrounded on three sides by modest one-story wood framed bungalows that are extant.

BIBLIOGRAPHY:

Baron, Steven M.; Houston Electric, The Street Railways of Houston, Texas, 1996.

Depenbrock, Anne; Personal Interview and family records.

First Evangelical Lutheran Church Baptismal and Death Records.

Friends of Evergreen Cemetery; Interment Records.

Hafertepe, Kenneth; Abner Cook, Master Builder on the Texas Frontier, 1992.

Handbook of Texas Online; Texas State Historical Association.

Harris County Deed Records, 1846-1930.

Houston City Directories, 1866-1960, Morrison-Fourmy Publishing.

Harris County District Clerk Records, 1860-1870.

Houston Daily Post, 1895.

Johnston, Marguerite; Houston the Unknown City 1836-1946; 1991.

Sanborn Map Company of New York, 1907-1925.

Texas Seaport Museum Immigration Database.

Washington Cemetery Historic Trust.

The information and sources for this application have been researched, reviewed, verified, edited and supplemented by Thomas McWhorter, Planning and Development Department, City of Houston.

APPROVAL CRITERIA FOR PROTECTED LANDMARK DESIGNATION:

The HAHC shall review each application for designation of a protected landmark that is included in an application for designation of a landmark at the same time and in the same manner as it reviews and considers the application for a landmark. The HAHC and the Planning Commission, in making

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recommendations with respect to a protected landmark designation, and the City Council, in making a designation, shall consider whether the building, structure, site, or area meets at least three of the criteria in Section 33-224, or one of the criteria in Section 33-229, as follows:

S **NA**

S - satisfies **NA - not applicable**

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

- (1) Whether the building, structure, object, site or area possesses character, interest or value as a visible reminder of the development, heritage, and cultural and ethnic diversity of the city, state, or nation (Sec. 33-224(a)(1);
- (2) Whether the building, structure, object, site or area is the location of a significant local, state or national event (Sec. 33-224(a)(2);
- (3) Whether the building, structure, object, site or area is identified with a person who, or group or event that, contributed significantly to the cultural or historical development of the city, state, or nation (Sec. 33-224(a)(3);
- (4) Whether the building or structure or the buildings or structures within the area exemplify a particular architectural style or building type important to the city (Sec. 33-224(a)(4);
- (5) Whether the building or structure or the buildings or structures within the area are the best remaining examples of an architectural style or building type in a neighborhood (Sec. 33-224(a)(5);
- (6) Whether the building, structure, object or site or the buildings, structures, objects or sites within the area are identified as the work of a person or group whose work has influenced the heritage of the city, state, or nation (Sec. 33-224(a)(6);
- (7) Whether specific evidence exists that unique archaeological resources are present (Sec. 33-224(a)(7);
- (8) Whether the building, structure, object or site has value as a significant element of community sentiment or public pride (Sec. 33-224(a)(8).

AND

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

OR

- The property was constructed before 1905 (Sec. 33-229(a)(2);

OR

- The property is listed individually in the National Register of Historic Places or designated as a “contributing structure” in an historic district listed in the National Register of Historic Places (Sec. 33-229(a)(3);

OR

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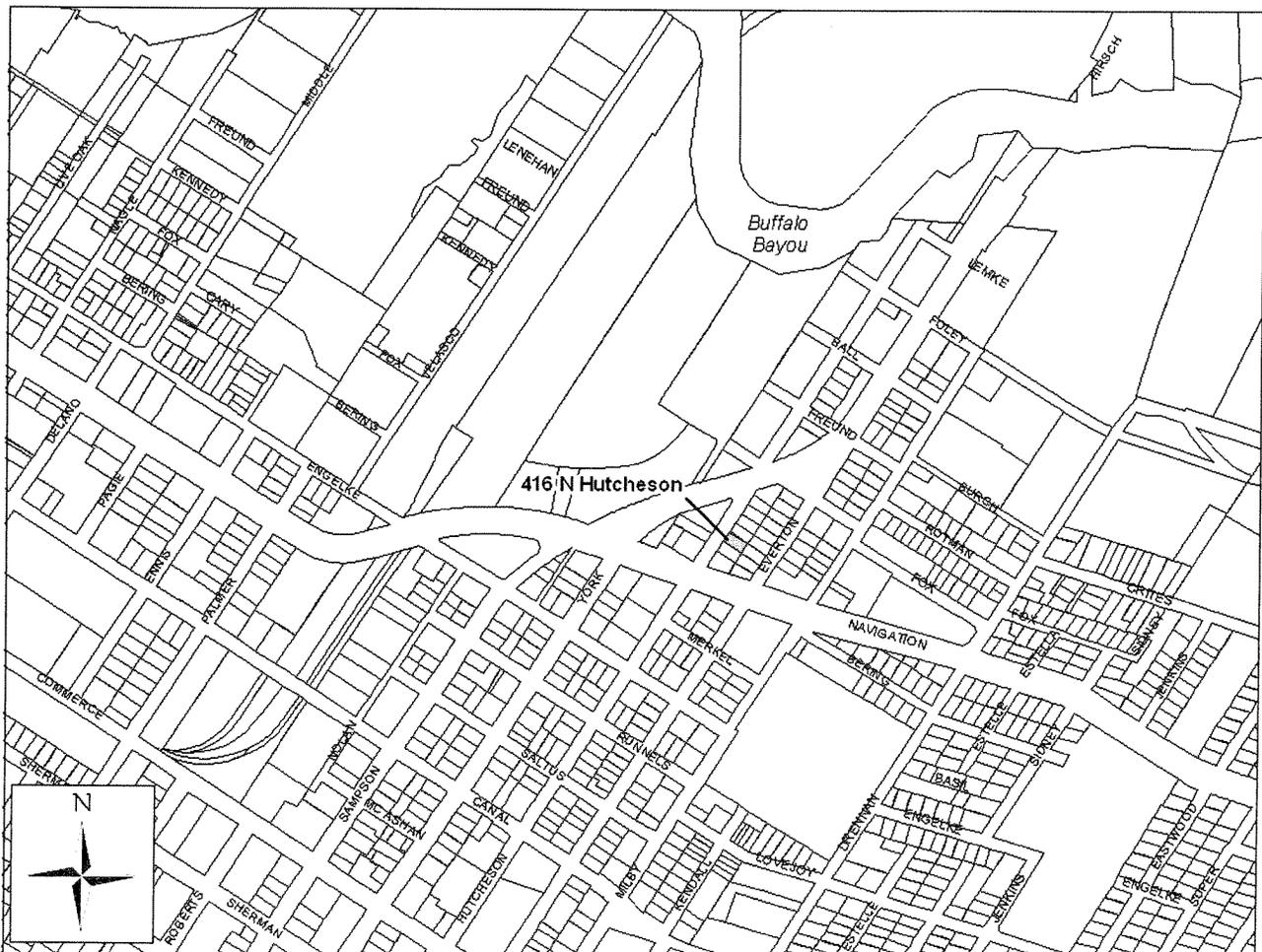
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- The property is recognized by the State of Texas as a Recorded State Historical Landmark (Sec. 33-229(a)(4)).

STAFF RECOMMENDATION:

Staff recommends that the Houston Planning Commission accept the recommendation of the Houston Archaeological and Historical Commission and recommend to City Council the Landmark and Protected Landmark Designation of the Joseph Merkel House located at 416 N. Hutcheson Street.

SITE LOCATION MAP
JOSEPH MERKEL HOUSE
416 N. HUTCHESON STREET
NOT TO SCALE



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PROTECTED LANDMARK DESIGNATION REPORT

LANDMARK NAME: Turnbow-Smith House

OWNERS: Bert and Marian McWhorter

APPLICANTS: Same as Owners

LOCATION: 104 Avondale Street – Avondale East Historic District

30-DAY HEARING NOTICE: N/A

AGENDA ITEM: IV. c

HPO FILE NO: 08PL55

DATE ACCEPTED: Jan-20-08

HAHC HEARING: Feb-21-08

PC HEARING: Mar-13-08

SITE INFORMATION:

Tracts 2 & 3A, Block 7, Avondale Addition, City of Houston, Harris County, Texas. The site includes a historic two-story, wood frame with brick veneer residence and non-contributing modern detached guest quarters.

TYPE OF APPROVAL REQUESTED: Landmark and Protected Landmark Designation

HISTORY AND SIGNIFICANCE SUMMARY:

The Turnbow-Smith House located at 104 Avondale, built in 1917, was originally the residence of William C. Turnbow. Turnbow was an early 20th century oil wildcatter who came to Houston in 1915 and amassed a fortune with his oil company, Gulf Coast Oil, later the Turnbow Oil Co. Turnbow and his company owned and occupied the Paul Building at 1016 Preston, which was renamed the Turnbow Building during his ownership, and later renamed the Republic Building. Beginning in 1930, the house was the home of Bishop Angie Frank Smith, who presided over the Methodist Episcopal Church South for many years and who was instrumental in the construction of St Paul's Methodist Church and in the creation of the Norsworthy hospital, which later became The Methodist Hospital. The two-story Turnbow-Smith House was constructed in the fashionable Prairie style by the Russell Brown Company, a builder of high-end residential projects in Houston's Avondale, Broadacres, Montrose, River Oaks, Rossmoyne, and Westmoreland neighborhoods, as well as in Dallas, San Antonio, and Los Angeles during the early 20th century.

The Turnbow-Smith House is listed as a contributing structure within the Avondale East Historic District, designated by Houston City Council on November 9, 1999, and meets Criteria 1, 3, 4, 5, and 6 for Landmark and Protected Landmark designation.

HISTORY AND SIGNIFICANCE:

The Turnbow-Smith House is a contributing structure within the Avondale East Historic District, which was designated by Houston City Council on November 9, 1999, and encompasses the 100 block of Avondale and Stratford streets and the eastern half of the 200 block of Stratford Street. The original Avondale plat of 1907-1908 encompassed the 100-300 blocks of Hathaway (now Westheimer Road), Avondale, and Stratford. A 1912 expansion to the original neighborhood extended the neighborhood an additional four blocks from Taft Street west to Crocker Street. The western portion of Avondale was designated as the Avondale West Historic District of the City of Houston on October 10, 2007.

The two and one-half story brick veneered home was constructed in 1916-1917 for oil and transportation magnate, William C. Turnbow. Turnbow was born in Red River Parish, Louisiana, in March 1879. He was one of many newcomers drawn to southeast Texas in the early 20th century by

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the booming oil industry after the discovery of oil at Spindletop, Goose Creek, and other nearby oil fields. Many of Houston's wealthy oil men settled in the fashionable new Avondale subdivision, only minutes away from the downtown business district and in close proximity to other fashionable subdivisions like Courtlandt Place, developed in 1907, and Westmoreland, developed in 1905.(1) Known as streetcar suburbs, these early suburban neighborhoods were linked with downtown Houston by the Montrose and South End lines of the Houston Electric Railway Company. Many of the residents of Avondale, however, had the means to afford early automobiles.(2)

William Turnbow came to Houston in 1915 and was at that time the President of Gulf Coast Oil Company, Federal Motors Company, and Star Transportation Company. He moved to the Avondale neighborhood in 1916-1917, where he first occupied the eclectic neoclassical home at 203 Stratford, also within the Avondale East Historic District. His future home, still under construction in 1917, was listed as vacant at that time. Turnbow and his wife Julia moved into the newly completed home at 104 Avondale in late 1917.

Between 1918 and 1924, William Turnbow embarked on several new business ventures, including Consolidated Motors Company, cattle, land, and oil.(1) In 1920, he sold his stake in Gulf Coast Oil and started the Turnbow Oil Corporation, where he was President. Robert Crews Duff, East Texas Railroad magnate, former member of the Texas House of Representatives, and noted Houston socialite, was Vice President of the company. The alignment between Turnbow, who had significant oil field holdings, and R. C. Duff, with his railroad holdings in East Texas to ship the oil, was a perfect match.

Turnbow Oil Corporation offices were headquartered on the 7th floor of the Turnbow Building located at 1016 Preston, located at the corner of Fannin Street, and more commonly known as the Paul or Republic Building (COH Landmark, N.R.). (3) The building was designed by the architectural firms of Buchanan & Gilder and Sanguinet & Staats and was completed in 1907.

Turnbow Oil Corporation assumed the payments of the Paul Building from Hoffman Oil and Refining Company in January 1920. The outstanding note of \$330,000 plus 8% interest was to be repaid in 37 monthly payments. (4) After the transfer of title in 1920, the building was renamed the Turnbow Building, and is featured in a full page advertisement in the 1921 Houston City Directory.

After 1924, William Turnbow was still working in the building, but the building had been renamed the Republic Building, and it is assumed that Turnbow had sold the building. In 1925, Turnbow moved to a rented flat at 803 Alabama in the Lockhart Connor Barziza subdivision and was simply listed as an oil operator. After 1925, there is no address listed for William Turnbow in Houston. In August 1934, Turnbow reappeared in Longview, Texas. According to the Texas Adjutant General's records, 55 year old Turnbow, who listed his occupation as an 'oil operator,' enlisted as a Texas Special Ranger. In the early 1930s, the Texas Rangers were charged with the task of cleaning up Texas' oil boom towns. It is probably not a coincidence that W. C. Turnbow would have volunteered for a position with the Rangers with much at stake in the local oil business. In 1933, the Texas Rangers supported gubernatorial hopeful Ross Sterling, a former Avondale resident, over Miriam "Ma" Ferguson. Ferguson carried the election that year and retaliated by severely cutting the Rangers' numbers.

The following five years saw two different inhabitants of the house at 104 Avondale. From 1925 until 1927, oilman Harry H. Lee and wife Sylvia occupied the home, followed in quick succession by Abe Wagner, partner in the law firm of Love, Wagner & Wagner.

Beginning in 1930, Angie Frank Smith (1889-1962), Bishop of the Methodist Episcopal Church South resided in the home at 104 Avondale for four years. The home was ideally situated less than one block

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away from the house at 108 Stratford (City of Houston Protected Landmark 06PL28) which served as the parsonage for the Methodist Episcopal Church South from 1919-1943.

Smith, a Southern Methodist University graduate and holder of two honorary degrees from the same institution, also attended Divinity School at Vanderbilt University. Smith was responsible for the creation of the church that ultimately became Dallas' Highland Park Methodist Church.

In 1922, Angie Frank Smith was appointed to Houston's First Methodist Church. It was at this church that Smith was responsible for the church's strong opposition to the Ku Klux Klan at a time when the Klan was gaining in strength. He was ordained a bishop in 1930 and acted as resident bishop for the Houston area for over 25 years. Smith was responsible for planning the new St. Paul's Methodist Church to be located at 5501 Main Street at Bissonnet. Bishop Smith entrusted his friend Jesse H. Jones as head of the building committee.(5) Houston architect Alfred C. Finn was hired for the project.

Bishop Smith presided over the Methodist conferences which covered the southwest, central, north, and the Rio Grande areas of Texas. Smith was also a trustee of The Methodist Hospital and of Southwestern University in Georgetown, Texas.(6) Bessie Smith, wife of Angie Frank Smith, was a founding member of the Bluebird Circle in 1923. The organization, which still exists today, volunteered to provide social welfare to single mothers and their children. The Bluebird Circle would later provide a convalescent home for crippled children adjacent to the Norsworthy Hospital on Rosalie Street in Midtown.

Bishop Angie Frank Smith helped broker the deal between the Norsworthy Hospital and the Texas Methodist Conference that ultimately led to the creation of The Methodist Hospital. Today, The Methodist Hospital is one of the nation's largest private non-profit hospitals with over one billion dollars in annual patient revenues and more than \$260 billion in charitable services.(7) Angie Frank Smith, Jr., became a managing partner with the Houston law firm of Vinson and Elkins and was the namesake for the Angie Frank Smith, Jr., library at Southwestern University in Georgetown, Texas.

The house was constructed by the Russell Brown Company of Dallas/Houston. Albert Nelms, Jr., business partner of the Inman Nelms and Company cotton merchants, and son of Albert Nelms, Sr., a powerful figure in Houston's cotton industry, contracted with Russell Brown to construct the home at 104 Avondale. It was adjacent to Nelms' own home at 100 Avondale. The home of Nelms was a high-raised, Craftsman bungalow (demolished). Nelms immediately sold the completed home at 104 Avondale to William Turnbow in July 1917 for \$25,000. The following excerpt is taken from the historic landmark report for the Maurice and Virginia Brown Angly House at 2514 Brentwood Drive in River Oaks.

"According to Stephen Fox, the Russell Brown Company was a Houston-based architectural design and construction company. It was chartered in 1906 by Russell Brown, who was born on December 12, 1875, in Taylor, Texas, and came to Houston in 1902. The company was a prolific builder and designer of new houses in Houston from 1902 until the early 1940s. Brown expanded his operations by opening branch offices in Dallas in 1916, San Antonio in 1922, and Los Angeles in 1923. The firm specialized in house design and construction, but also designed several commercial buildings in Houston in the 1920s and 1930s, such as the first Jefferson Davis Hospital and the Schlumberger Building, as well as the six-story Guaranty State Bank and Simpson Office Building in Ardmore, Oklahoma in 1917.

The Russell Brown Company constructed numerous houses in the Avondale, Westmoreland, Montrose, Boulevard Oaks, and River Oaks neighborhoods in Houston and in the Dallas subdivision of Munger

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Place. The company was the general contractor of such notable Houston houses as the William S. Farish House in Shadyside (1925) and the Cleveland Sewall House in River Oaks (1926, N.R.). Notable houses the company built outside of Houston include the Herbert L. Kokernot House in Monte Vista in San Antonio (1928); the O. L. Seagraves House at the Mo Ranch near Hunt, Texas (1929); the Talbott F. Rothwell House in Beaumont (1929); and the W. B. Morgan House in Olmos Park Estates in Olmos Park (1931). Among the architects who worked at various times for the Russell Brown Company in Houston were A. N. Dawson, Charles W. Oliver, Mike Mebane, and Gonzalo Ancira. In an indication of the quality of the Russell Brown architects, the River Oaks Corporation hired one of Russell Brown's architects, Charles Oliver, as in-house architect in 1926. "

Avondale was one of several upscale "suburban" neighborhoods developed during the first quarter of the 20th century, which included Audubon Place, Courtlandt Place, James Bute Addition, Montrose, and Westmoreland. This area attracted Houston's business and social elite more than a decade before the creation of River Oaks. Avondale was first platted in 1907 and derived its name from a variation on the name of William Shakespeare's hometown in England, Stratford-upon-Avon. According to an Art Nouveau-style ad in the May 25, 1907, Houston Daily Post newspaper, the name Avondale was chosen from a publicly advertised naming contest. Nine contestants tied for the \$25 prize, which was increased to \$27 so that the nine winners could split the money evenly. The three major thoroughfares in Avondale were named Avondale, Stratford, and Hathaway. Avondale offered many attractive perks to wealthy Houstonians. All unsightly utility lines and garbage bins were accessed from the alleyways behind every home. The concrete curbs and sidewalks were tinted a pleasing shade of pink so as not to strain the eye in the afternoon sun, and streets were paved with oyster shell. Furthermore, no businesses, boarding houses, or structures costing less than \$5,000 were allowed within the neighborhood. The developers touted it as a "first class neighborhood." The streets were landscaped with a variety of oaks, palms, and camphor trees planted by the fledgling Teas Nursery. Today, the area is an eclectic mix of old and new residential housing and some commercial properties housed in historic single family residences.

ARCHITECTURAL DESCRIPTION AND RESTORATION HISTORY:

The Turnbow-Smith House is a two story raised frame home with tan brick veneer, basement and finished attic. The house is designed in accordance with many of the principles of the Prairie School of architecture, popularized by Frank Lloyd Wright. Its horizontal concrete banding accents the horizontality of the low eccentric hipped roof. The roof, which features dormers on four sides, was once covered with green glazed terracotta roof tiles that were removed prior to 1989. The wide overhanging roof eaves are supported by decorative, but structural, scroll eave brackets which were an integral part of the roof system that once supported the added weight of clay roof tiles.

The building's primary, north façade is characterized by a broad front porch with low hipped roof applied to the front of the building and which is supported by brick columns and eave brackets identical to those which support the main roof. The front entry door is executed in quarter sawn oak with divided beveled glass lites, which is flanked by single lite beveled glass sidelights and capped by a matching transom. The porch features a brick stoop and base topped by a square wood stick balustrade and wood cap rail. A two-story sunroom wing is located at the easternmost portion of the building and features stucco and simulated half timbering.

The majority of the windows installed on the exterior of the home are double-hung, wood-sash windows with multi-lite uppers over a single-lite lower-sash. Exceptions to these window types can be found in the dormer windows and the first and second-story sunroom windows. These windows are

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multi-paned, wood-sash casement windows capped by fixed multi-pane transom lights. The William L. Connelly House (COH Protected Landmark, 06PL21) at 218 Avondale, which is also a Russell Brown house, is similar in design.

An attached porte-cochere extends from the first floor of the home's western elevation. It features a low-pitched hipped roof similar to that of the front porch. A secondary doorway leads from the porte-cochere into a small foyer at ground level on the home's western facade. From the small interior foyer, access may be gained either to the basement, to a small half bath, or up a short flight of stairs to the first floor of the home. The entry from the porte-cochere to the main body of the house allowed for coal and ice deliveries via a secondary stair to either the kitchen or to the basement where a large coal furnace provided centralized heating throughout the home.

Interior features of the home include many trademarks of Russell Brown buildings. Russell Brown homes of the period used plumbing fixtures made by the Standard Manufacturing Co., and Houston's Peden Iron and Steel furnished the hardware. Hartwell Iron works, another Houston company, furnished the fittings for the coal furnaces, while Brown-Woods Electric Co. furnished the lighting fixtures.(8) All floors and trim in public rooms were executed in quarter-sawn oak while private rooms, such as sleeping chambers, servants stairs, and upstairs hallways, utilize pine as the primary wood. A servant's buzzer, mounted in the center of the dining room floor, was another trademark of Russell Brown homes both big and small.

The home was rescued from demolition by the McWhorter family in 1989 after having been abandoned for approximately five years. The home was restored using surviving architectural fabric and documentation from the circa 1919 Russell Brown prospectus titled "Modern Homes," which features an exterior photograph and floor plan drawings of the home. The home continues to serve as a single family residence.

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3. Houston's Forgotten Heritage: Landscape, Houses, Interiors, 1824-1910, Houghton, Scardino, Blackburn, and Howe, 1991.
4. Harris County Deed Records, 1911-1924.
5. Houston The Unknown City 1836-1946, Marguerite Johnston, 1991.
6. "Angie Frank Smith," The Handbook of Texas Online article, Norman W. Spellman.
7. The Methodist Hospital online, www.methodisthealth.com.
8. "Modern Homes," the Russell Brown Co., Dallas-Houston.

The information and sources provided by the applicant for this application have been reviewed, verified, and edited by Thomas McWhorter, Planning and Development Department, City of Houston.

APPROVAL CRITERIA FOR PROTECTED LANDMARK DESIGNATION:

The HAHC shall review each application for designation of a protected landmark that is included in an application for designation of a landmark at the same time and in the same manner as it reviews and considers the application for a landmark. The HAHC and the Planning Commission, in making

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recommendations with respect to a protected landmark designation, and the City Council, in making a designation, shall consider whether the building, structure, site, or area meets at least three of the criteria in Section 33-224, or one of the criteria in Section 33-229, as follows:

S NA

S - satisfies NA - not applicable

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

- (1) Whether the building, structure, object, site or area possesses character, interest or value as a visible reminder of the development, heritage, and cultural and ethnic diversity of the city, state, or nation (Sec. 33-224(a)(1);
- (2) Whether the building, structure, object, site or area is the location of a significant local, state or national event (Sec. 33-224(a)(2);
- (3) Whether the building, structure, object, site or area is identified with a person who, or group or event that, contributed significantly to the cultural or historical development of the city, state, or nation (Sec. 33-224(a)(3);
- (4) Whether the building or structure or the buildings or structures within the area exemplify a particular architectural style or building type important to the city (Sec. 33-224(a)(4);
- (5) Whether the building or structure or the buildings or structures within the area are the best remaining examples of an architectural style or building type in a neighborhood (Sec. 33-224(a)(5);
- (6) Whether the building, structure, object or site or the buildings, structures, objects or sites within the area are identified as the work of a person or group whose work has influenced the heritage of the city, state, or nation (Sec. 33-224(a)(6);
- (7) Whether specific evidence exists that unique archaeological resources are present (Sec. 33-224(a)(7);
- (8) Whether the building, structure, object or site has value as a significant element of community sentiment or public pride (Sec. 33-224(a)(8).

AND

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

OR

- The property was constructed before 1905 (Sec. 33-229(a)(2);

OR

- The property is listed individually in the National Register of Historic Places or designated as a "contributing structure" in an historic district listed in the National Register of Historic Places (Sec. 33-229(a)(3);

OR

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- The property is recognized by the State of Texas as a Recorded State Historical Landmark (Sec. 33-229(a)(4).

STAFF RECOMMENDATION:

Staff recommends that the Houston Planning Commission accept the recommendation of the Houston Archaeological and Historical Commission and recommend to City Council the Landmark and Protected Landmark Designation of the Turnbow- Smith House at 104 Avondale Street.

SITE LOCATION MAP
TURNBOW-SMITH HOUSE
104 AVONDALE STREET
NOT TO SCALE



TO: Mayor via City Secretary REQUEST FOR COUNCIL ACTION

SUBJECT: Approval of a resolution designating 3 Historic Landmarks (See attachment - page 2 of 2)		Category #	Page 1 of 2	Agenda Item # <i>26</i>
FROM (Department or other point of origin): Planning and Development		Origination Date 4/11/2008		Agenda Date MAY 28 2008
DIRECTOR'S SIGNATURE: <i>Marilyn A. Hafick</i> <i>RP</i>		Council District affected: G		
For additional information contact: Thomas McWhorter Phone: 713-837-7963		Date and identification of prior authorizing Council action: N/A		
<u>RECOMMENDATION:</u> (Summary) Approval of a resolution designating 3 Historic Landmarks: (see attachment - page 2 of 2)				
Amount and Source of Funding:			F & A Budget:	
<u>SPECIFIC EXPLANATION:</u> In accordance with Chapter 33 of the Code of Ordinances relating to historic preservation, the property owner or the Houston Archaeological and Historical Commission (HAHC) may initiate an historic landmark application. All applications were initiated by the respective property owners. Public Hearings were held by the HAHC and the Houston Planning Commission as indicated on page two. Both commissions determined that the applications satisfied applicable criteria of the ordinance and unanimously recommended approval of the three historic landmark designations. There were no objections to the applications. MLG: tm Attachments: Applications and Staff Reports xc Marty Stein, Agenda Director Emily Todd, Mayor's Liaison for Cultural Affairs Anna Russell, City Secretary Arturo G. Michel, City Attorney Deborah McAbee, Land Use Division, Legal Department Harold L. Hurtt, Chief, Police Department Phil Boriskie, Chief, Fire Department				
REQUIRED AUTHORIZATION				
F & A Director:		Other Authorization:		Other Authorization:

Date	Subject: Approval of a resolution designating 3 Historic Landmarks			Originator's Initials	Page 2 of 2
LANDMARKS NAME /ADDRESS:	INITIATED BY:	COUNCIL DISTRICT:	HAHC HEARING:	R	PLANNING COMMISSION HEARING:
1. Wirt Adams Paddock House 3229 Groveland Lane	Owner	G	2-21-2008		3-13-2008
2. Hovey-Cole House 2222 Inwood Drive	Owner	G	2-21-2008		3-13-2008
3. Kendall-Harris House 2175 Troon Road	Owner	G	2-21-2008		3-13-2008
<p>Photos of the proposed landmarks can be found by going to the following link on the Planning Department's web site: http://www.houstontx.gov/planning/historic_pres/pending.htm.</p>					

LANDMARK DESIGNATION REPORT

LANDMARK NAME: Wirt Adams Paddock House
OWNERS: Sam and Paula Douglass
APPLICANTS: Sam and Paula Douglass
LOCATION: 3229 Groveland Lane – River Oaks
30-DAY HEARING NOTICE: N/A

AGENDA ITEM: III. a
HPO FILE NO.: 08L195
DATE ACCEPTED: Feb-5-08
HAHC HEARING: Feb-21-08
PC HEARING: Mar-13-08

SITE INFORMATION:

Tracts 4A and 5, Block 12, River Oaks Country Club Estates, City of Houston, Harris County, Texas. The building on the site includes a historic two-story, brick residence.

TYPE OF APPROVAL REQUESTED: Landmark Designation

HISTORY AND SIGNIFICANCE SUMMARY:

The Wirt Adams Paddock House at 3229 Groveland Lane was built for Wirt Paddock in 1936. The house was designed by noted Houston architect, Birdsall P. Briscoe, who is best known as an architect of single-family houses and is closely identified with the River Oaks neighborhood. Wirt Paddock was a prominent Houston oil man, rancher, and philanthropist who was active in many community organizations. He served for thirty years as chairman of the local chapter of the Red Cross, and was instrumental in acquiring the Kirby House in 1947 as the first permanent home of the Houston Red Cross. Paddock also served as chairman of the Texas Prison Board and vice president of the American Prison Association.

The house at 3229 Groveland Lane is featured in the 1980 *Houston Architectural Survey*, the *Houston Architectural Guide*, and the American Institute of Architects tour of River Oaks. It has been noted as “an excellent example of Birdsall P. Briscoe’s masterful handling of the Regency style.” The Wirt Adams Paddock House qualifies for Landmark Designation under Criteria 1, 3, 4, 5, and 6.

HISTORY AND SIGNIFICANCE:

The house at 3229 Groveland Lane was designed by Birdsall P. Briscoe for Wirt Adams Paddock. The house received attention at the outset of its construction. On December 22, 1935, the Houston Post announced:

“Paddock Will Build Home: 14 Room Structure in River Oaks Will Cost \$37,000 – Contract has been awarded to the E. G. Maclay Company, contractors, for the construction of an elaborate two-story residence at 3229 Groveland Lane... for Wirt A. Paddock, Chairman of the Texas Prison Board, and Vice President of the Port City Packing Company... The new Paddock dwelling will contain 14 rooms and will be of brick and tile construction.”

The home was finished approximately one year later and the Houston Press ran an article with a large photo:

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“Prison Board Chairman Builds New Residence – This beautiful Georgian type residence at 3229 Groveland Lane was completed recently... The 10 room home cost approximately \$50,000. B.P. Briscoe was the architect.”

Wirt Adams Paddock was born in Fayette, Mississippi, in 1870 to Buckley Burton and Emmie Harper Paddock. According to the Handbook of Texas online, his father was one of the youngest commissioned officers in the Confederate Army and served as the commander of a select espionage unit. In the fall of 1872, B.B. Paddock moved his family to Texas and settled in Fort Worth. B. B. Paddock “made the development of his adopted city and state his major career.” He had a long and illustrious career in Fort Worth and is best known for serving as the editor of the Fort Worth Democrat, president of the Fort Worth and Rio Grand Railway Company, founder and executive secretary of the Fort Worth Board of Trade, and four-term mayor of Fort Worth.

Wirt Paddock attended public schools in Fort Worth and later attended Knox College in Galesburg, Illinois, where he earned a B.S. degree. From 1901 to 1918, Paddock worked as an oil contractor and producer in Beaumont. According to the 1980 Architectural Survey, his investments in the Humble and Goose Creek fields allowed him to pursue ranching, and he purchased a ranch in Harris County in 1918. In 1919, he married Maude Smith of Council Bluff, Arkansas.

Wirt Paddock was very active in the Houston community. River Oaks Magazine (1937) describes Paddock as spending “50% of his time on welfare work.” Paddock served as chairman of the local chapter of the Red Cross for 30 years (1919-1949). He established a foundation that purchased the Kirby House on Smith Street in 1947 and leased it to the Red Cross, which used the house as its local headquarters until 1978.

Paddock also served as chairman of the Texas Prison Board from 1929 to 1937, and as vice president of the American Prison Association. When he died in September 1949, his obituary listed multiple activities including member of Eagle Lake Rod and Gun Club, the Houston Club, the River Oaks Country Club, Knox College Club, Farm and Ranch Association, American Brahman Association, and First Presbyterian Church. He also served as director of the American General Insurance Company and Port City Packing Company. At the time of his death, his pallbearers included neighbors Wilson Saville and Claud Hamill.

Birdsall Parmenas Briscoe (1876-1971) designed the classic Regency style home for Wirt Paddock. The Handbook of Texas online provides excellent background on Birdsall Briscoe and it is quoted below:

“Birdsall P. Briscoe, architect, was born on June 10, 1876, in Harrisburg, Texas, the son of Andrew Birdsall and Annie Frances (Paine) Briscoe. He was the grandson of Andrew Briscoe and the great-grandson of John R. Harris, founder of Harrisburg. He grew up on his parents' ranch near Goliad and attended San Antonio Academy, Texas Agricultural and Mechanical College (now Texas A&M University), and the University of Texas. During the Spanish-American War Briscoe served in the United States Army Infantry as a sergeant; he subsequently served as a major in the army during World War I.

He learned architecture through apprenticeships with the Houston architects C. Lewis Wilson and Lewis Sterling Green. After a brief partnership with Green (1909-11), Briscoe began independent practice in 1912. From 1922 until 1926 he was in partnership with Sam H. Dixon, Jr. From 1919 until his retirement in 1955, Briscoe shared an office with Maurice J. Sullivan. Although from time to time he collaborated with both Dixon and

Sullivan on nonresidential commissions, Briscoe was best known for his elegantly composed and detailed houses.

He established his reputation as an exceptional designer at the outset of his career. His aptitude for disciplined formal composition and correct, scholarly rendition of historic detail placed him at the forefront of the eclectic trend in Houston architecture during the second decade of the twentieth century. Briscoe's finest houses, designed between 1926 and 1940, exhibit the array of historical architectural styles characteristic of American eclectic architecture and are distinguished by the architect's gift for harmonious proportion and full-bodied ornamental detail.

He worked extensively in the Houston neighborhoods of Courtlandt Place, Shadyside, Broadacres, and River Oaks. Among his clients for houses were William Lockhart Clayton (1917), W. T. Carter (1920), R. Lee Blafferqqv (1920), Walter H. Walne (1925), Burdine Clayton Anderson (1928), Robert W. Wier (1928), Milton R. Underwood (1934), Wirt A. Paddock (1936), I. H. Kempner, Jr. (1936), and Dillon Andersonqv (1938). Outside Houston, Briscoe's best-known project was the remodeling of the Patton-Varner House near West Columbia (see varner-hogg plantation state historic park) for Ima and William Clifford Hogg in 1920.

*Briscoe married Ruth Dillman in 1927. He joined the American Institute of Architects in 1921 and was elected a fellow of the institute in 1949. From 1934 until 1941 he served as district officer for South Texas of the Historic American Buildings Survey. He was the author of two western adventure novels, *In the Face of the Sun* (1934) and *Spurs from San Isidro* (1951). He was a parishioner of Christ Church. He died in Houston on September 18, 1971, and is buried at Oak Hill Cemetery in Goliad.”*

According to Stephen Fox, the Briscoe homes in River Oaks include:

- 1829 Sharp Place, Briscoe House #1 (1936)
- 2227 Chilton Road, Kempner House (1937)
- 2950 Lazy Lane, Dogwoods (1928-demolished)
- 3237 Inwood Dr., House for Country Club Estates (Red Bird House, 1925)
- 3196 Del Monte Dr., Harry L. Mott speculative house (1931)
- 3023 Del Monte Dr., Bullington House (1937)
- 2923 Del Monte Dr., Underwood House (1934)
- 2920 San Felipe Rd., speculative house for River Oaks Corp. (1931)
- 2938 San Felipe Rd., speculative house for River Oaks Corp. (1931)
- 2308 River Oaks Blvd., Fountain House (1938)
- 3127 Avalon Place, speculative house for River Oaks Corp. (1931)
- 2113 Bellmeade Rd., speculative house for River Oaks Corp. (1931)
- 3015 Chevy Chase Dr., speculative house for River Oaks Corp. (1930)
- 2929 Chevy Chase Dr., speculative house for River Oaks Corp. (1931)
- 3249 Chevy Chase Dr., Frost House (1937)
- 3376 Inwood Dr., Clayton Summer House (1924)
- 3439 Del Monte Dr., Pinckney House (1937)
- 3434 Del Monte Dr., Schneider House (1941)

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- 3414 Del Monte Dr., Anderson House (1938)
- 3334 Chevy Chase Dr., Wilson House (1938)
- 3425 Sleepyhollow Court, McKallip House (1938)
- 3401 Sleepyhollow Court, Johnson House (1936)
- 3606 Chevy Chase Dr., Austin House (1951)
- 3707 Inwood Dr., Vaughan House (1949)
- 3601 Inverness Dr., Hutcheson House (1948)
- 3606 Knollwood Dr., Britton House (1942, demolished)
- 3707 Knollwood Dr., White House (1940, in association with George W. Rustay)
- 3820 Willowick Rd., Davis House (1940, moved to one side of its original site)
- 3880 Willowick Rd., Schuhmacher House (1941, moved here from its original site and extensively altered)
- 4019 Inverness Dr., Dupree House "Legend" (1959)
- 2317 Claremont Ln., Briscoe House #2 (1939, extensively altered)

ARCHITECTURAL DESCRIPTION AND RESTORATION HISTORY:

The Wirt Adams Paddock House is designed in the Georgian Revival Style. The house is two stories in height with a low standing seam hipped roof. The exterior of the house is clad in brick and tile which features decorative quoining, pilasters, string courses and relieving arches. The plan of the home is a central rectangular block with a wing to the east. The main entrance faces north and features a paneled door with a semi-circular fanlight and is also framed with square pilasters and ornate architrave. A small, semicircular balcony is located directly over the main entry on the second floor. The balcony is accessed via a multi-lite wood-sash jib window. The balcony features a decorative semi-circular wrought iron railing. The windows on the first floor are multi-lite wood-sash jib windows that lead to the second floor balcony. Each window is flanked by fixed wood and glass sidelites and capped by a fluted wooden fanlite panel. The house has received much attention over the years with listings in the 1980 Houston Architectural Survey, the Houston Architectural Guide, and the American Institute of Architects tour of River Oaks.

This home has been owned by very few families in its 72 year history. After the Paddocks, the home was purchased by the Strange family, and then sold to Sam Harrison. The Douglass family recently purchased the home from Harrison. Harrison cared very much that the home not be demolished and conducted his sale among pre-selected bidders who turned in sealed bids.

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

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Handbook of Texas Online, s.v. "," <http://www.tsha.utexas.edu/handbook/online/articles/PP/fpa3.html> (accessed June 7, 2007).

Fox, Stephen, ed., *Houston Architectural Guide*, 2nd edition, American Institute of Architects/Houston Chapter, 1999.

River Oaks Magazine, "We are proud to have among us", December 1937.

Houston Chronicle, Obituary of Wirt Adams Paddock, September 25, 1949.

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Houston Architectural Survey 1980, prepared by Southwest Center for Urban Research and the School of Architecture, Rice University.

Houston Red Cross, www.houstonredcross.org

APPROVAL CRITERIA FOR LANDMARK DESIGNATION:

The HAHC and the Planning Commission, in making recommendations with respect to designation, and the City Council, in making a designation, shall consider one or more of the following criteria, as appropriate for the type of designation:

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

STAFF RECOMMENDATION:

Staff recommends that the Houston Planning Commission accept the recommendation of the Houston Archaeological and Historical Commission and recommend to City Council the Landmark Designation of the Wirt Adams Paddock House at 3229 Groveland Lane.

CITY OF HOUSTON

Archaeological & Historical Commission

Planning and Development Department

SITE LOCATION MAP
WIRT ADAMS PADDOCK HOUSE
3229 GROVELAND LANE
NOT TO SCALE



LANDMARK DESIGNATION REPORT

LANDMARK NAME: Hovey-Cole House
OWNERS: Sally P. and Ernest O. Ross, Jr.
APPLICANTS: Sally P. and Ernest O. Ross, Jr.
LOCATION: 2222 Inwood Drive – River Oaks
30-DAY HEARING NOTICE: N/A

AGENDA ITEM: III. b
HPO FILE NO.: 08L196
DATE ACCEPTED: Jan-28-08
HAHC HEARING: Feb-21-08
PC HEARING: Mar-13-08

SITE INFORMATION

Lot 17, Block 46, River Oaks Section 1, City of Houston, Harris County, Texas. The building on the site includes a historic two-story residence.

TYPE OF APPROVAL REQUESTED: Landmark Designation

HISTORY AND SIGNIFICANCE SUMMARY:

The Hovey-Cole House at 2222 Inwood Drive was designed and built by Bernelle W. Holtz as a speculative home in 1933 in one of the earliest sections of River Oaks. The first resident of the house was Dana W. Hovey, a veteran of World War I. Hovey was active in the local oil business for much of his life, and was at one time the president of the Independent Refining Association. Hovey was also active in many organizations including St. Martin's Episcopal Church and the Masons. The home's subsequent owner, Dr. William Frank Cole, was a family practice doctor who served as president of the Harris County Family Practitioners Society. Cole was a member of the Harris County Medical Society, the American Academy of Family Practice, the Texas Medical Association, American Medical Association, and the Ninth District Medical Society.

The two-story brick Hovey-Cole House is a good example of the Tudor Revival style. The house qualifies for Landmark Designation under Criteria 1, 4, and 5.

HISTORY AND SIGNIFICANCE:

The Hovey-Cole House at 2222 Inwood Drive was built by Bernelle W. Holtz in 1933 as a speculative home. On May 11, 1933, the Houston Press reported the following:

"Home in River Oaks Bought for \$15,000 – D.W. Hovey has purchased from W.B. Holtz a residence on Inwood Drive between Shepherd and Chilton Drives for \$15,000. The purchase includes a cash payment of \$3,000."

In August 1933, the River Oaks Corporation Magazine "Home for All Times" said:

"Mr. and Mrs. D.W. Hovey have purchased the English home at 2222 Inwood Drive. The house was designed and built by B.W. Holtz. Mr. Hovey is a Vice President and General Manager of the Republic Oil Refining Company. He came to Houston from Pittsburg, Pennsylvania."

Dana W. Hovey, the first owner of 2222 Inwood Drive, was born on November 6, 1891, in Olean, New York. He served in World War I and came to Houston from Pittsburgh, Pennsylvania, around the age of 42. At the time of the purchase of the home, he worked with Republic Oil Refining Company. He would stay in the oil industry his entire career and his obituary described him as "very active in the oil

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business.” During his career, he served as president of the Independent Refining Association and worked with Danaho Oil and Refinery Company. He died at the age of 90 and his obituary lists membership in St. Martin's Episcopal Church, the Masonic Caddo Lodge of Shreveport, and the Republican National Committee. Dana Hovey owned the house through early 1938. On February 13, 1938, the Houston Post reported that Hovey had purchased another River Oaks home at 3395 Del Monte for \$41,000, which was almost triple the cost of 2222 Inwood.

The house passed briefly to Arthur J. Hooks, a cotton “classer” at Anderson Clayton and Company, and Charles L. Samuelson, a naval architect. In 1949, the house was purchased from the Samuelsons by Dr. William F. and Lora Cole, who would own it until the late 1960s.

Dr. William Frank Cole was born in Matador, Motley County, Texas, on September 29, 1898, according to census records. His obituary states that he was as a native of Blooming Grove, Texas, a community near Dallas-Fort Worth. It appears that he was a family practice doctor. Dr. Cole was very involved in the medical community and served as president of the Harris County Family Practitioners Society. He was a member of the Harris County Medical Society, the American Academy of Family Practice, the Texas Medical Association, American Medical Association, and the Ninth District Medical Society. He lived in Houston for approximately 34 years and was a member of West University Baptist Church and served as President of the West University Lions Club. He died in Houston on January 22, 1975.

In 1973, Sally Ross (who was then Sally Porter) purchased the home. Ross was attracted to the graceful style of the home, the wood floors, high ceilings, leaded glass windows, and other architectural details as well as its mature oak tree in the front yard. The landmark application for 2222 Inwood was made in conjunction with the application for 2223 Inwood (the Tuttle House, landmark designation pending). The neighboring owners of the two houses decided to designate their homes together in order to maintain at least a small portion of the historic streetscape.

Bernelle W. Holtz, the designer/builder of the home at 2222 Inwood Drive, was the owner of B.W. Holtz Construction Company. According to the City Directory, he lived at 1318 Sul Ross and was active in construction for about 30 years. He was a native of Ottawa, Kansas, and lived in Houston for approximately 54 years. He was a member of St. Luke's United Methodist Church, a Charter Member and President of A.G.C., and a member of the Houston Camera Club. He died in Houston in 1970 at the age of 75. The River Oaks Corporation booklet published in 1929 shows a very similar Bernelle Holtz home built at 2504 Inwood Drive that has since been torn down. The same booklet shows him as the builder of 2504 Pelham (extant) with Charles Oliver serving as architect. The River Oaks card file shows that he also built the home at 2145 Brentwood (extant) with Dieman serving as architect. According to the Houston Architectural Guide, Holtz was also the builder (with H.M. Stanford) of a vintage strip shopping center called the Patio Shops at 5302-5314 Alameda Road.

ARCHITECTURAL DESCRIPTION AND RESTORATION HISTORY:

The Hovey-Cole House was designed in the Tudor Revival style. The Tudor Revival style, which was popular in Houston and across the country during the 1920s and 1930s, was intended to interpret the historic architecture of the bucolic English countryside. The style is characterized by its use of steeply pitched gable roofs, patterned brick, and simulated half timbering.

The house is two stories in height with a steeply pitched intersecting gable roof. The house is symmetrically arranged and features a shallow two story “ell” wing to either side of the main entry. The forward projecting ells are two stories in height and each features a gable roof that intersects with the

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main roof ridge at a 90 degree angle. The projecting eaves also frame a central entry, which is recessed within the main body of the house. The main entry is located on a small masonry porch featuring a wood colonnade with two columns and two pilasters with decorative scroll capitals. Above the colonnaded entry is located a second story sunroom that exhibits heavy use of herringbone pattern brick inset within the panels of the simulated half timbering. The exterior is clad in a medium red brick with window trim, door trim, and entry columns executed in painted wood. Windows used throughout the main façade are primarily of the 1/1 lite wood sash variety. An exception to this are in the windows used in the two first floor window bays, which feature single fixed leaded paned windows with stained glass inserts.

Based on historic 1930s era photographs of the building, the house has experienced only minor alterations, the most noticeable of which is the addition of an iron hand rail at the entry. A sun porch was added to the rear by a previous owner, but is not visible from a public right of way. The current owners completed a major renovation of the third floor and moved an interior wall to expand the master bath.

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

BIBLIOGRAPHY:

- Houston Press, "Home in River Oaks," May 11, 1933.
- "Homes for All Times" by River Oaks Corporation, August 1933.
- Houston Chronicle, Obituary of Dr. William Cole, January 24, 1975.
- Houston Chronicle, Obituary of Bernelle Holtz, August 23, 1970.
- Houston Post, Obituary of Dana V. Hovey, December 28, 1982.
- River Oaks Property Owners Card File.

APPROVAL CRITERIA FOR LANDMARK DESIGNATION:

The HAHC and the Planning Commission, in making recommendations with respect to designation, and the City Council, in making a designation, shall consider one or more of the following criteria, as appropriate for the type of designation:

S	NA		S - satisfies	NA - not applicable
<input checked="" type="checkbox"/>	<input type="checkbox"/>	(1) Whether the building, structure, object, site or area possesses character, interest or value as a visible reminder of the development, heritage, and cultural and ethnic diversity of the city, state, or nation (Sec. 33-224(a)(1);		
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- (4) Whether the building or structure or the buildings or structures within the area exemplify a particular architectural style or building type important to the city (Sec. 33-224(a)(4));
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- (9) If less than 50 years old, or proposed historic district containing a majority of buildings, structures, or objects that are less than 50 years old, whether the building, structure, object, site, or area is of extraordinary importance to the city, state or nation for reasons not based on age (Sec. 33-224(b)).

STAFF RECOMMENDATION:

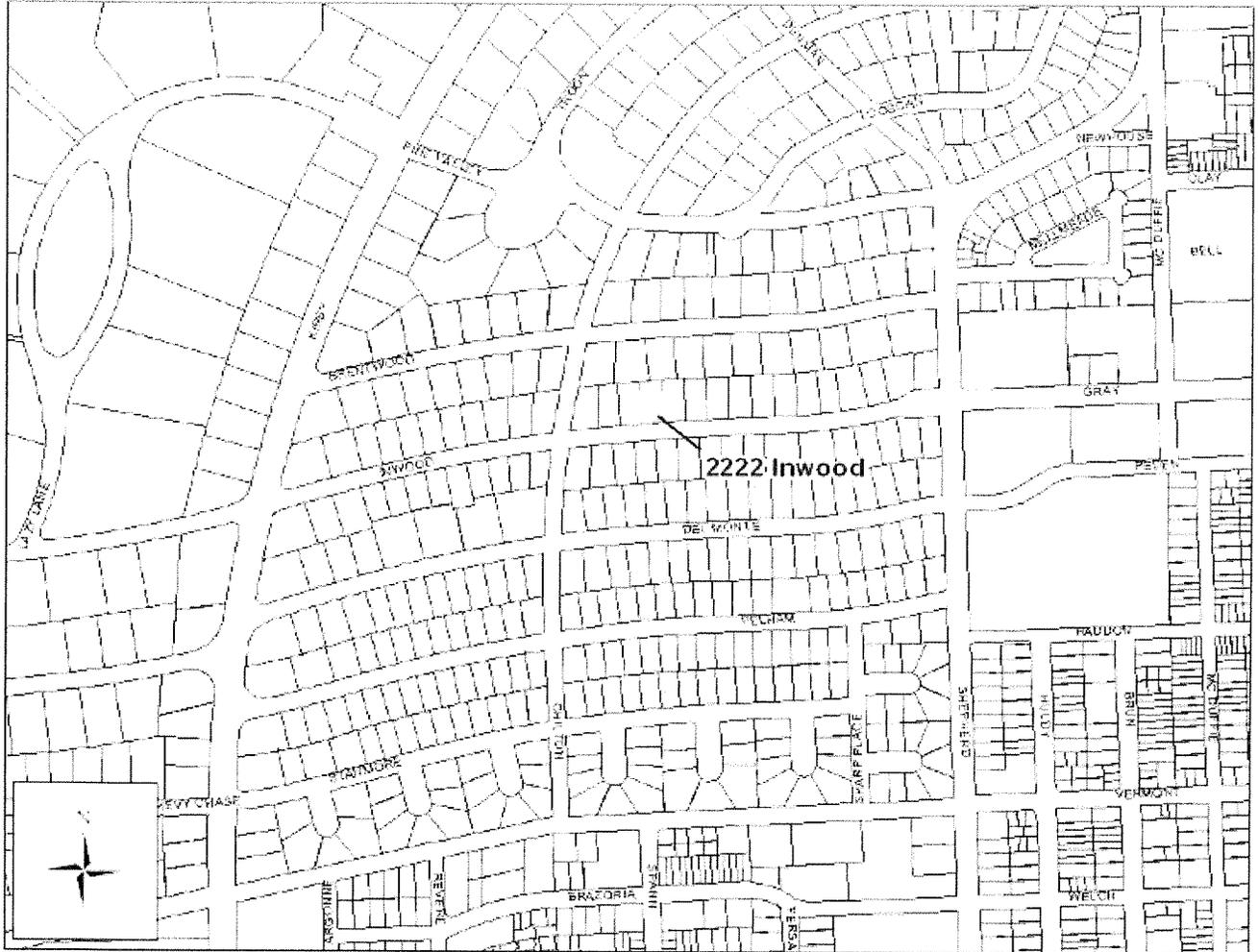
Staff recommends that the Houston Planning Commission accept the recommendation of the Houston Archaeological and Historical Commission and recommend to City Council the Landmark Designation of the Hovey-Cole House at 2222 Inwood Drive.

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SITE LOCATION MAP
HOVEY-COLE HOUSE
2222 INWOOD DRIVE
NOT TO SCALE



LANDMARK DESIGNATION REPORT

LANDMARK NAME: Kendall-Harris House
OWNERS: Susan T. and David R. Lummis
APPLICANTS: Susan T. and David R. Lummis
LOCATION: 2175 Troon Road – River Oaks
30-DAY HEARING NOTICE: N/A

AGENDA ITEM: III. c
HPO FILE NO: 08L197
DATE ACCEPTED: Jan-31-08
HAHC HEARING: Feb-21-08
PC HEARING: Mar-13-08

SITE INFORMATION:

Tract 5, Block 52, River Oaks Section 3, City of Houston, Harris County, Texas. The building on the site includes an historic two-story residence.

TYPE OF APPROVAL REQUESTED: Landmark Designation

HISTORY AND SIGNIFICANCE SUMMARY:

The Kendall-Harris House at 2175 Troon Road was built in 1937-1938 for Clarence and Eugenia Kendall by the Russell Brown Company, a noted Houston building firm. The Russell Brown Company was founded in Houston in 1906 and built a number of important houses in Houston, San Antonio, Dallas, and other Texas cities. The two-story red brick house, designed in the Georgian Revival style, was featured in the Houston Post upon its construction. The home was later occupied by David B. Harris, a director, vice president and treasurer of Humble Oil. The Kendall-Harris House qualifies for Landmark Designation under Criteria 1, 4, and 6.

HISTORY AND SIGNIFICANCE:

The house at 2175 Troon Road was built by the Russell Brown Company for Clarence and Eugenia Kendall. On February 6, 1938, the Houston Post ran a large photograph of the home with the following:

“This dignified French Colonial residence at 2175 Troon Road was recently completed for Mr. and Mrs. Clarence Kendall. The home, designed by Russell Brown Company, contains three bedrooms, three baths, living room, dining room, kitchen and an unusually large study. The house and lot cost approximately \$26,000.”

Also in February 1938, River Oaks Magazine ran the following:

“Mr. and Mrs. Clarence Kendall are in their new home at 2175 Troon Road. Mrs. Kendall was formerly Eugenia Dabney, daughter of Judge and Mrs. S.B. Dabney, who were residents of River Oaks for many years. Mr. Kendall is an attorney with offices in the Second National Bank Building. Their residence is of French architecture with an emphasis on the entrance features. It has a white stone facing which terminates above the double doors in a small balcony with a wrought iron railing. Leaded decorative windows above the railing add a note of color. Another beautiful feature of this home is the treatment of the windows. They are French with black grill work trim and white blinds.”

After the first three or four years of ownership, Clarence and Eugenia Kendall divorced. Eugenia later married David B. Harris, and the couple lived in the home together from 1942 until the mid 1970s.

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David B. Harris had an illustrious career with Humble Oil. He was born in August 1888 to Frederick and Elizabeth Catherine Dabney Harris of Virginia. He was raised in Dallas and received a civil engineering degree from Texas A&M University. After a short stint with a Dallas bank, he joined the Army and served as a captain in France during World War I. Upon returning home from the war, he joined Humble as a laborer at Ranger, Texas, in 1919. This was the beginning of a 34-year-long career that would eventually earn him a place on the Humble Board of Directors. The trajectory of Harris' career is chronicled by the book, *History of Humble Oil and Refining Company*. He worked for two years as a roustabout and farm boss. In 1921, he was promoted to assistant district superintendent, followed by a promotion to assistant division superintendent the following year, and four years later to division superintendent.

By 1934, he had worked his way up to the position of industrial relations manager. This position was complicated by the Great Depression years and the necessity of dealing with the unions. The following quotes reflect his personality:

"He had a reputation for never asking a man to do anything he had not done himself or would not do, and the men had confidence in him and believed that he had their interests genuinely at heart."

"Harris had a special talent for personal relations with employees. It is impossible to measure the influence that he came to have among the employees in the later 1930s and 1940s, but there is no question about the affection and confidence with which the rank-and-file employees regarded him."

Harris' success as head of the Industrial Relations Department made his elevation to a director position on the Board in 1941 the "next logical step." In 1942, he was appointed as treasurer upon the retirement of James Anderson. In 1947, he was appointed as a vice president of Humble. He would serve in all of these capacities until his retirement in 1953. The career path of David Harris with Humble is truly remarkable. In the span of 22 years, he worked himself up from a laborer at Ranger to a director in the boardroom.

Upon his death, the Houston Chronicle traced his career in an article, "DB Harris, Former Humble VP, Buried," which listed his involvement outside of Humble Oil as Christ Church Cathedral, Ramada Club, Houston Country Club, Bayou Club, and the Petroleum Club. He had no surviving children, and left only his wife, Eugenia Harris. Mrs. Harris continued to live in the home until she died. In the mid-1970s, her estate sold the home to Charles King, III. In 2005, the Lummis family purchased the home from King.

According to Stephen Fox, the Russell Brown Company was a Houston-based architectural design and construction company. It was chartered in 1906 by Russell Brown, who was born on December 12, 1875, in Taylor, Texas, and came to Houston in 1902. The company was a prolific builder and designer of new houses in Houston from 1902 until the early 1940s. Brown expanded his operations by opening branch offices in Dallas in 1916, San Antonio in 1922, and Los Angeles in 1923. The firm specialized in house design and construction, but also designed several commercial buildings in Houston in the 1920s and 1930s, such as the first Jefferson Davis Hospital and the Schlumberger Building, as well as the six-story Guaranty State Bank and Simpson Office Building in Ardmore, Oklahoma in 1917.

The Russell Brown Company constructed numerous houses in the Avondale, Westmoreland, Montrose, Boulevard Oaks, and River Oaks neighborhoods in Houston and in the Dallas subdivision of Munger Place. The company was the general contractor of such notable Houston houses as the William S. Farish House in Shadyside (1925) and the Cleveland Sewall House in River Oaks (1926, N.R.). Notable houses

the company built outside of Houston include the Herbert L. Kokernot House in Monte Vista in San Antonio (1928); the O. L. Seagraves House at the Mo Ranch near Hunt, Texas (1929); the Talbott F. Rothwell House in Beaumont (1929); and the W. B. Morgan House in Olmos Park Estates in Olmos Park (1931). Among the architects who worked at various times for the Russell Brown Company in Houston were A. N. Dawson, Charles W. Oliver, Mike Mebane, and Gonzalo Ancira. In an indication of the quality of the Russell Brown architects, the River Oaks Corporation hired one of Russell Brown's architects, Charles Oliver, as in-house architect in 1926.

Additional information on the Russell Brown Company comes from a company brochure published circa 1936 which notes the following:

“The restful harmony and careful designing, the elegance imparted by graceful simplicity marks the difference between Russell Brown Company homes and the regular run of places so often built.”

Russell Brown retired from the building business in the mid 1940s. He lived out his retirement at his ranch near Juliff, Texas, south of Houston, where he died in 1963.

ARCHITECTURAL DESCRIPTION AND RESTORATION HISTORY:

The Kendall-Harris House was designed and built in 1937-1938 by the Russell Brown Company. The home, designed in the Georgian Revival style, was featured in the Houston Post upon its construction.

The house is two stories in height with a medium pitched hip roof. The home is three bays in width and is symmetrical with a centralized entry bay. The central two-story front entry bay protrudes slightly from the main body of the house and is also covered by a low hipped roof which intersects with that of the main body of the house.

The exterior is clad in a light red brick veneer. Exterior embellishments were achieved through the use of brick quoins and pierced detailing created with the systematic omission of bricks in certain areas of the building's façade. The entry is comprised of wooden paneled double doors and matching double screen doors. The screen doors were found in the attic by the current owners, who restored the doors and replaced the original screen with glass. The doorway is surrounded by detailed stonework that culminates in an upstairs balcony made of wrought iron. A decorative iron lighting fixture with curved arms is centered over the front door. A small non-functional balcony is centered above the front entry, which is trimmed with a decorative iron railing.

Windows on the principle façade are of a multi-lite wood casement variety on the first floor and double-hung 6/6 lite wood-sash windows on the second floor. The windows of both the first and second floors are capped by decorative arched brickwork headers.

The Lummis family purchased the home in 2005. They completely updated the electrical, plumbing and HVAC in the home, as well as restoring and replacing some of the original special 12-piece moldings and plaster walls. The original French marble fireplace mantel, which had been cracked, was removed, structurally repaired, cleaned, and re-installed. Additionally, due to structural problems with the original garage/servants' quarters, they removed it and replaced it with an almost identical structure housing a family room and upstairs bedroom and bath. Special care was taken to preserve the original breezeway between the two structures and to matching the original brick and brickwork, complete with the arches over the windows. The restoration also returned the glassed-in back porch to its original screened state.

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Planning and Development Department

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

BIBLIOGRAPHY:

Houston Post, February 6, 1938.

Houston Chronicle, Obituary of David Harris, January 26, 1972.

Houston Chronicle, "DB Harris, Former Humble VP, Buried", January 26, 1972.

Houston Chronicle, Obituary of Russell Brown, April 9, 1963.

History of Humble Oil and Refining Company, Henrietta M. Lawson and Kenneth Wiggins Porter, 1953 and reprinted in 1993, Ayer Company Publishers.

River Oaks Magazine, February 1938, "Neighbors" column.

APPROVAL CRITERIA FOR LANDMARK DESIGNATION:

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<input type="checkbox"/>	<input checked="" type="checkbox"/>	(2) Whether the building, structure, object, site or area is the location of a significant local, state or national event (Sec. 33-224(a)(2);		
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<input checked="" type="checkbox"/>	<input type="checkbox"/>	(4) Whether the building or structure or the buildings or structures within the area exemplify a particular architectural style or building type important to the city (Sec. 33-224(a)(4);		
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<input type="checkbox"/>	<input checked="" type="checkbox"/>	(7) Whether specific evidence exists that unique archaeological resources are present (Sec. 33-224(a)(7);		
<input type="checkbox"/>	<input checked="" type="checkbox"/>	(8) Whether the building, structure, object or site has value as a significant element of community sentiment or public pride (Sec. 33-224(a)(8).		

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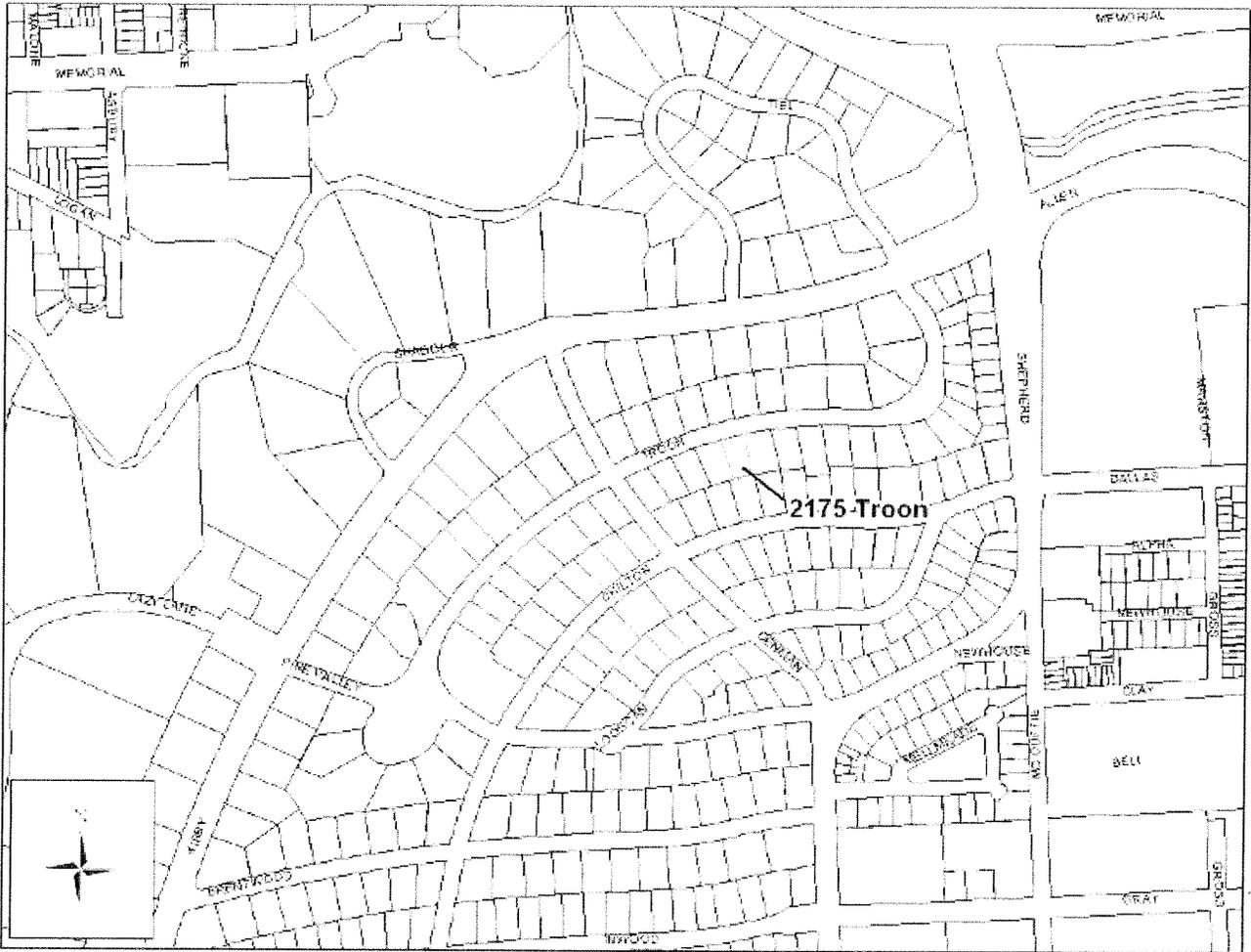
Planning and Development Department

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

STAFF RECOMMENDATION:

Staff recommends that the Houston Planning Commission accept the recommendation of the Houston Archaeological and Historical Commission and recommend to City Council the Landmark Designation of the Kendall-Harris House at 2175 Troon Road.

SITE LOCATION MAP
KENDALL-HARRIS HOUSE
2175 TROON ROAD
NOT TO SCALE



TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: A RESOLUTION SUPPORTING THE CERTIFICATION OF A MUNICIPAL SETTING DESIGNATION OUTSIDE THE CITY LIMITS OF HOUSTON AT 14502 FONDREN ROAD, MISSOURI CITY, TEXAS.	Category #	Page 1 of 1	Agenda Item # 27
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FROM (Department or other point of origin): Department of Public Works and Engineering	Origination Date 5-20-08	Agenda Date MAY 28 2008
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DIRECTOR'S SIGNATURE:  Michael S. Marcotte, P.E., DEE, Director	Council District affected: ETJ
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For additional information contact: Carol A. Ellinger, P.E.  Phone: (713) 837-7658 Senior Assistant Director	Date and identification of prior authorizing Council action: 8/22/2007 – 2007-0959
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RECOMMENDATION: (Summary)
Adopt a Resolution supporting the certification of a Municipal Setting Designation outside the City Limits of Houston at 14502 Fondren Road, Missouri City, Texas.

Amount and Source of Funding: N/A	F&A Budget:
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BACKGROUND: In 2003, the Texas Legislature authorized the creation of Municipal Setting Designations (MSDs), which would designate an area in which the use of contaminated groundwater is prohibited for use as potable water. The law is administered by TCEQ and requires local City support to designate an MSD. The intent of the legislation is to encourage redevelopment of vacant or abandoned properties while protecting the public health. As part of the application to TCEQ for a Municipal Setting Designation for a site, an applicant is required to provide documentation that the application is supported by:

- (1) each municipality with a boundary located within one-half mile from the site,
- (2) each municipality that owns or operates a groundwater supply well within five miles from the site,
- (3) each retail public utility, as defined by Section 13.002, Texas Water Code, that owns or operates a groundwater supply well within five miles from the site, as well as
- (4) the municipality in which the site is located

LAKEVIEW BP LAND, LP LOCATED AT 14502 FONDREN ROAD, MISSOURI CITY, TEXAS:

Lakeview BP Land, LP will file an application with TCEQ for certification of a MSD for tracts 29 and 30 of the property located at 14502 Fondren Road, Missouri City, Texas. The application meets several criteria requiring a resolution from the City of Houston in order for TCEQ to process the application:

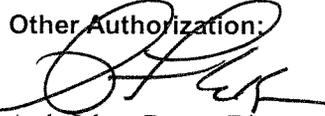
- the Missouri City MSD Site is located within one-half mile of the boundary of the City of Houston; and
- the Missouri City MSD Site is located within five miles of a state-registered groundwater supply well owned and operated by the City of Houston's Department of Public Works and Engineering; and
- the City of Houston is a retail public utility, as defined by Section 14.002 Texas Water Code; and

Following the issuance of a Municipal Setting Designation ordinance by the City of Missouri City, and a resolution of support from each of the 18 additional municipality and retail public utility from which such a resolution is required, each of which has so resolved, the Applicant will submit and application to TCEQ for certification of a MSD for the Missouri City MSD Site pursuant to Texas Health and Safety Code, Chapter 361, Subchapter W.

RECOMMENDATIONS:
Adopt a Resolution supporting the certification of a Municipal Setting Designation outside the City Limits of Houston at 14502 Fondren Road, Missouri City, Texas.

MSM:AFI:CAE
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C: Marty Stein, Waynette Chan, Gary Norman, Ceil Price

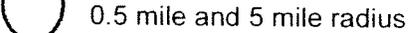
REQUIRED AUTHORIZATION **CUIC ID# 20CAE16**

Other Authorization:	Other Authorization:	Other Authorization:  Andy Icken, Deputy Director Planning & Development Services Division
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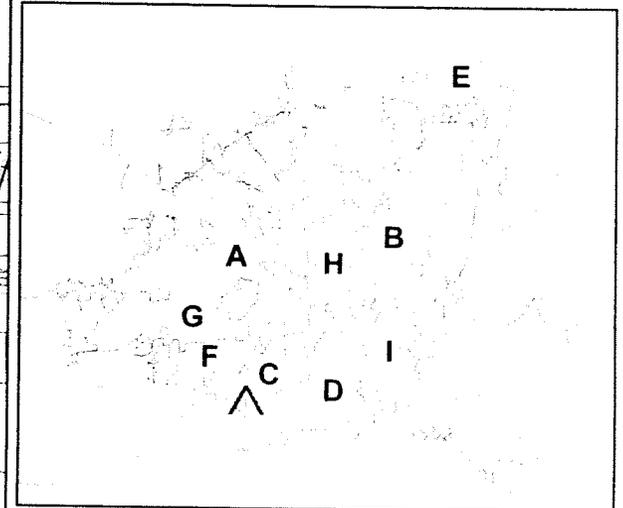
Municipal Settings Designation Application

14502 Fondren Rd Vicinity Map

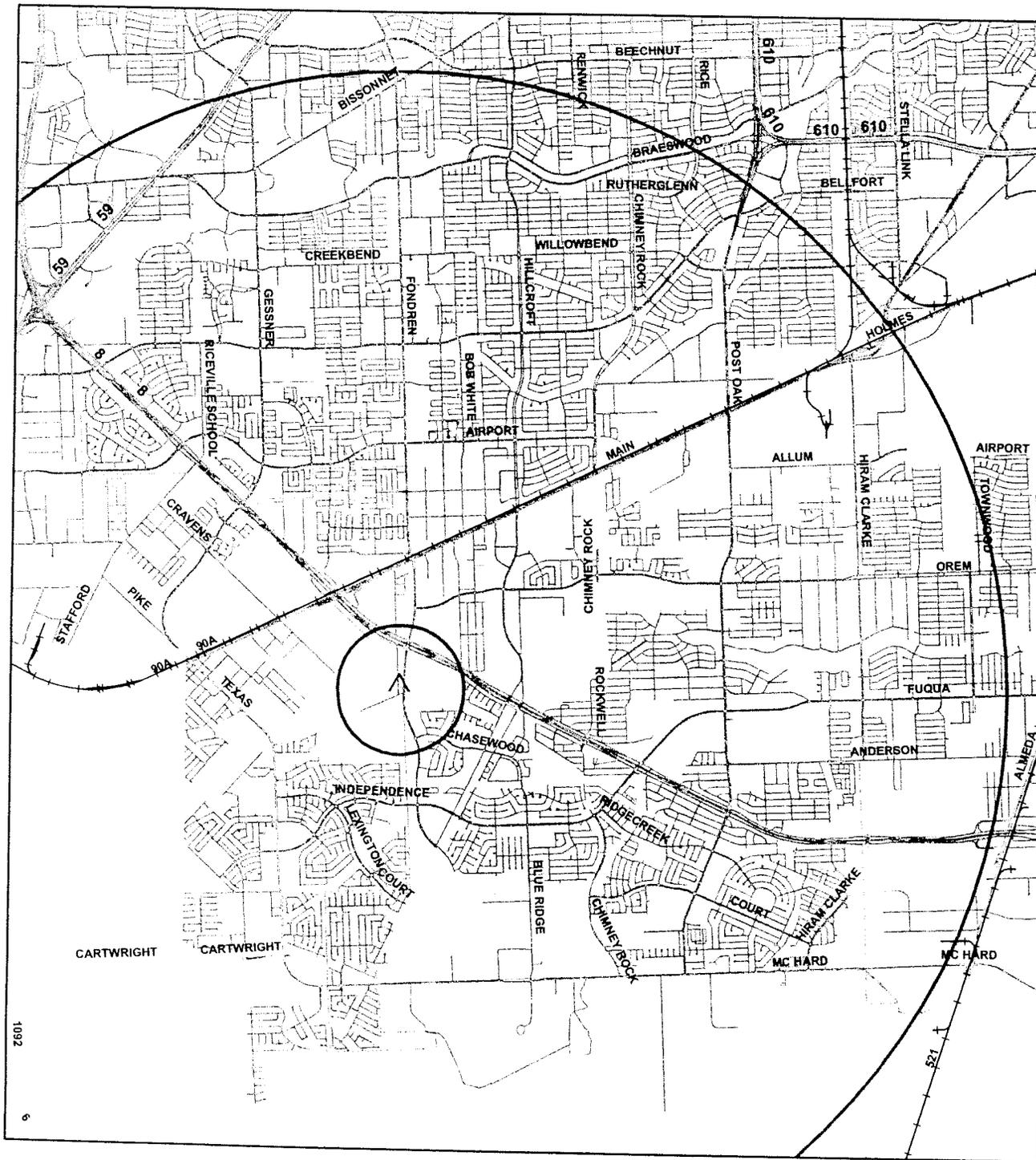
Legend

-  Railroad
-  Waterways
-  Application Site Location
-  0.5 mile and 5 mile radius

Locational Map



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



SUBJECT Resolution assuring certain city services to the National Collegiate Athletic Association ("NCAA") as part of a bid to host the 2015 or 2016 Men's Final Four and one year of the 2012-2016 Women's Final Four (collectively the "Final Four").

State law allows counties and municipalities to request the Texas Comptroller to establish an Other Events Trust Fund in connection with certain sporting events. Various incremental tax revenues (with a 6.25 times match of State tax revenues) are placed in the Other Events Trust Fund and are used toward satisfying expenses incurred resulting from the event. If City Council approves the resolution, and if the City is designated as the site for any of the Final Four events, then City Council is authorizing the City to request the Comptroller to initiate and establish an Other Events Trust Fund for the Final Four and related official events.

City Council is urged to approve this resolution to provide certain services in an effort to win the host role of the Final Four as described above.

DU:SWL:LH:dv

P:\Admin Shared Folder\L Hargrove\RCA's\RCA-Final Four.doc

<p>SUBJECT: An ordinance providing for the issuance of Combined Utility System First Lien Revenue Refunding Bonds, Series 2008 D, to refund the City's Combined Utility System First Lien Revenue Refunding Bonds, Series 2004-C-3, 2004 C-4, and 2004 C-5; authorizing the Mayor and City Controller to approve the amounts, interest rates, prices, terms and other matters incident thereto.</p>	<p>Category #</p>	<p>Page 1 of 1</p>	<p>Agenda Item # 29</p>
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<p>FROM (Department or other point of origin): Finance Department and Office of City Controller</p>	<p>Origination Date: May 23, 2008</p>	<p>Agenda Date MAY 28 2008</p>
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<p>DIRECTOR'S SIGNATURE: <i>Michelle Mitchell</i></p>	<p>Council District Affected: All</p>
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<p>For additional information contact: Charles Leal 713-837-9892 Jim Moncur 713-247-2950</p>	<p>Date and identification of prior authorizing Council action: 2004-299, April 20, 2004 2004-300, April 20, 2004</p>
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RECOMMENDATION: Approve an ordinance providing for the issuance of Combined Utility System First Lien Revenue Refunding Bonds, Series 2008 D, to refund the City's Combined Utility System First Lien Revenue Refunding Bonds, Series 2004-C-3, 2004 C-4, and 2004 C-5; authorizing the Mayor and City Controller to approve the amounts, interest rates, prices, terms and other matters incident thereto in an amount not to exceed \$210 million.

<p>Amount of Funding: Not Applicable</p>	<p>Finance Dept Budget:</p>
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Source of Funding: General Fund Grant Fund Enterprise Fund

 Other (Specify

SPECIFIC EXPLANATION:

In 2004 the City of Houston issued \$723.2 million in Adjustable Rate Revenue Refunding Bonds, Series 2004C ("the Series 2004C Bonds"), as Auction Rate Securities ("ARS"). As outlined in a memo to Fiscal Affairs dated February 29, 2008, the credit markets are in turmoil, with particular concern in the ARS market. The Finance Working Group ("FWG") recommends issuing up to \$210 million of Series 2008D Variable Rate Demand Bonds ("VRDB's") in a weekly rate mode to refund \$200.4 million Series 2004C bonds.

VRDB's require a liquidity facility in the form of a Letter of Credit ("LOC") or a Standby Bond Purchase Agreement ("SBPA") provided by a highly rated commercial bank or group of banks. Based on discussions with various major banks, the FWG recommends that Dexia LLC be selected as liquidity provider in the form of a SBPA. This liquidity facility has a stated term of 5 years and a liquidity fee of 40 basis points and can be terminated without cost after 18 months.

The FWG recommends that the CUS Series 2008D Bonds be sold through a negotiated financing with Citi acting as the placement and remarketing agent. The FWG further recommends that Andrews Kurth LLP and Burney and Foreman act as co-bond counsel and Fulbright and Jaworski L.L.P. and Bates & Coleman, P.C., serve as co-disclosure counsel. The co-financial advisors will be Coastal Securities, Morgan Keegan & Co., and Estrada Hinojosa.

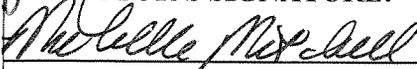
This item was presented to the Budget and Fiscal Affairs Committee on February 29, 2008 and reported out favorably.

The Finance Working Group recommends approval of this item.

<p>REQUIRED AUTHORIZATION</p>		
<p>Finance Department Director:</p>	<p>Other Authorization:</p>	<p>Other Authorization:</p>

SUBJECT: An Ordinance approving a Substitute Broker/Dealer Agreement for the City of Houston, Texas Convention & Entertainment Facilities Department Hotel Occupancy Tax and Special Revenue Adjustable Rate Bonds, Series 2001C.	Category #	Page 1 of 1	Agenda Item # 30
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FROM (Department or other point of origin): Finance Department and Office of City Controller	Origination Date: May 23, 2008	Agenda Date MAY 28 2008
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DIRECTOR'S SIGNATURE: 	Council District Affected: All
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For additional information contact: Charles Leal 713-837-9892 Jim Moncur 713-247-2950	Date and identification of prior authorizing Council action: 2001-224, March 21, 2001
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RECOMMENDATION: Approve an Ordinance approving a Substitute Broker/Dealer Agreement for the City of Houston, Texas Convention & Entertainment Facilities Department Hotel Occupancy Tax and Special Revenue Adjustable Rate Bonds, Series 2001C.

Amount of Funding: Not Applicable	Finance Dept Budget:
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Source of Funding:	<input type="checkbox"/> General Fund	<input type="checkbox"/> Grant Fund	<input type="checkbox"/> Enterprise Fund
<input type="checkbox"/> Other (Specify			

SPECIFIC EXPLANATION:

UBS Financial Services Inc., ("UBS") is the current dealer on the City of Houston, Texas Convention & Entertainment Facilities Department Hotel Occupancy Tax and Special Revenue Adjustable Rate Bonds, Series 2001C (the "Series 2001C Bonds"). Recently, UBS announced that it was leaving the Municipal Bond market necessitating a change of dealer on these bonds. The Finance Working Group ("FWG") recommends that J.P. Morgan Securities Inc., be approved as dealer replacing UBS.

The FWG recommends that Andrews Kurth LLP act as Bond Counsel, no disclosure counsel is required for this action. The Financial Advisors for Convention and Entertainment are Coastal Securities and Morgan Keegan.

The FWG recommends approval of this action.

Cc: Arturo Michel, City Attorney
Marty Stein, Agenda Director

REQUIRED AUTHORIZATION		
Finance Department Director:	Other Authorization:	Other Authorization:

SUBJECT: Ordinance authorizing the abandonment and sale of Shearn Street, from the west property line of the Bueling Herring Reserve to its dead-end, located in the John Austin Survey, A-1. Parcels SY6-077 and SY6-112	Category # 7	Page <u>1</u> of <u>2</u>	Agenda Item # 31												
FROM (Department or other point of origin): Department of Public Works and Engineering	Origination Date 5-20-08	Agenda Date MAY 28 2008													
DIRECTOR'S SIGNATURE:  Michael S. Marcotte, P.E., DEE, Director	Council District affected: H Key Map 493F														
For additional information contact: Nancy P. Collins Phone: (713) 837-0881 <i>(type)</i> Senior Assistant Director-Real Estate	Date and identification of prior authorizing Council Action: C.M. 2006-0382 (05/17/06) <i>PSM</i>														
RECOMMENDATION: (Summary) It is recommended City Council approve an ordinance authorizing the abandonment and sale of Shearn Street, from the west property line of the Bueling Herring Reserve to its dead-end, located in the John Austin Survey, A-1. Parcels SY6-077 and SY6-112															
Amount and Source of Funding: Not Applicable															
SPECIFIC EXPLANATION: By Council Motion 2006-0382, City Council authorized the subject transaction. The abutting property owners, Target Corporation (Bob Ulrich, Chairman and Chief Executive Officer) and Sawyer Heights Village, Ltd. [SHSC-GP,LLC (S. Jay Williams, Sole Member), General Partner], have already constructed a Target Store and plan to build other retail establishments and restaurants in the Interstate Highway 10/Taylor Street area. Target Corporation and Sawyer Heights Village, Ltd. have completed the transaction requirements, have accepted the City's offer, and have rendered payment in full. The City will abandon and sell to Target Corporation and Sawyer Heights Village, Ltd.: <table border="0" style="width: 100%;"> <tr> <td style="width: 50%;">Parcel SY6-077</td> <td></td> </tr> <tr> <td>6,895-square-foot water line easement</td> <td style="text-align: right;">\$106,873.00 (Rounded)</td> </tr> <tr> <td>Valued at \$15.50 per square foot</td> <td></td> </tr> <tr> <td>Parcel SY6-112</td> <td></td> </tr> <tr> <td>25,600-square-foot water line easement</td> <td style="text-align: right;">\$396,800.00</td> </tr> <tr> <td>Valued at \$15.50 per square foot</td> <td></td> </tr> </table>				Parcel SY6-077		6,895-square-foot water line easement	\$106,873.00 (Rounded)	Valued at \$15.50 per square foot		Parcel SY6-112		25,600-square-foot water line easement	\$396,800.00	Valued at \$15.50 per square foot	
Parcel SY6-077															
6,895-square-foot water line easement	\$106,873.00 (Rounded)														
Valued at \$15.50 per square foot															
Parcel SY6-112															
25,600-square-foot water line easement	\$396,800.00														
Valued at \$15.50 per square foot															
s:\psm\sy6-077.rc2.doc		CUIC #20PSM219													
REQUIRED AUTHORIZATION															
Finance Department:	Other Authorization:	Other Authorization:  Andrew F. Icken, Deputy Director Planning and Development Services Division													

Date:	Subject: Ordinance authorizing the abandonment and sale of Shearn Street, from the west property line of the Bueling Herring Reserve to its dead-end, located in the John Austin Survey, A-1. Parcels SY6-077 and SY6-112	Originator's Initials	Page <u>2</u> of <u>2</u>
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TOTAL ABANDONMENTS	<u>\$503,673.00</u>
LESS CARRYOVER CREDIT FROM PHASE TWO	<u>(\$1,434.00)</u>
AMOUNT OWED THE CITY	<u>\$502,239.00</u>

Therefore, it is recommended City Council approve an ordinance authorizing the abandonment and sale of Shearn Street, from the west property line of the Bueling Herring Reserve to its dead-end, located in the John Austin Survey, A-1.

MSM: NPC:psm

- c: Raymond D. Chong, P.E., PTOE
- Daniel W. Krueger, P.E.
- Reid K. Mrsny, P.E.
- Marty Stein

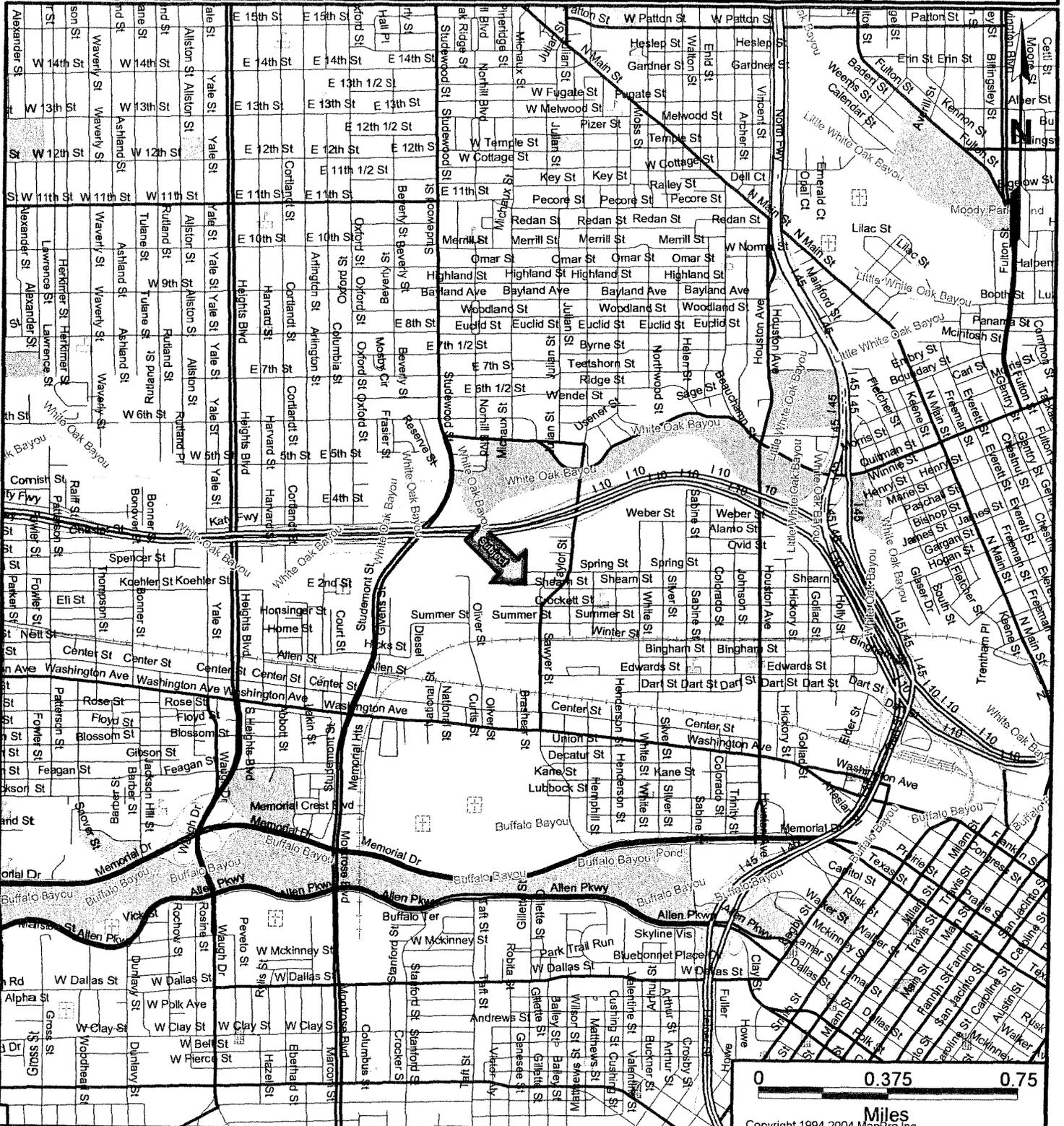
LOCATION MAP

Abandonment and sale of Shearn Street, from the west property line of the Bueling Herring Reserve to its dead-end, located in the John Austin Survey, A-1. **Parcels SY6-077 and SY6-112**

Lender or Client:

Lat: 29.774605

Long: -95.383487



CAUTION:

The location of property arrows shown on this map are approximate only. 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.

Copyright 1994-2004 MapPro Inc.

MOTION by Council Member Garcia that the recommendation of the Director of the Department of Public Works and Engineering, reviewed and approved by the Joint Referral Committee, on request from Helen Huey of Creative Consulting, 1517 Monarch Oaks, Houston, Texas 77055, on behalf of Target Corporation (Bob Ulrich, Chairman and Chief Executive Officer) and Sawyer Heights Village, Ltd. [SHV-GP,LLC, a Texas limited liability company (S. Jay Williams, sole member), general partner], for the abandonment and sale of Shearn Street, from the west property line of the Bueling Herring Reserve to its dead-end, located in the John Austin Survey, A-1, Parcels SY6-077 and SY6-112, be adopted as follows:

1. The City abandon and sell Shearn Street, from the west property line of the Bueling Herring Reserve to its dead-end, located in the John Austin Survey, A-1;
2. The applicant be required to: (a) cut, plug, and abandon the 2-inch and 8-inch water lines within Shearn Street and the 8-inch water line within Sawyerdale Street, (b) install a fire hydrant at the new terminus of Shearn Street, (c) cut, plug, and abandon the 8-inch sanitary sewer line within Shearn Street and Sawyerdale Street, and (d) construct a backend manhole at the new terminus of Shearn Street, all at no cost to the City and under the proper permits, and pay the depreciated value of the utilities being abandoned;
3. The applicant be required to obtain a letter of no objection from each of the privately owned utility companies for the street being abandoned and sold;
4. The applicant be required to furnish the Department of Public Works and Engineering with a durable, reproducible (Mylar) survey plat and field notes of the affected property;

5. The Legal Department be authorized to prepare the necessary transaction documents; and
6. Mr. Frank Flores and Mr. John Fox, independent real estate appraisers, are hereby appointed to established the value, inasmuch as the value of the property interest is expected to exceed \$25,000.00 and Mr. Patrick O'Connor is hereby appointed as alternate appraiser should one of the two appointed appraisers be unable to accept the assignment.

Seconded by Council Member Alvarado and carried.

Mayor White, Council Members Lawrence, Johnson, Clutterbuck, Edwards, Khan, Holm, Garcia, Alvarado, Brown, Lovell, Sekula-Gibbs, Green and Berry voting aye
Nays none

Council Member Wiseman absent on City Business

PASSED AND ADOPTED this 17th day of May, 2006.

Pursuant to Article VI, Section 6 of the City Charter, the effective date of the foregoing motion is May 23, 2006.


City Secretary

SUBJECT: Ordinance authorizing the sale of 6,074-square-feet of excess fee-owned right-of-way being portions of Lots 8, 9, 10, and the east one-half of Lots 11 and 12, Block 46, S.F. Nobles Addition, out of the John Austin Survey, A-1. Parcel SY7-145	Category # 7	Page 1 of 1	Agenda Item # <i>32</i>
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FROM (Department or other point of origin): Department of Public Works and Engineering	Origination Date 5-20-08	Agenda Date MAY 28 2008
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DIRECTOR'S SIGNATURE: <i>Michael S. Marcotte</i> Michael S. Marcotte, P.E., DEE, Director	Council District affected: H <i>Bam</i> Key Map 493H
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For additional information contact: Nancy P. Collins Senior Assistant Director-Real Estate Phone: (713) 837-0881 <i>(npc)</i>	Date and identification of prior authorizing Council Action: C.M. 2007-1101 (11/07/07)
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RECOMMENDATION: (Summary) It is recommended City Council approve an ordinance authorizing the sale of 6,074-square-feet of excess fee-owned right-of-way being portions of Lots 8, 9, 10, and the east one-half of Lots 11 and 12, Block 46, S.F. Nobles Addition, out of the John Austin Survey, A-1. **Parcel SY7-145**

Amount and Source of Funding: Not Applicable

SPECIFIC EXPLANATION:

By Council Motion 2007-1101, City Council authorized the subject transaction. Knapp Polly Pig, Inc., formerly known as Pollypig By Knapp, Inc. (Kenneth Knapp, President), the abutting owner, plans to expand his current business at this location. Knapp Polly Pig, Inc., formerly known as Pollypig By Knapp, Inc., has complied with the council motion requirements, has accepted the City's offer, and has rendered payment in full.

The City will abandon and sell to Knapp Polly Pig, Inc., formerly known as Pollypig By Knapp, Inc

Parcel SY7-145 6,074-square-foot portion of excess fee-owned land Valued at \$2.25 per square foot	\$13,666.00
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TOTAL ABANDONMENTS **\$13,666.00**

Therefore, it is recommended City Council approve an ordinance authorizing the sale of 6,074-square-feet of excess fee-owned right-of-way being portions of Lots 8, 9, 10, and the east one-half of Lots 11 and 12, Block 46, S.F. Nobles Addition, out of the John Austin Survey, A-1., in exchange for a consideration of \$13,666.00

MSM:NPC:bam

c: Jeff Taylor
Daniel W. Krueger, P.E.
Reid K. Mrsny, P.E.
Marty Stein
Jeff Taylor

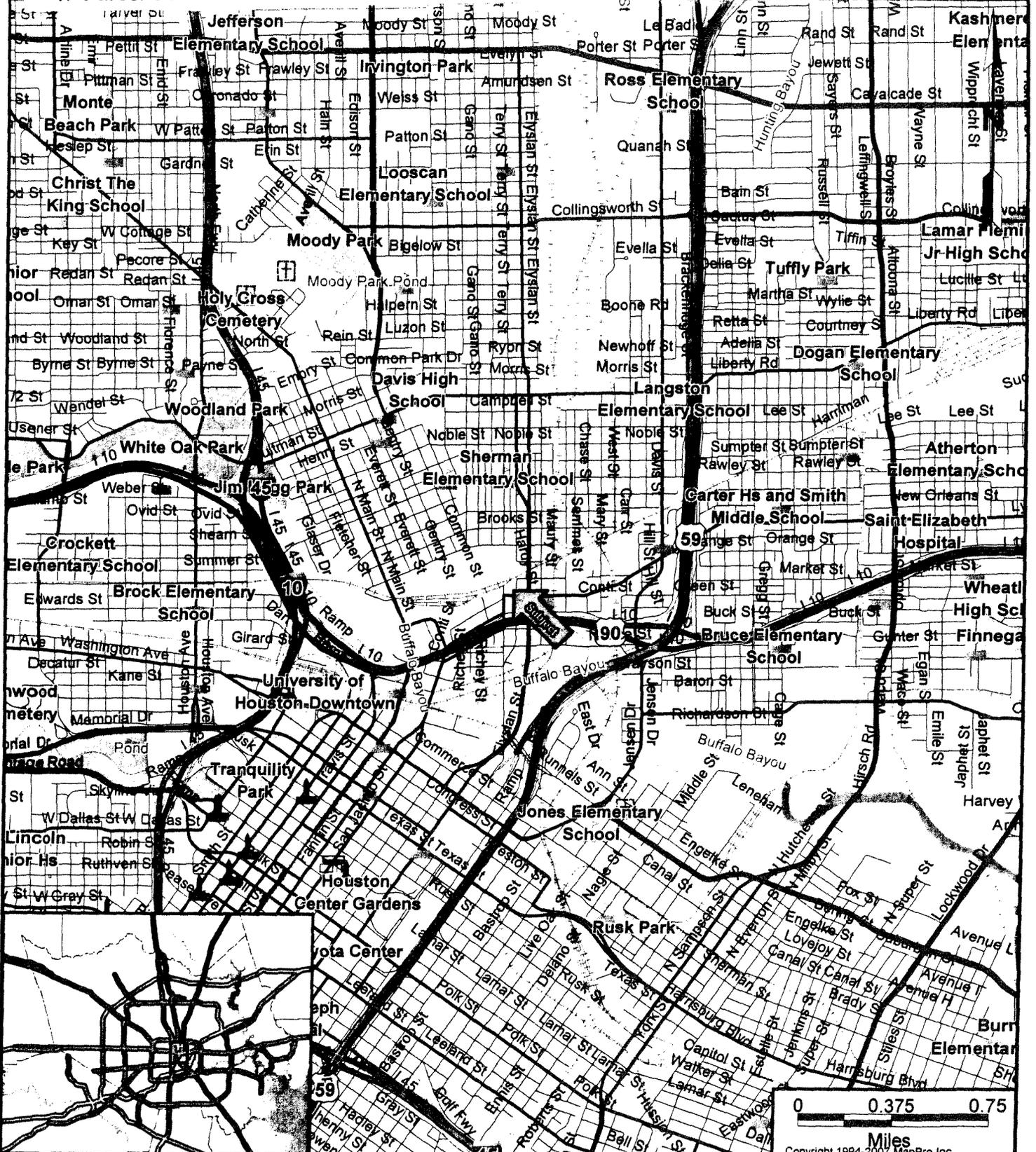
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REQUIRED AUTHORIZATION		
Finance Department	Other Authorization:	Other Authorization: <i>Andrew F. Icken</i> Andrew F. Icken, Deputy Director Planning and Development Services Division

LOCATION MAP

Description:

Sale of excess fee-owned right-of-way being portions of Lots 8, 9, 10, and the east one-half of Lots 11 and 12, Block 46, S.F. Nobles Addition, out of the John Austin Survey, A-1. Parcel SY7-145



CAUTION:

The location of property arrows shown on this map are approximate only. 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.

SECTION E

SCALE: N.T.S.

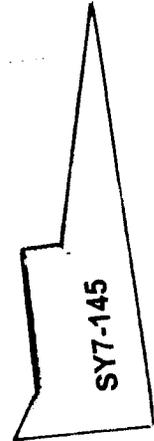
NORTH OF PROVIDENCE ST

CONTI

DEED
END
MCKEE

PRELIMINARY
SUBJECT TO CHANGE

DEED
END



SY7-145

LYONS AVENUE

HARDY

OPELOUSAS

125.00

63

PT - 121+97.70

N 8° 29' 09" W

120.00

PROVIDENCE

Sale of excess fee-owned right-of-way being portions of Lots 8, 9, 10, and the east one-half of Lots 11 and 12, Block 46, S.F. Nobles Addition, out of the Lots Addition

MOTION NO. 2007 1101

MOTION by Council Member Alvarado that the recommendation of the Director of the Department of Public Works and Engineering, reviewed and approved by the Joint Referral Committee, on request from Kenneth M. Knapp, Knapp Polly Pig, Inc., 1209 Hardy Street, Houston, Texas 77020, for the sale of excess fee-owned right-of-way being portions of Lots 8, 9, 10, and the east one-half of Lots 11 and 12, Block 46, S. F. Nobles Addition, out of the John Austin Survey, A-1, Parcel SY7-145, be adopted as follows:

1. The City sell excess fee-owned right-of-way being portions of Lots 8, 9, 10, and the east one-half of Lots 11 and 12, Block 46, S. F. Nobles Addition, out of the John Austin Survey, A-1,
2. The applicant be required to furnish the Department of Public Works and Engineering with a durable, reproducible (Mylar) survey plat and field notes of the affected property;
3. The applicant be required to cut, plug, and abandon the existing 6-inch lateral sanitary sewer line within the property being sold and pay the depreciated value for the sanitary sewer line and manholes being abandoned. All of the foregoing items must be completed at no cost to the City and under the proper permits;
4. The applicant be required to prepare drawings that show all public utilities (sanitary sewer) that are to be abandoned, relocated, and constructed as part of this project and submit drawings to the Office of the City Engineer for plan review and approval. A copy of the council motion shall be attached to the plan set when it is submitted for plan review;

5. In the interest of expediting the abandonment and sale process, the applicant may choose to provide the City with a Letter of Credit (LOC), subject to the City's concurrence, covering the estimated construction cost for work required in Item 3 above in lieu of performing such work prior to finalization of the ordinance for this transaction. Should this option be selected, the applicant will be required to provide a LOC showing the City of Houston as beneficiary and in the amount of the estimated construction cost approved by the City. The LOC will be for a specific time period which may be less than but not longer than twelve months from the effective date of the ordinance for the transaction. Upon the applicant's satisfactory completion of the construction-related work as evidenced by written inspection clearance/approval by the Office of the City Engineer, PWE, at the applicant's request the City will release the LOC;
6. The applicant be required to observe a 25-foot-building setback from the Elysian Street bridge;
7. The applicant be required to obtain a letter of no objection from each of the privately owned utility companies for the alley being abandoned and sold;
8. The Legal Department be authorized to prepare the necessary transaction documents; and
9. Inasmuch as the value of the property interests is not expected to exceed \$50,000.00, that the value be established by staff appraisal, according to City policy.

Seconded by Council Member Lovell and carried.

Mayor White, Council Members Lawrence, Johnson,
Edwards, Wiseman, Holm, Garcia, Alvarado, Brown,
Lovell, Noriega and Green voting aye
Nays none
Council Members Clutterbuck and Berry absent

Council Member Khan out of the City on City business

PASSED AND ADOPTED this 7th day of November, 2007.

Pursuant to Article VI, Section 6 of the City Charter, the
effective date of the foregoing motion is November 13, 2007.


City Secretary

TO: Mayor via City Secretary REQUEST FOR COUNCIL ACTION

SUBJECT: Ordinance authorizing the abandonment and sale of a portion of South Post Oak Lane, a portion of Skylark Lane, two 10-foot-wide utility easements, and a 10-foot-wide prescriptive water line easement in exchange for the conveyance to the City of right-of-way for South Post Oak Lane and Ambassador Way, all located within Azalea Terrace Subdivision, Azalea Terrace Annex Subdivision, Saks Fashion Center, Post Oak Embassy, and/or Fashion Square. Parcels SY5-011A through E, AY6-165, and AY8-271A through C	Category # 7	Page <u>1</u> of <u>3</u>	Agenda Item # 33
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FROM (Department or other point of origin): Department of Public Works and Engineering	Origination Date 5/23/08	Agenda Date MAY 28 2008
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DIRECTOR'S SIGNATURE:  Michael S. Marcotte, P.E., DEE, Director	Council District affected: G P511 Key Map 491Q
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For additional information contact: Nancy P. Collins ^{Asst.} Senior Assistant Director-Real Estate Phone: (713) 837-0881	Date and identification of prior authorizing Council Action: C.M. 2004-1054 (10/6/04) and C.M. 2006-0334 (05/03/06)
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RECOMMENDATION: (Summary) It is recommended City Council approve an ordinance authorizing the abandonment and sale of a portion of South Post Oak Lane, a portion of Skylark Lane, two 10-foot-wide utility easements, and a 10-foot-wide prescriptive water line easement in exchange for a consideration of \$1,500.00 plus the conveyance to the city of right-of-way for South Post Oak Lane and Ambassador Way, all located within Azalea Terrace Subdivision, Azalea Terrace Annex Subdivision, Saks Fashion Center, Post Oak Embassy, and/or Fashion Square. **Parcels SY5-011A through E, AY6-165, and AY8-271A through C**

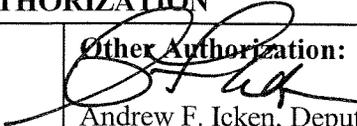
Amount and Source of Funding: Not Applicable	
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SPECIFIC EXPLANATION:
 By Council Motion 2004-1054 City Council authorized the abandonment and sale of South Post Oak Lane, from ±70 feet south of San Felipe Road to its terminus, and two turnaround easements, all located within Azalea Terrace Subdivision or Azalea Terrace Annex Subdivision. Thereafter, the applicant requested several changes to the transaction. By amended Council Motion 2006-0334 (Attachment 3), City Council authorized the abandonment and sale of a portion of South Post Oak Lane, a portion of Skylark Lane, four turnaround street easements, two 10-foot-wide utility easements, and a 10-foot-wide prescriptive water line easement in exchange for the conveyance to the City of right of way for the realignment and the construction of South Post Oak Lane and Skylark Lane to City standards at no cost to the City, all located within Azalea Terrace Subdivision, Azalea Terrace Annex Subdivision, Saks Fashion Center, Post Oak Embassy, and Fashion Square. Because the four turnaround street easements will be extinguished when the streets are extended, they were deleted from the transaction. Also the applicant requested to change the conveyance portion of the transaction. The changes were approved and the transaction is being processed as reflected in the subject description. The property owners, Boulevard Place, L.P. [Wulfe Boulevard Venture, L.L.C. (Edmond D. Wulfe, President), General Partner] and Crescent POC Investors, L.P., plan to assemble the portions of the streets and easements being abandoned and sold into their abutting property to construct a new retail center at San Felipe Road and South Post Oak Lane.

As the portion of the construction requirement in Council Motion 2006-0334, Item 2 requiring the applicant to: (a) cut, plug, and abandon the existing 8-inch sanitary sewer lines within the two utility easements being abandoned, (b) construct a new backend manhole at the south property line of 1702 South Post Oak Lane, (c) cut, plug, and abandon the existing 2-inch water line within South Post Oak Lane, the existing 4-inch water line within the prescriptive water line easement, and the existing 8-inch water line within Skylark Lane, and (d) construct a new fire hydrant at the new terminus of Skylark Lane, will be completed after City Council passes the ordinance, Boulevard Place, L.P. and Crescent POC Investors, L.P. have submitted to the City a \$60,775.00 letter of credit to cover the estimated costs. The construction must be completed within twelve months of the effective date of the ordinance.

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REQUIRED AUTHORIZATION

Finance Department:	Other Authorization:	Other Authorization:  Andrew F. Icken, Deputy Director Planning and Development Services Division
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Date:	Subject: Ordinance authorizing the abandonment and sale of a portion of South Post Oak Lane, a portion of Skylark Lane, two 10-foot-wide utility easements, and a 10-foot-wide prescriptive water line easement in exchange for the conveyance to the City of right-of-way for South Post Oak Lane and Ambassador Way, all located within Azalea Terrace Subdivision, Azalea Terrace Annex Subdivision, Saks Fashion Center, Post Oak Embassy, and/or Fashion Square. Parcels SY5-011A through E, AY6-165, and AY8-271A through C	Originator's Initials	Page <u>2</u> of <u>3</u>
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Boulevard Place, L.P. and Crescent POC Investors, L.P. have completed the transaction requirements, have accepted the City's offer, and have rendered payment in full.

The City will abandon and sell to Boulevard Place, L.P.:

Parcel SY5-011A

13,380-square-foot portion of South Post Oak Lane \$1,204,200.00
Valued at \$90.00 per square foot

Parcel SY5-011B

5,238-square-foot portion of Skylark Lane \$471,420.00
Valued at \$90.00 per square foot

Parcel SY5-011C

4,194-square-foot utility easement \$188,730.00
Valued at \$45.00 per square foot

Parcel SY5-011D

4,785-square-foot utility easement \$215,325.00
Valued at \$45.00 per square foot

Parcel SY5-011E

8,117-square-foot prescriptive water line easement \$365,265.00
Valued at \$45.00 per square foot

TOTAL ABANDONMENTS **\$2,444,940.00**

In exchange, Boulevard Place, L.P. will pay:

Cash \$1,500.00 (minimum fee)
Plus convey to the City:

Parcel AY6-165

66,500-square-foot portion of right-of-way \$5,985,000.00
Valued at \$90.00 per square foot

Crescent POC Investors, L.P. will convey to the City:

Parcel AY8-271A

5,346-square-foot portion of right-of-way \$481,140.00
Valued at \$90.00 per square foot

Parcel AY8-271B

343-square-foot portion of right-of-way \$30,870.00
Valued at \$90.00 per square foot

Date:	Subject: Ordinance authorizing the abandonment and sale of a portion of South Post Oak Lane, a portion of Skylark Lane, two 10-foot-wide utility easements, and a 10-foot-wide prescriptive water line easement in exchange for the conveyance to the City of right-of-way for South Post Oak Lane and Ambassador Way, all located within Azalea Terrace Subdivision, Azalea Terrace Annex Subdivision, Saks Fashion Center, Post Oak Embassy, and/or Fashion Square. Parcels SY5-011A through E, AY6-165, and AY8-271A through C	Originator's Initials	Page <u>3 of 3</u>
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Parcel AY8-271C

526-square-foot portion of right-of-way \$47,340.00
 Valued at \$90.00 per square foot

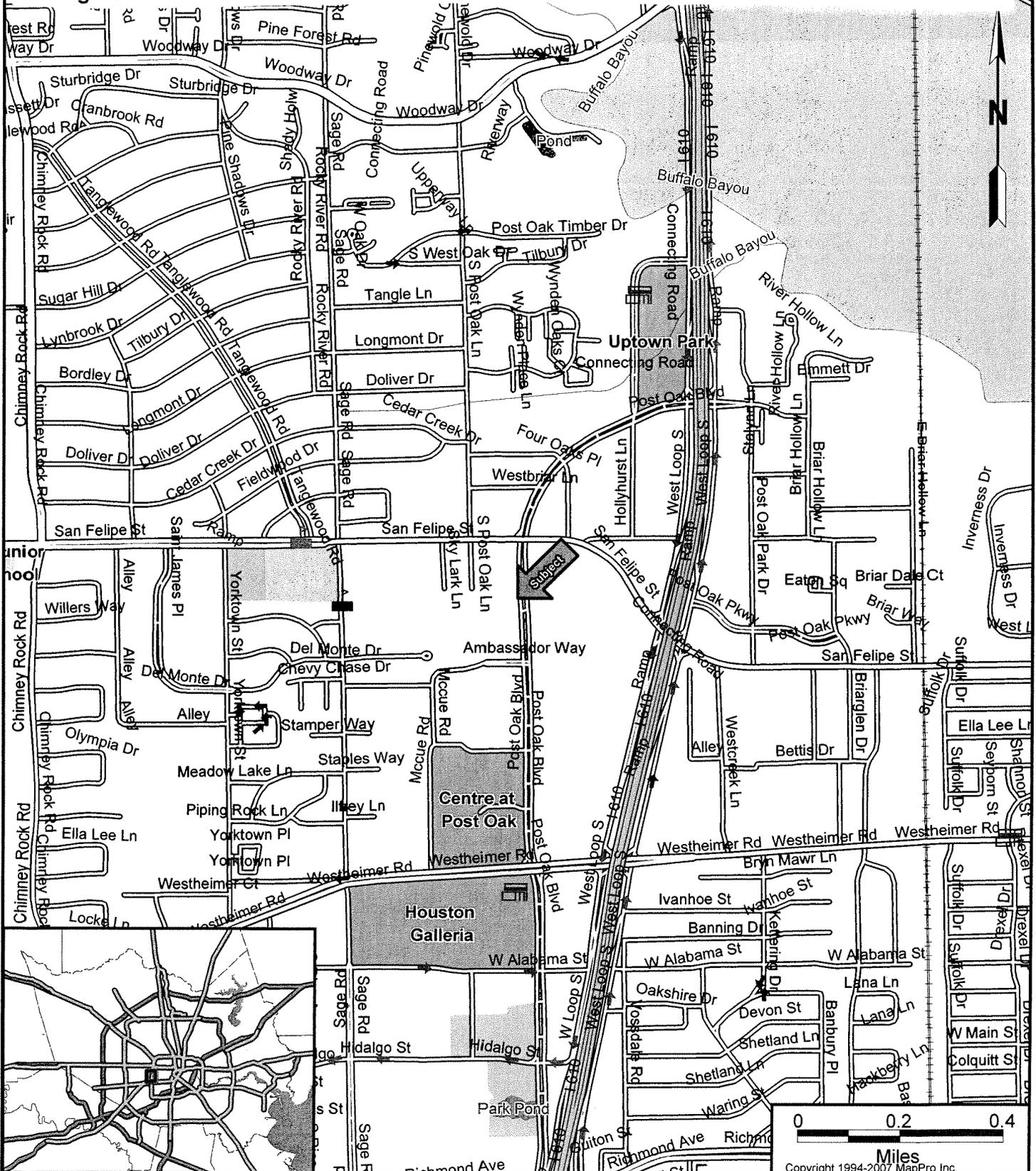
TOTAL CASH AND CONVEYANCES \$6,545,850.00

Inasmuch as the value of the \$1,500.00 minimum fee plus the street right-of-way being conveyed to the City is greater than the value of the streets and easements being abandoned and sold, it is recommended City Council approve an ordinance authorizing the abandonment and sale of a portion of South Post Oak Lane, a portion of Skylark Lane, two 10-foot-wide utility easements, and a 10-foot-wide prescriptive water line easement in exchange for a consideration of \$1,500.00 plus the conveyance to the city of right-of-way for South Post Oak Lane and Ambassador Way, all located within Azalea Terrace Subdivision, Azalea Terrace Annex Subdivision, Saks Fashion Center, Post Oak Embassy, and/or Fashion Square.

MSM: NPC:psm

- c: Raymond D. Chong, P.E., PTOE
- Daniel W. Krueger, P.E.
- Reid K. Mrsny, P.E.
- Marty Stein
- Jeff Taylor

Abandonment and sale of a portion of South Post Oak Lane, a portion of Skylark Lane, two 10-foot-wide utility easements, and a 10-foot-wide prescriptive water line easement in exchange for a consideration of \$1,500.00 plus the conveyance to the city of right-of-way for South Post Oak Lane and Ambassador Way, all located within Azalea Terrace Subdivision, Azalea Terrace Annex Subdivision, Saks Fashion Center, Post Oak Embassy, and/or Fashion Square. **Parcels SY5-011A through E, AY6-165, and AY8-271A through C**



CAUTION:

The location of property arrows shown on this map are approximate only. 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.



FOUR LEAF TOWERS CONDO
VOL. 149, PG. 81 C.R.H.C.

BANK OF AMERICA
VOL. 428, PG. 36 H.C.M.R.

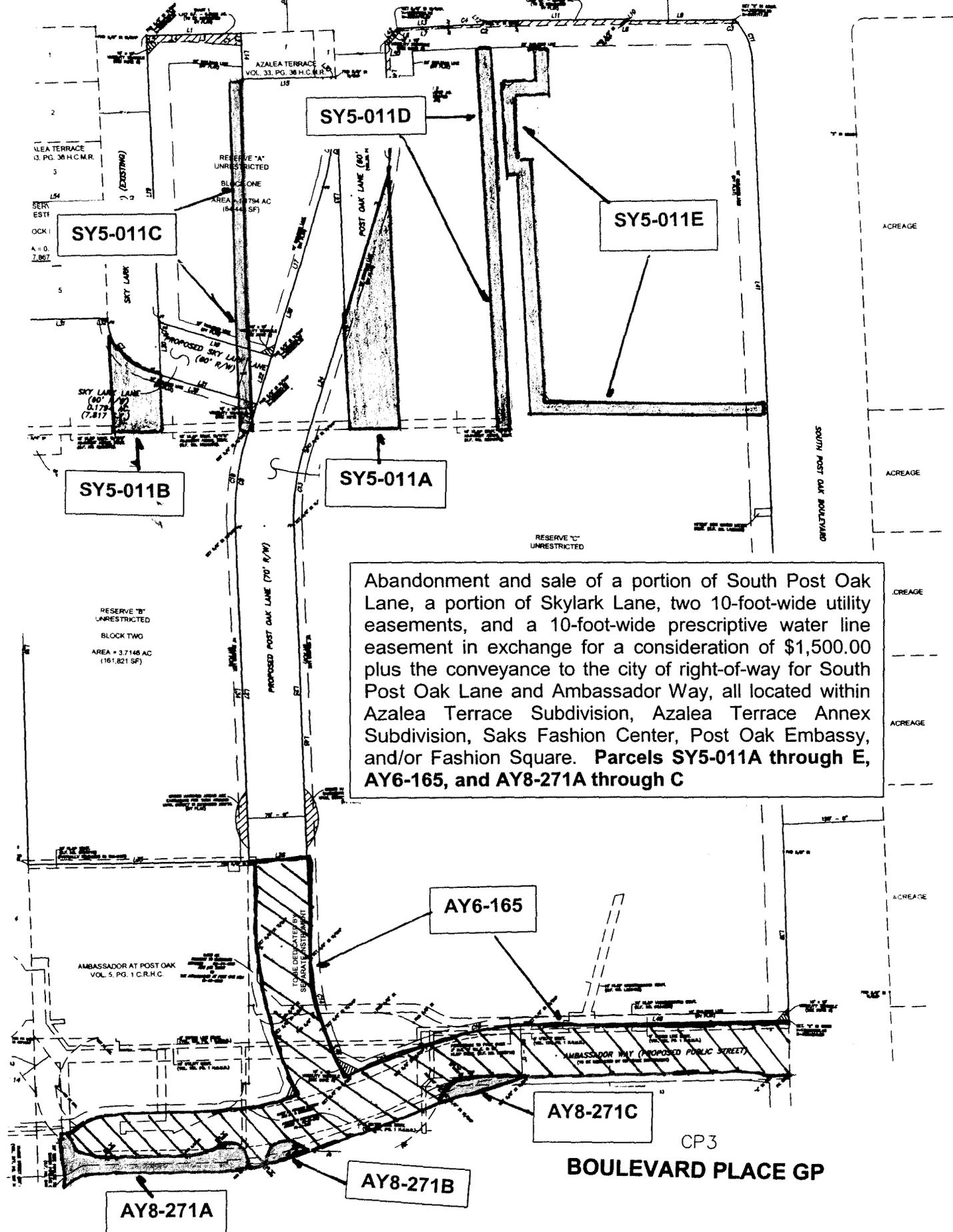
ACREAGE

ACREAGE



LOCATION MAP NOT TO SCALE

SAN FELIPE ROAD (WIDTH VARIES)



SY5-011D

SY5-011C

SY5-011E

SY5-011B

SY5-011A

Abandonment and sale of a portion of South Post Oak Lane, a portion of Skylark Lane, two 10-foot-wide utility easements, and a 10-foot-wide prescriptive water line easement in exchange for a consideration of \$1,500.00 plus the conveyance to the city of right-of-way for South Post Oak Lane and Ambassador Way, all located within Azalea Terrace Subdivision, Azalea Terrace Annex Subdivision, Saks Fashion Center, Post Oak Embassy, and/or Fashion Square. **Parcels SY5-011A through E, AY6-165, and AY8-271A through C**

AY6-165

AY8-271C

AY8-271B

AY8-271A

BOULEVARD PLACE GP

CP3

RESERVE "B"
UNRESTRICTED
BLOCK TWO
AREA = 3.7145 AC
(161,821 SF)

RESERVE "A"
UNRESTRICTED
BLOCK ONE
AREA = 1.9794 AC
(84,444 SF)

RESERVE "C"
UNRESTRICTED

AZALEA TERRACE
VOL. 33, PG. 38 H.C.M.R.

MOTION by Council Member Khan that the recommendation of the Director of the Department of Public Works and Engineering, for amendment to Motion No. 2004-1054, passed and adopted, October 6, 2004, which authorized the abandonment and sale of South Post Oak Lane, from ± 70 feet south of San Felipe Road to its terminus, and two turnaround easements, all located within Azalea Terrace Subdivision or Azalea Terrace Annex Subdivision, Parcels SY5-011A through I and AY6-165A and B, be adopted, and Motion No. 2004-1054, is hereby amended as follows:

Item 1 be amended to read:

1. The City abandon and sell a portion of South Post Oak Lane, a portion of Skylark Lane, four turnaround street easements, two 10-foot-wide utility easements, and a 10-foot-wide prescriptive water line easement in exchange for the conveyance to the City of right of way for the realignment and the construction of South Post Oak Lane and Skylark Lane to City standards at no cost to the City, all located within Azalea Terrace Subdivision, Azalea Terrace Annex Subdivision, Saks Fashion Center, Post Oak Embassy, and Fashion Square;

Item 2 be amended to read:

2. The applicant be required to: (a) cut, plug, and abandon the existing 8-inch sanitary sewer lines within the two utility easements being abandoned, (b) construct a new backend manhole at the south property line of 1702 South Post Oak lane, (c) cut, plug, and abandon the existing 2-inch water line within South Post Oak Lane, the existing 4-inch water line within the prescriptive water line easement, and the existing 8-inch water line within Skylark Lane, and (d) construct a new fire hydrant at the new terminus of Skylark Lane, all at no cost to the City and under the proper permits;

Item 3 be deleted:

Item 7 be amended to read:

3. Inasmuch as the value of the property interests is not expected to exceed \$25,000.00, that the value be established by staff appraisal, according to City policy.

Seconded by Council Member Alvarado and carried.

Mayor White, Council Members Lawrence, Johnson,
Clutterbuck, Khan, Garcia, Alvarado, Brown, Lovell,
Sekula-Gibbs, Green and Berry voting aye
Nays none
Council Members Edwards and Holm absent

Council Member Wiseman absent due to being ill

PASSED AND ADOPTED this 3rd day of May, 2006.

Pursuant to Article VI, Section 6 of the City Charter, the
effective date of the foregoing motion is May 9, 2006.


City Secretary

MOTION by Council Member Holm that the recommendation of the Director of the Department of Public Works and Engineering, reviewed and approved by the Joint Referral Committee, on request from Helen Huey, 1517 Monarch Oaks, Houston, Texas, 77055, on behalf of Post Oak Boulevard Partners, L.P. a Texas limited partnership [Wulfe Post Oak Boulevard partners, L.P., a Texas limited partnership {Wulfe Post Oak/San Felipe, L.L.C. a Texas limited liability company (Edmond E. Wulfe, president), general partner}, general partner], the abutting property owner, for the abandonment and sale of South Post Oak Lane, from ± 70 feet south of San Felipe Road to its terminus, two turnaround easements and a 10-foot-wide reserve, all located within Azalea Terrace Subdivision or Azalea Terrace Annex Subdivision, Parcel Nos. SY5-011A, SY5-011B and SY5-011C, be adopted, as follows:

1. The City abandon and sell South Post Oak Lane, from ± 70 feet south of San Felipe Road to its terminus, and two turnaround easements, all located within Azalea Terrace Subdivision or Azalea Terrace Annex Subdivision;
2. The applicant be required to cut, plug, and abandon the existing 2-inch water line within South Post Oak Lane, and if any other property owner(s) are connected to this water line, the property owner(s) must be reconnected to the existing 16-inch water line in San Felipe Road, at no cost to the City and under the proper permits, and pay the depreciated value of the water line being abandoned;
3. The applicant be required to: (a) install either a type 3 barricade with diagonal white and red striping on the horizontal panels, complying with the requirements of the Texas Manual on Uniform Traffic Control Devices or traffic control signs approved by the Traffic and Transportation Division, to warn motorists that the street does not continue and (b) make modifications, if necessary, to the traffic signal at San Felipe Road to accommodate the street shortening, all at no cost to the City and under proper permits;

4. The applicant be required to obtain a letter of no objection from each of the privately owned utility companies;
5. The applicant be required to furnish the Department of Public Works and Engineering with a durable, reproducible (Mylar) survey plat and field notes of the affected property;
6. The Legal Department be authorized to prepare the necessary transaction documents; and
7. Mr. Patrick O'Connor and Mr. Gerald Teel, independent real estate appraisers, are hereby appointed to establish the value, inasmuch as the value of the property interests is expected to exceed \$25,000.00 and Mr. Alan Dominy is hereby appointed as alternate appraiser should one of the two appointed appraisers be unable to accept the assignment.

Seconded by Council Member Alvarado and carried.

Mayor White, Council Members Lawrence, Galloway,
Goldberg, Edwards, Wiseman, Khan, Holm, Garcia,
Alvarado, Ellis, Quan, Sekula-Gibbs, Green and Berry
voting aye
Nays none

PASSED AND ADOPTED this 6th day of October, 2004.

Pursuant to Article VI, Section 6 of the City Charter, the
effective date of the foregoing motion is October 12, 2004.



City Secretary

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

SUBJECT: Petition for the City's consent to the addition of two (2) tracts of land totaling 168.9500 acres to Fort Bend County Municipal Utility District No. 25 (Key Map No. 567-N, P & T)	Category #	Page 1 of <u>1</u>	Agenda Item # 34
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FROM (Department or other point of origin): Department of Public Works and Engineering	Origination Date 5/20/08	Agenda Date MAY 28 2008
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DIRECTOR'S SIGNATURE <i>Michael S. Marcotte</i> Michael S. Marcotte, P.E., DEE	Council District affected: "ETJ"
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For additional information contact: Jun Chang, P.E. <i>gc</i> Senior Assistant Director Phone: (713) 837-0433	Date and identification of prior authorizing Council action:
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RECOMMENDATION: (Summary)
The petition for the addition of 168.9500 acres of land to Fort Bend County Municipal Utility District No. 25 be approved.

Amount of Funding: NONE REQUIRED	F & A Budget:
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SOURCE OF FUNDING: General Fund Grant Fund Enterprise Fund
 Other (Specify)

SPECIFIC EXPLANATION:

Fort Bend County Municipal Utility District No. 25 has petitioned the City of Houston for consent to add 168.9500 acres of land, located in the city's extraterritorial jurisdiction, to the district.

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

The district is located in the vicinity of Highway 90, Boss Gaston Road, Highway 99 and Highway 6. The district desires to add 168.9500 acres, thus yielding a total of 1,475.9294 acres. The district will be served by the Fort Bend County Municipal Utility District No. 25 Wastewater Treatment Plant SIC Code 952. The nearest major drainage facility for Fort Bend County Municipal Utility District No. 25 is Oyster Creek which flows into Flat Bank Creek then to the Brazos River and finally into Galveston Bay.

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

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

Attachments

cc: Marty Stein Marlene Gafrick Jeff Taylor Dan Krueger Mark Loethen
Bill Zrioka Waynette Chan Deborah McAbee Gary Norman

F & A Director	REQUIRED AUTHORIZATION Other Authorization: <i>Andrew F. Icken</i> Andrew F. Icken Deputy Director Planning & Development Services Div.	20JZC425 Other Authorization:
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CITY OF HOUSTON



Department of Public Works and Engineering
Water District Consent Application Form

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

04-11-03 PPD 2:30 RCVD

Application is hereby made for consent of the City of Houston to the creation/ addition of 17.750 acres to Fort Bend County MUD No. 25 under the provisions of Section 54.016, Texas Water Code.

Attorney for the District

Attorney: Terrie L. Sechrist

Address: 770 South Post Oak Lane, Suite 410, Houston, TX Zip: 77056 Phone: 713/395-4200

Engineer: Chris Canonico

Address: 3050 Post Oak Blvd., Suite 300, Houston, TX Zip: 77056 Phone: 713/423-7300

Owners: Campbell Concrete & Materials, L.P.

Address: 105 E. Boothe Street, Cleveland, Texas Zip: 77328 Phone: 281/443-8005

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

LOCATION

INSIDE CITY OUTSIDE CITY NAME OF COUNTY (S) Fort Bend
Survey Jesse H. Cartwright Abstract A-16

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

North of: Highway 90 East of: Highway 99
South of: Boss Gaston Road West of: Highway 6

WATER DISTRICT DATA

Total Acreage of District: 1306.9794 Existing Plus Proposed Land 1324.7294

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

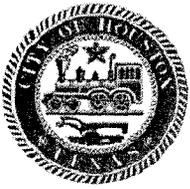
Single Family Residential _____ Multi-Family Residential 100%

Commercial _____ Industrial _____ Institutional _____

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

Sewage Treatment Plant Name: FBMUD25 Wastewater Treatment Plant SIC Code 952

NPDES/TPDES Permit No: 12003-001 TCEQ Permit No: N/A



CITY OF HOUSTON



Department of Public Works and Engineering
Water District Consent Application Form

Existing Capacity (MGD): .98

Ultimate Capacity (MGD): 1.6

Size of treatment plant site: 7 square feet/acres.

If the treatment plant is to serve the District only, indicate the permitted capacity of the plant: 1.6 MGD.

If the treatment plant is to serve other Districts or properties (i.e. regional), please indicate total permitted capacity of the plant. List all Districts served, or to be served, within the plant and their allotted capacities

(If more than two Districts – attach additional page):

Total permitted capacity: N/A

MGD of (Regional Plant).

Name of District: N/A

MGD Capacity Allocation N/A

or property owner(s)

Name of District: N/A

MGD Capacity Allocation N/A

Water Treatment Plant Name: See attached

Water Treatment Plant Address: See attached

Well Permit No: See attached

Existing Capacity:

Well(s): See attached GPM

Booster Pump(s): See attached GPM

Tank(s): See attached MG

Ultimate Capacity:

Well(s): See attached GPM

Booster Pump(s): See attached GPM

Tank(s): See attached MG

Size of Treatment Plant Site: See attached

square feet/acres.

Comments or Additional Information: N/A

FBCMUD NO. 25 DISTRICT OFFICE
 18230 OLD RICHMOND RD.
 SUGARLAND, TEXAS 77478

FORT BEND MUD NO. 25
 EXISTING BOUNDARIES

TRACT 16
 DISTRICT WATER PLANT

TRACT 18 151.2ac
 LRI INVESTMENTS

TRACT 17 17.750ac
 CAMPBELL CONCRETE

LOCATION MAP

LEGEND

- WATERWAYS
- STREETS/HIGHWAYS
- SUGARLAND CITY LIMIT LINE
- COUNTY LINE
- CITY OF HOUSTON ETJ

LEGEND

- ETJ EXTRA-TERRITORIAL JURISDICTION
- FBCMUD25 FORT BEND COUNTY M.U.D. NO. 25

1000 m
 1.0 mi

1000 m
 1.0 mi

CDM Camp Dresser & McKee Inc.
 consulting • engineering • construction • operations

3050 POST OAK BLVD., SUITE 300, HOUSTON, TX 77056
 Tel: (713) 423-7300 Fax: (713) 840-0173

FORT BEND COUNTY MUD NO. 25
 BOUNDARIES AND VICINITY MAP

USER: hollandjr

DWG: S:\30127\district boundary map\BOUNDARY ELECTION MAP - yahoo.dwg
 DATE: Apr 08, 2008 12:24pm XREFS:REP-BDR

17.750

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

SUBJECT: Petition for the City's consent to the addition of 1.00 acre of land to Harris County Water Control Improvement District No. 96 (Key Map No. 375-U, V)	Category #	Page 1 of 1	Agenda Item # 35
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FROM (Department or other point of origin): Department of Public Works and Engineering	Origination Date 4/24/08	Agenda Date MAY 28 2008
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DIRECTOR'S SIGNATURE <i>Michael S. Marcotte</i> Michael S. Marcotte, P.E., DEE 42208	Council District affected: "ETJ"
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For additional information contact: Jun Chang, P.E. <i>jc</i> Senior Assistant Director Phone: (713) 837-0433	Date and identification of prior authorizing Council action:
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RECOMMENDATION: (Summary)
The petition for the addition of 1.00 acre of land to Harris County Water Control Improvement District No. 96 be approved.

Amount of Funding: NONE REQUIRED	F & A Budget:
--------------------------------------------	--------------------------

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

SPECIFIC EXPLANATION:

Harris County Water Control Improvement District No. 96 has petitioned the City of Houston for consent to add 1.00 acre of land, located in the city's extraterritorial jurisdiction, to the district.

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

The district is located in the vicinity of North Belt Drive, Mesa Drive and Wilson Road. The district desires to add 1.00 acre, thus yielding a total of 1,088.98 acres. The district is served by the North Belt Wastewater Treatment Plant, which is owned and operated by the City of Houston. The nearest major drainage facility for Harris County Water Control Improvement District No. 96 is Greens Bayou which flows into the Houston Ship Channel.

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

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

Attachments

cc: Marty Stein Marlene Gafrick Jeff Taylor Dan Krueger Mark Loethen
Bill Zrioka Waynette Chan Deborah McAbee Gary Norman

REQUIRED AUTHORIZATION 20JZC422

F & A Director	Other Authorization: <i>Andrew F. Icken</i> Andrew F. Icken Deputy Director Planning & Development Services Div.	Other Authorization:
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CITY OF HOUSTON



Department of Public Works and Engineering
Water District Consent Application Form

7/15/08 [Signature]

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

Application is hereby made for consent of the City of Houston to the creation/ addition of 1.00 acres to Harris County WCID No. 96 under the provisions of Chapters 49 and 54 Texas Water Code.

Attorney for the District

Attorney: Coats, Rose, Yale, Ryman & Lee, Julianne Kugle

Address: 3 Greenway Plaza, Suite 2000 Zip: 77046 Phone: 713.653.7318

Engineer: Brown & Gay Engineers, Inc., Rodney R. Heisch, PE

Address: 10777 Westheimer Zip: 77046 Phone: 281.558.8700

Owners: Harris Co. ESD No. 10

Address: 820 Gessner, Suite 1701 Zip: 77024 Phone: 713.984.8222

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

LOCATION

INSIDE CITY OUTSIDE CITY NAME OF COUNTY (S) Harris
Survey Ferdinand Bell 1/3 League/Ed Van Wormer Abstract 115/1561

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

North of: North Belt Drive East of: Mesa Drive
South of: ----- West of: Wilson Road

WATER DISTRICT DATA

Total Acreage of District: 1087.98 Existing Plus Proposed Land 1088.98

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

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

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

Sewage Treatment Plant Name: See Comment -- North Belt WWTP

NPDES/TPDES Permit No: TX 1010372 TCEQ Permit No: 10495-122



CITY OF HOUSTON



Department of Public Works and Engineering
Water District Consent Application Form

Existing Capacity (MGD): _____

Ultimate Capacity (MGD): _____

Size of treatment plant site: 35.001 square feet/acres.

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

If the treatment plant is to serve other Districts or properties (i.e. regional), please indicate total permitted capacity of the plant. List all Districts served, or to be served, within the plant and their allotted capacities

(If more than two Districts – attach additional page):

Total permitted capacity: _____

MGD of (Regional Plant).

Name of District: _____

MGD Capacity Allocation _____

or property owner(s)

Name of District: _____

MGD Capacity Allocation _____

Water Treatment Plant Name: _____

Water Treatment Plant Address: _____

Well Permit No: _____

Existing Capacity:

Well(s): _____

GPM

Booster Pump(s): _____

GPM

Tank(s): _____

MG

Ultimate Capacity:

Well(s): _____

GPM

Booster Pump(s): _____

GPM

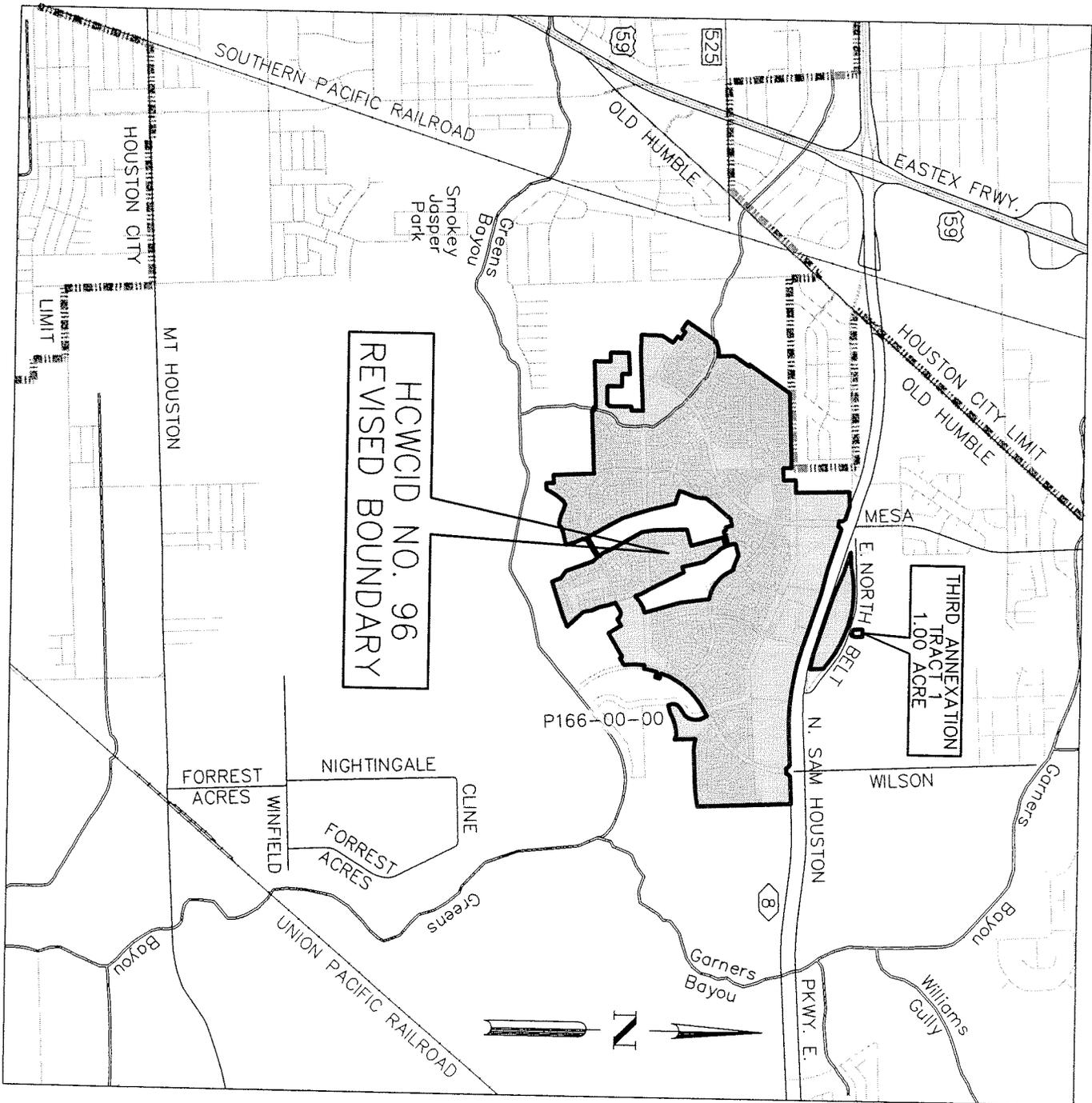
Tank(s): _____

MG

Size of Treatment Plant Site: _____

square feet/acres.

Comments or Additional Information: The wastewater treatment plant and the water plant serving the District are both owned by the City of Houston.



VICINITY MAP
KEY MAP 375: X & Y
KEY MAP 415: B & C
N.T.S.

TO: Mayor via City Secretary REQUEST FOR COUNCIL ACTION

SUBJECT: Petition for the City's consent to the addition of 20.00 acres of land to West Harris County Municipal Utility District No. 21 (Key Map No. 370-X)	Category #	Page 1 of 1	Agenda Item # 36
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FROM (Department or other point of origin): Department of Public Works and Engineering	Origination Date 5/8/08	Agenda Date MAY 28 2008
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DIRECTOR'S SIGNATURE <i>Michael S. Marcotte</i> Michael S. Marcotte, P.E., DEE	Council District affected: "ETJ"
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For additional information contact: Jun Chang, P.E. <i>jc</i> Senior Assistant Director Phone: (713) 837-0433	Date and identification of prior authorizing Council action:
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RECOMMENDATION: (Summary)
The petition for the addition of 20.00 acres of land to West Harris County Municipal Utility District No. 21 be approved.

Amount of Funding: NONE REQUIRED	F & A Budget:
--------------------------------------------	--------------------------

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

SPECIFIC EXPLANATION:

West Harris County Municipal Utility District No. 21 has petitioned the City of Houston for consent to add 20.00 acres of land, located in the city's extraterritorial jurisdiction, to the district.

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

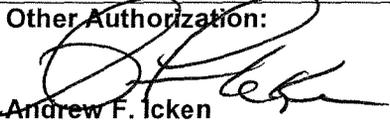
The district is located in the vicinity of Taub Road, Derrington Road, Windfern, and Fairbanks N. Houston. The district desires to add 20.00 acres, thus yielding a total of 616.25 acres. The district is served by the West Harris County Municipal Utility District No. 21 Wastewater Treatment Plant, which is owned and operated by the district. The nearest major drainage facility for West Harris County Municipal Utility District No. 21 is Greens Bayou which flows into the Houston Ship Channel.

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

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

Attachments

cc: Marty Stein Marlene Gafrick Jeff Taylor Dan Krueger Mark Loethen
Bill Zrioka Waynette Chan Deborah McAbee Gary Norman

REQUIRED AUTHORIZATION 20JZC426	
F & A Director	Other Authorization:  Andrew F. Icken Deputy Director Planning & Development Services Div.
	Other Authorization:



CITY OF HOUSTON



Department of Public Works and Engineering
Water District Consent Application Form

received
4/17/08

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

Application is hereby made for consent of the City of Houston to the creation/ addition of 20.00 acres to West Harris County MUD No. 21 under the provisions of Chapter 49 and 54 of the Texas Water Code.

Nancy E. O'neil
Attorney for the District

Attorney: Young and Brooks

Address: 1415 Louisiana, 5th Floor, Houston, Texas Zip: 77002 Phone: 713-951-0800

Engineer: Edminster, Hinshaw, Russ and Associates, Inc.

Address: 10555 Westoffice Drive, Houston, Texas Zip: 77042 Phone: 713-784-4500

Owners: Derrington, L.L.C.

Address: 11000 Equity Drive, Suite 100, Houston, Texas Zip: 77041 Phone: 713-996-1300

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

LOCATION

INSIDE CITY

OUTSIDE CITY

NAME OF COUNTY (S) Harris

Survey L.M. Prior

Abstract A-635

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

North of: Taub Road

East of: Reid Road (Winfern)

South of: Derrington Road

West of: Fairbanks N. Houston

WATER DISTRICT DATA

Total Acreage of District: 596.25

Existing Plus Proposed Land 616.25

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

Single Family Residential 0

Multi-Family Residential 0

Commercial 100

Industrial 0

Institutional 0

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

Regional Plant

Sewage Treatment Plant Name: West Harris County MUD 21 WWTP

NPDES/TPDES Permit No: TX 0109126

TCEQ Permit No: 13623-001



CITY OF HOUSTON



Department of Public Works and Engineering
Water District Consent Application Form

Existing Capacity (MGD): 0.25

Ultimate Capacity (MGD): 0.25

Size of treatment plant site: 4.30 square feet/acres.

If the treatment plant is to serve the District only, indicate the permitted capacity of the plant: 0.25 MGD.

If the treatment plant is to serve other Districts or properties (i.e. regional), please indicate total permitted capacity of the plant. List all Districts served, or to be served, within the plant and their allotted capacities

(If more than two Districts – attach additional page):

Total permitted capacity: _____

MGD of (Regional Plant).

Name of District: _____

MGD Capacity Allocation _____

or property owner(s)

Name of District: _____

MGD Capacity Allocation _____

Water Treatment Plant Name: WHC MUD 21 - Water Supply & Storage Fac.

Water Treatment Plant Address: 8350 Fallbrook Drive

Well Permit No: HGSD Permit No. 42641

Existing Capacity:

Well(s): 1 1800 GPM

Booster Pump(s): 4 6500 GPM

Tank(s): 1 0.42 MG

Ultimate Capacity:

Well(s): 1 8000 GPM

Booster Pump(s): 4 8000 GPM

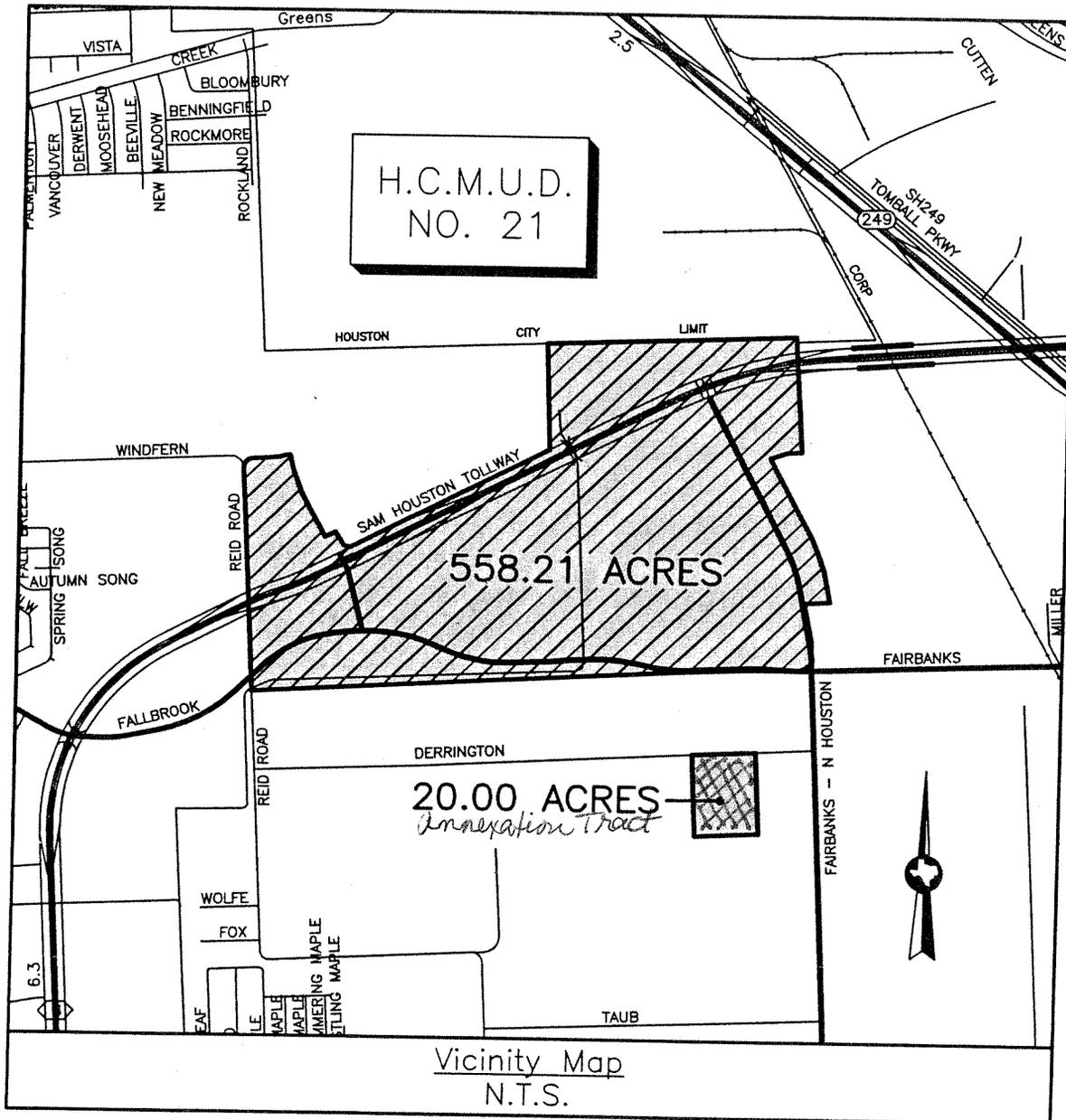
Tank(s): 2 0.84 MG

Size of Treatment Plant Site: 1.56

square feet/acres.

Comments or Additional Information: _____

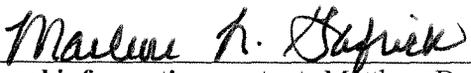
WEST HARRIS COUNTY
MUNICIPAL UTILITY DISTRICT NO. 21
 Proposed Addition of 20.00 Acres of Land
 (Key Map Page No. 370 S, T, U, W, X & Y)



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

SUBJECT: Ordinance designating the 2600 block of Prospect Street, north side, between Live Oak and Ennis Streets; south side, between 10-ft. alley of Calumet Drive Lofts and Ennis Street as a Special Building Line Requirement Area	Category #	Page 1 of _____	Agenda Item # 37
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FROM (Department or other point of origin): Marlene L. Gafrick, Director Planning and Development Department	Origination Date 2/26/2008	Agenda Date MAY 28 2008
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DIRECTOR'S SIGNATURE: <i>MS</i> 	Council District affected: D
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For additional information contact: Matthew Dease Phone: 713.837.7815	Date and identification of prior authorizing Council action: N/A
---------------------------------------------------------------------------------	-------------------------------------------------------------------------

RECOMMENDATION: (Summary) Approval of an ordinance designating the 2600 block of Prospect Street, north side, between Live Oak and Ennis Streets; south side, between 10-ft. alley of Calumet Drive Lofts and Ennis Street as a Special Building Line Requirement Area, pursuant to Chapter 42 of the Code of Ordinances, and establishing a 32'-0" special building line.

Amount and Source of Funding:	F & A Budget:
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SPECIFIC EXPLANATION: In accordance with Section 42-163 of the Code of Ordinances, the property owner of Tracts 20 & 21A, Block 35 of the Riverside Terrace Sec. 5 Subdivision initiated an application for the designation of a special building line requirement area. The application includes written evidence of support from owners of 70% of the area. Notification was mailed to 16 property owners indicating that the special building line requirement area application had been made. The notification further stated that written protest could be filed with the Planning and Development Department within thirty days of mailing. Since no protests were filed, no action was required by the Houston Planning Commission.

It is recommended that the City Council adopt an ordinance establishing a 32'-0" Special Building Line for the area.

MLG:md

Attachments: Planning Director's Approval, Special Building Line Requirement Application & Petition, Evidence of Support, Map of the Area

- xc: Marty Stein, Agenda Director
 Anna Russell, City Secretary
 Arturo G. Michel, City Attorney
 Deborah McAbee, Land Use Division, Legal Department
 Linda Tarver, Public Works and Engineering
 Gary Bridges, Public Works and Engineering

REQUIRED AUTHORIZATION

F & A Director:	Other Authorization:	Other Authorization:
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**Special Building Line Requirement Area No. 128
Planning Director's Approval**

Planning Director Evaluation:

Satisfies	Does Not Satisfy	Criteria
X		<p><i>SBLRA includes all property within at least one block face and no more than two opposing block faces;</i></p> <p>The application is for the 2600 block of Prospect Street, north side, between Live Oak and Ennis Streets; south side, between 10-ft alley of Calumet Drive Lofts and Ennis Street.</p>
X		<p><i>More than 60% of the proposed SBLRA is developed with or is restricted to not more than two single-family residential (SFR) units per lot;</i></p> <p>84% of the proposed application area is developed with not more than two SF residential units per property.</p>
X		<p><i>Demonstrated sufficient evidence of support;</i></p> <p>Petition signed by owners of 70% of the SBLRA.</p>
X		<p><i>Establishment of the SBLRA will further the goal of preserving the building line character of the area; and,</i></p> <p>A minimum building line of 32 ft exists on twelve (12) properties in the blockface.</p>
X		<p><i>The proposed SBLRA has a building line character that can be preserved by the establishment of a special building line, taking into account the age of the neighborhood, the age and architectural features of structures in the neighborhood, existing evidence of a common plan or scheme of development, and such other factors that the director, commission or city council, respectively as appropriate, may determine relevant to the area.</i></p> <p>The subdivision was platted in 1927. The houses mostly originate from the 1930's. The establishment of a 32 ft minimum building line will preserve the building line character of the area.</p>
<p><i>The minimum building line for this application was determined by finding the current building line that represents a minimum standard for at least 70% of the application area.</i></p>		
<p>Ten (10) out of fifteen (15) developed properties (representing 80% of the application area) have a building line of at least thirty-two (32) feet.</p>		

The Special Building Line Requirement Area meets the criteria.

Marlene L. Gafrick *2/13/08*
 Marlene L. Gafrick, Director Date

CITY OF HOUSTON

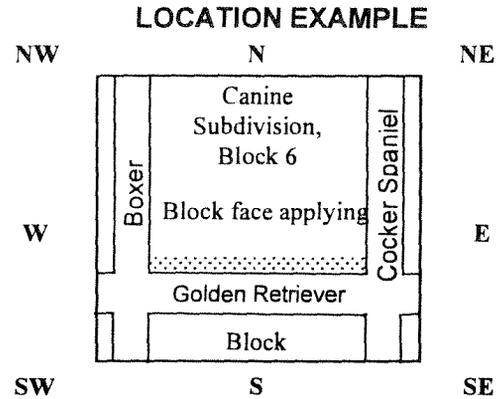
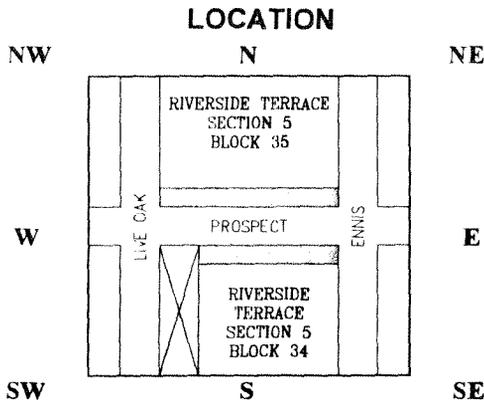
HOUSTON PLANNING COMMISSION

PLANNING & DEVELOPMENT DEPARTMENT

COMBINED SPECIAL MINIMUM LOT SIZE & SPECIAL MINIMUM BUILDING LINE APPLICATION

To expedite this application, please complete entire application form.

Rec'd 11/20/07



1. BOUNDARY:

Block # BLOCK 34 | BLOCK 35

Lot #'s LOTS 5-10 | LOTS 23-26 | TRACTS 16-27

Subdivision Name RIVERSIDE TERRACE

Street Name & Side (s) NORTH & SOUTH SIDES OF PROSPECT STREET

Lot (s) Address 2600 BLOCK PROSPECT STREET

Odd/Even Addresses ODD & EVEN ADDRESSES

BOUNDARY EXAMPLE:

Block # Block 6

Lots 1-5 Lots 1-5

Canine Subdivision Canine Subdivision

North side of Golden Retriever Ln. North side of Golden Retriever Ln.

800 Block Golden Retriever Ln. 800 Block Golden Retriever Ln.

Odd Addresses Odd Addresses

2. CONTACTS:

Applicant DAVID VERDUN Phone # 713-268-2168

Address 2623 PROSPECT STREET E-mail DAVID.VERDUN@MHES.COM Fax # _____

City HOUSTON State Tx Zip 77004

Other MONICA LANDRY Phone # 713-256-9507

Address 2635 PROSPECT STREET E-mail M_RAE817@YAHOO.COM Fax # _____

City HOUSTON State Tx Zip 77004

3. PROJECT INFORMATION (STAFF USE ONLY-DO NOT FILL IN):

File # MLS 2761 BLRS

Lambert # 5305 Census Tract 3130

Key Map # 537A City Council District 5

Super Neighborhood 83

TIRZ _____

PETITION

November 9, 2007

I, **David Verdun**, owner of property within the proposed boundaries of the Special Minimum Lot Size and Special Minimum Building Line Requirement Area, specifically, **Block 35, Tracts 20 and 21A, of Riverside Terrace**, do hereby submit this petition as prescribed by the Code of Ordinances, City of Houston, Sections 42-163 and 42-194.

With this petition and other required information, I request to preserve the character of the existing lot sizes and building lines for:

-Block 34, Lots 5 through 10 and

-Block 35, Lots 23 through 26 and Tracts 16 through 27

in **Riverside Terrace** through the application of and creation of a Special Minimum Lot Size and Special Minimum Building Line Requirement Area.



David Verdun

Petitioner

RIVERSIDE TERRACE SEC 5



32' Special Building Line
MAP/SKETCH

SBLRA No. 128

-  Properties that meet the 32' Special Minimum Building Line
-  Properties less than the 32' Special Minimum Building Line
- MF** Multi Family
- COM** Commercial
- VAC** Vacant
- EXC** Excluded

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

SUBJECT: Ordinance designating the 2600 block of Prospect Street, north side, between Live Oak and Ennis Streets; south side, between 10-ft. alley of Calumet Drive Lofts and Ennis Street as a Special Minimum Lot Size Area	Category #	Page 1 of _____	Agenda Item # 38
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FROM (Department or other point of origin): Marlene L. Gafrick, Director Planning and Development Department	Origination Date 2/15/08	Agenda Date MAY 28 2008
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DIRECTOR'S SIGNATURE: 	Council District affected: D
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For additional information contact: Kevin Calfee Phone: 713.837.7768	Date and identification of prior authorizing Council action: N/A
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RECOMMENDATION: (Summary) Approval of an ordinance designating the 2600 block of Prospect Street, north side, between Live Oak and Ennis Streets, south side, between 10-ft. alley of Calumet Drive Lofts and Ennis Street as a Special Minimum Lot Size Area, pursuant to Chapter 42 of the Code of Ordinances.

Amount and Source of Funding:	F & A Budget:
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SPECIFIC EXPLANATION: In accordance with Section 42-194 of the Code of Ordinances, the property owner of of Tracts 20 & 21A Block 35 of the Riverside Terrace Sec 5 Subdivision initiated an application for the designation of a special lot size area. The application includes written evidence of support from the owners of 70% of the area. Notification was mailed to the 16 property owners indicating that the special minimum lot size area application had been made. The notification further stated that written protest could be filed with the Planning and Development Department within thirty days of mailing. Since no protests were filed, no action was required by the Houston Planning Commission.

It is recommended that the City Council adopt an ordinance establishing a Special Minimum Lot Size of 6,760 sf.

MLG:kw

Attachments: Planning Director's Approval, Special Minimum Lot Size Application, Evidence of support, Map of the area

xc: Marty Stein, Agenda Director
Anna Russell, City Secretary
Arturo G. Michel, City Attorney
Deborah McAbee, Land Use Division, Legal Department

REQUIRED AUTHORIZATION		
F & A Director:	Other Authorization:	Other Authorization:

Special Minimum Lot Size Area No. 276

Planning Director's Approval

Planning Director Evaluation:

Satisfies	Does Not Satisfy	Criteria
X		<p><i>SMLSA includes all property within at least one block face and no more than two opposing block faces;</i></p> <p>The application is for the 2600 block of Prospect Street, north side, between Live Oak and Ennis Streets; south side, between 10-ft alley of Calumet Drive Lofts and Ennis Street.</p>
X		<p><i>At least 60% of the proposed SMLSA is developed with or is restricted to not more than two single-family residential (SFR) units per lot;</i></p> <p>84% of the proposed application area is developed with not more than two SF residential units per property.</p>
X		<p><i>Demonstrated sufficient evidence of support;</i></p> <p>Petition signed by owners of 70% of the SMLSA.</p>
X		<p><i>Establishment of the SMLSA will further the goal of preserving the lot size character of the area; and,</i></p> <p>A minimum lot size of 6, 760 sq ft exists on ten (10) lots in the blockface.</p>
X		<p><i>The proposed SMLSA has a lot size character that can be preserved by the establishment of a special minimum lot size, taking into account the age of the neighborhood, the age of structures in the neighborhood, existing evidence of a common plan and scheme of development, and such other factors that the director, commission or city council, respectively as appropriate, may determine relevant to the area.</i></p> <p>The subdivision was platted in 1927. The houses originate from the 1930's. The establishment of a 6,760 sf minimum lot size will preserve the lot size character of the area.</p>
<p><i>The minimum lot size for this application was determined by finding the current lot size that represents a minimum standard for at least 70% of the application area.</i></p> <p>Ten (10) out of sixteen (16) lots (representing 70% of the application area) are at least 6,760 square feet in size.</p>		

The Special Minimum Lot Size Area meets the criteria.

Marlene L. Gafrick 2/15/08
 Marlene L. Gafrick, Director Date

CITY OF HOUSTON

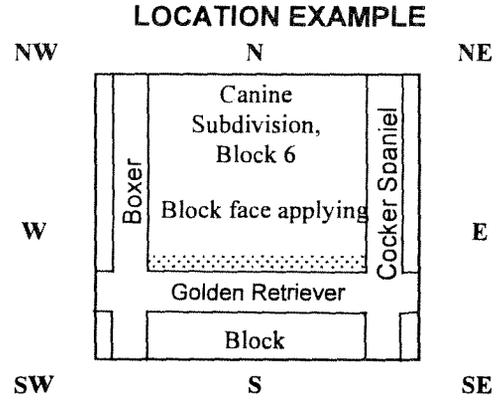
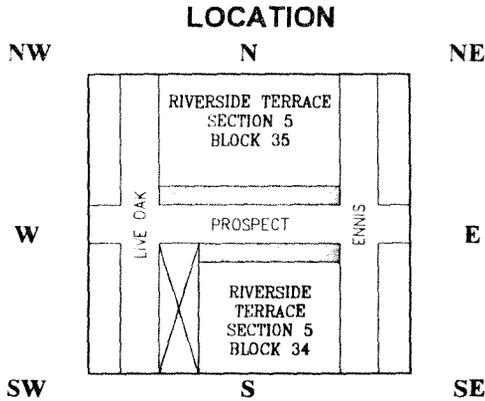
HOUSTON PLANNING COMMISSION

PLANNING & DEVELOPMENT DEPARTMENT

COMBINED SPECIAL MINIMUM LOT SIZE & SPECIAL MINIMUM BUILDING LINE APPLICATION

To expedite this application, please complete entire application form.

Rec'd 11/20/07



1. BOUNDARY:

Block # BLOCK 34 | BLOCK 35

Lot #'s LOTS 5-10 | LOTS 23-26 | TRACTS 16-27

Subdivision Name RIVERSIDE TERRACE

Street Name & Side (s) NORTH & SOUTH SIDES OF PROSPECT STREET

Lot (s) Address 2600 BLOCK PROSPECT STREET

Odd/Even Addresses ODD & EVEN ADDRESSES

BOUNDARY EXAMPLE:

Block 6

Lots 1-5

Canine Subdivision

North side of Golden Retriever Ln.

800 Block Golden Retriever Ln.

Odd Addresses

2. CONTACTS:

Applicant DAVID VERDUN Phone # 713-268-2168

Address 2623 PROSPECT STREET E-mail DAVID.VERDUN@MHES.COM Fax # _____

City HOUSTON State Tx Zip 77004

Other MONICA LANDRY Phone # 713-256-9507

Address 2635 PROSPECT STREET E-mail M_RAE817@YAHOO.COM Fax # _____

City HOUSTON State Tx Zip 77004

3. PROJECT INFORMATION (STAFF USE ONLY-DO NOT FILL IN):

File # MLS 276 + BL 128

Lambert # 5355 Census Tract 3390

Key Map # 5324 City Council District 8

Super Neighborhood 83

TIRZ _____

PETITION

November 9, 2007

I, **David Verdun**, owner of property within the proposed boundaries of the Special Minimum Lot Size and Special Minimum Building Line Requirement Area, specifically, **Block 35, Tracts 20 and 21A, of Riverside Terrace**, do hereby submit this petition as prescribed by the Code of Ordinances, City of Houston, Sections 42-163 and 42-194. With this petition and other required information, I request to preserve the character of the existing lot sizes and building lines for:

-Block 34, Lots 5 through 10 and

-Block 35, Lots 23 through 26 and Tracts 16 through 27

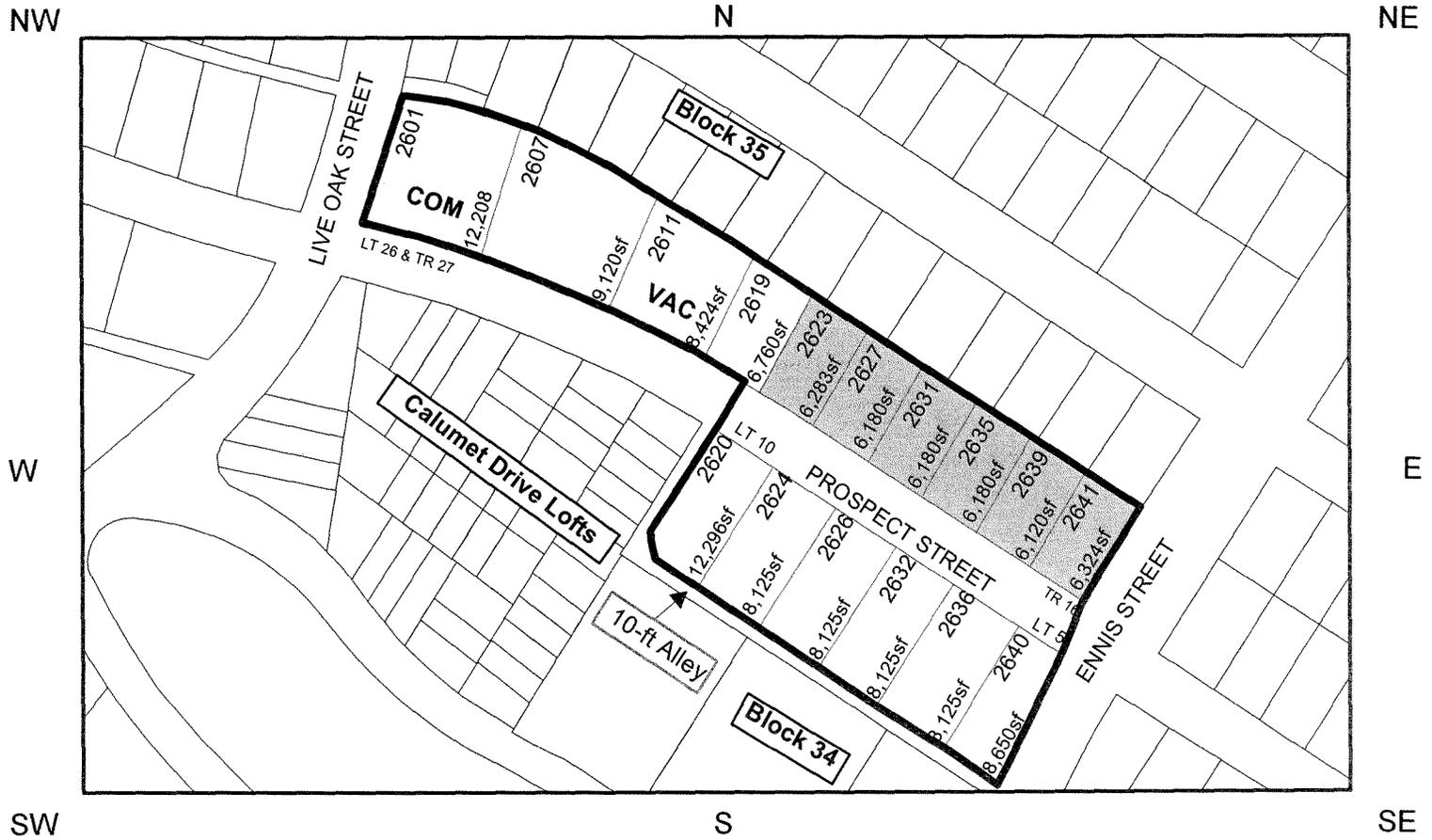
in **Riverside Terrace** through the application of and creation of a Special Minimum Lot Size and Special Minimum Building Line Requirement Area.



David Verdun

Petitioner

RIVERSIDE TERRACE SEC 5



6760sf Special Minimum Lot Size

MAP/SKETCH

SMLSA No. 276

- Properties that meet the 5,000sf Special Minimum Lot Size
- Properties less than the 5,000sf Special Minimum Lot Size
- MF** Multi Family
- COM** Commercial
- VAC** Vacant
- EXC** Excluded

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

SUBJECT: Ordinance designating the 1000 block of Tabor Street, east and west sides, between Coronado and Pittman Avenues as a Special Building Line Requirement Area	Category #	Page 1 of _____	Agenda Item # 39
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FROM (Department or other point of origin): Marlene L. Gafrick, Director Planning and Development Department	Origination Date 3/28/2008	Agenda Date MAY 28 2008
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DIRECTOR'S SIGNATURE: <i>Marlene L. Gafrick</i>	Council District affected: H
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For additional information contact: Kevin Calfee Phone: 713.837.7768	Date and identification of prior authorizing Council action: N/A
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RECOMMENDATION: (Summary) Approval of an ordinance designating the 1000 block of Tabor Street, east and west sides, between Coronado and Pittman Avenue as a Special Building Line Requirement Area, pursuant to Chapter 42 of the Code of Ordinances, and establishing a 20'-0" special building line.

Amount and Source of Funding:	F & A Budget:
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SPECIFIC EXPLANATION: In accordance with Section 42-163 of the Code of Ordinances, the property owner of Lot 9, Block 11, of the Brooke Smith Subdivision initiated an application for the designation of a special building line requirement area. The application includes written evidence of support from owners of 50% of the area. Notification was mailed to twelve (12) property owners indicating that the special building line requirement area application had been made. The notification further stated that written protest could be filed with the Planning and Development Department within forty-five days of mailing. One (1) written protest was filed. The Houston Planning Commission considered the application and protest at the February 14, 2008 meeting and voted to recommend the City Council establish the Special Building Line Requirement Area.

It is recommended that the City Council adopt an ordinance establishing a 20'-0" Special Building Line for the area.

MLG:md:db

Attachments: Planning Commission Approval, Special Building Line Requirement Application & Petition, Evidence of Support, Protest Letter, Map of the Area

- xc: Marty Stein, Agenda Director
 Anna Russell, City Secretary
 Arturo G. Michel, City Attorney
 Deborah McAbee, Land Use Division, Legal Department
 Linda Tarver, Public Works and Engineering
 Gary Bridges, Public Works and Engineering

REQUIRED AUTHORIZATION

F & A Director:	Other Authorization:	Other Authorization:
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Special Building Line Requirement Area No. 129 Planning Commission Approval

Planning Commission Evaluation:

Satisfies	Does Not Satisfy	Criteria
X		<p><i>SBLRA includes all property within at least one block face and no more than two opposing block faces;</i></p> <p>The application is for the 1000 block of Tabor Street, east and west sides.</p>
X		<p><i>More than 60% of the proposed SBLRA is developed with or is restricted to not more than two single-family residential (SFR) units per lot;</i></p> <p>100% of the proposed application area is developed with not more than two SF residential units per property.</p>
X		<p><i>Demonstrated sufficient evidence of support;</i></p> <p>Petition signed by owners of 50% of the SBLRA.</p>
X		<p><i>Establishment of the SBLRA will further the goal of preserving the building line character of the area; and,</i></p> <p>A minimum building line of 20 ft exists on ten (10) properties in the blockface.</p>
X		<p><i>The proposed SBLRA has a building line character that can be preserved by the establishment of a minimum building line, taking into account the age of the neighborhood, the age and architectural features of structures in the neighborhood, existing evidence of a common plan or scheme of development, and such other factors that the director, commission or city council, respectively as appropriate, may determine relevant to the area.</i></p> <p>The subdivision was platted in 1906. The houses mostly originate from the 1940's. The establishment of a 20 ft minimum building line will preserve the building line character of the area.</p>
<p><i>The minimum building line for this application was determined by finding the current building line that represents a minimum standard for at least 70% of the application area.</i></p> <p>Ten (10) out of twelve (12) developed properties (representing 83% of the application area) have a building line of at least twenty (20) feet.</p>		

The Special Building Line Requirement Area meets the criteria.

Carol Lewis, Chair

Date

or

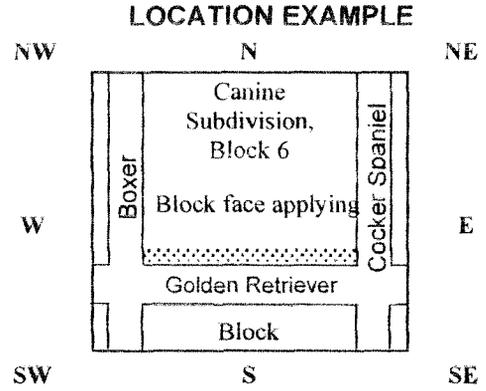
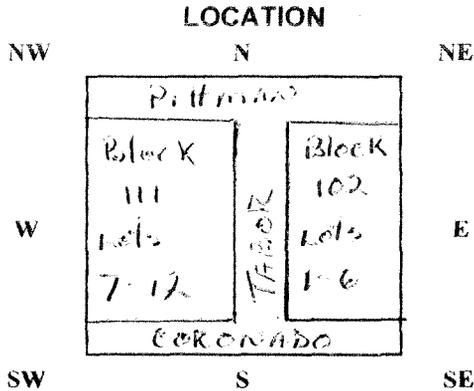

Mark A. Kilkenny,
Vice-Chair

2/14/08

Date

SPECIAL MINIMUM BUILDING LINE APPLICATION

To expedite this application, please complete entire application form.



1. BOUNDARY:

Block # 102, 111
 Lot #'s 1-6, 7-12
 Subdivision Name Brooke Smith
 Street Name & Side (s) TABOR East & West
 Lot (s) Address 1000 Tabor
 Odd/Even Addresses ODD & EVEN ADDRESSES

BOUNDARY EXAMPLE:

Block # 6
 Lots 1-5
 Canine Subdivision
 North side of Golden Retriever Ln.
 800 Block Golden Retriever Ln.
 Odd Addresses

2. CONTACTS:

Applicant Michael Ruffetto Phone # 281-731-6814
 Address 1005 Tabor E-mail _____ Fax # _____
 City Houston State TX Zip 77009
 Other _____ Phone # _____
 Address _____ E-mail _____ Fax # _____
 City _____ State _____ Zip _____

3. PROJECT INFORMATION (STAFF USE ONLY-DO NOT FILL IN):

File # 128 129 Census Tract _____
 Lambert # 5459 City Council District 4
 Key Map # 4238
 Super Neighborhood _____
 TIRZ _____

4 Effective 3-27-07

CITY OF HOUSTON

HOUSTON PLANNING COMMISSION

PLANNING & DEVELOPMENT DEPARTMENT

PETITION

07-12-07

I, Michael Raffetto, owner of property within the proposed boundaries of the Special Minimum Building Line Requirement Area, specifically, Block 111, Lot 9, of Brokesmith, I do hereby submit this petition as prescribed by the Code of Ordinances, City of Houston, Sections 42-163. With this petition and other required information, I request to preserve the character of the existing building lines for Block 102, Lot 1-6 and Block 111, Lots 7-12 in Brookesmith through the application of and creation of a Special Minimum Building Line Requirement Area.



Michael Raffetto
Petitioner

SPECIAL MINIMUM BUILDING LINE DEED RESTRICTION STATEMENT

I have personal knowledge of the facts set forth in this deed restriction statement, each of which is true and correct.

Initial (1), (2), or (3) as applicable:

- 1. All properties in the proposed Special Minimum Building Line Area do not have deed restrictions.
- 2. All of the properties have deed restrictions; however, the deed restrictions do not address minimum building line (attach copy of Deed Restrictions).
- 3. Some, but not all, of the properties have deed restrictions (attach copy of Deed Restrictions).

Michael Raffetto
Applicant's Signature

9-1-07
Date

Michael RAFFETTO
Applicant's Printed Name

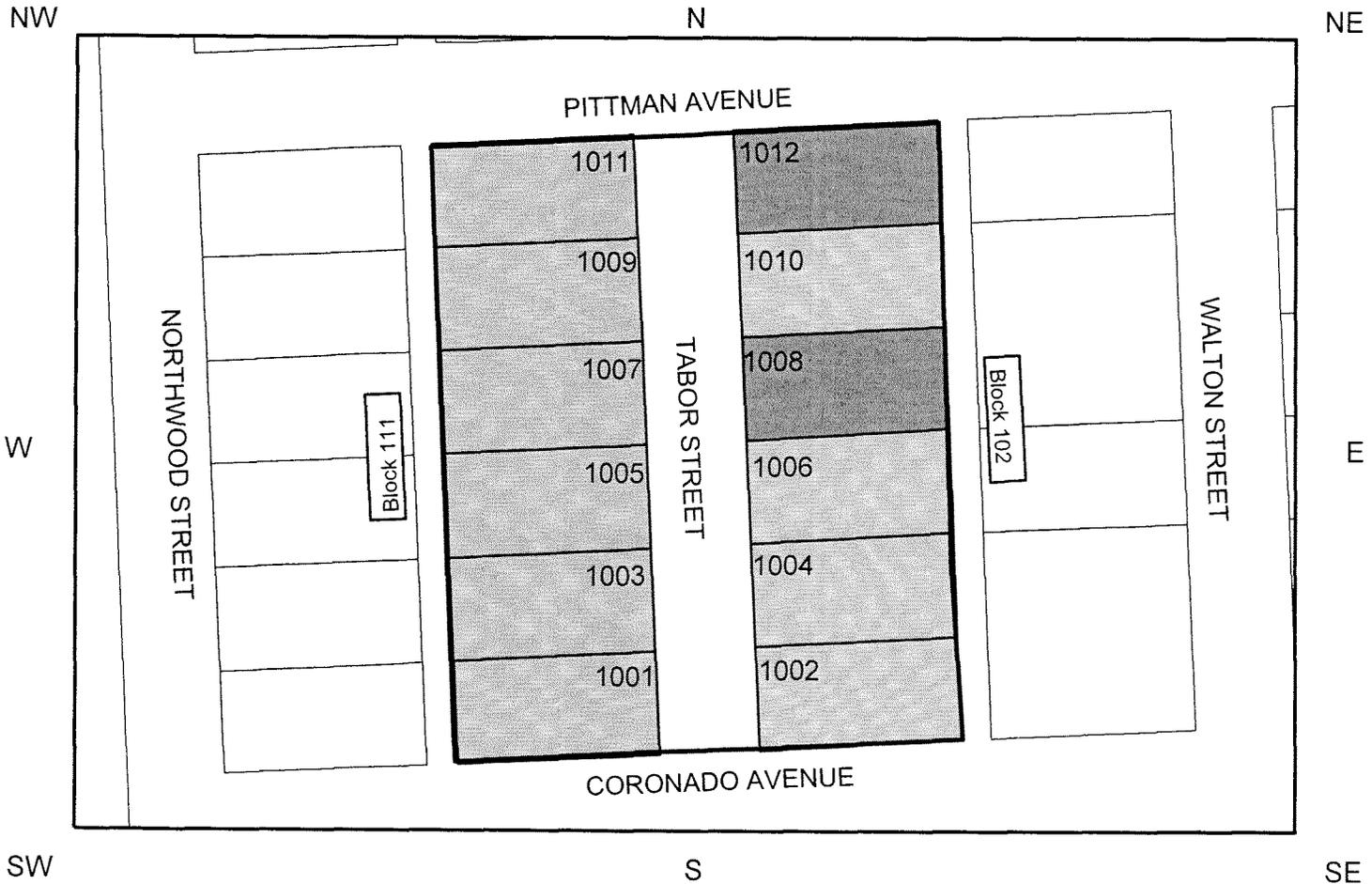
1005 TABOR
Address

ATTN: MIRA WASHINGTON
CITY OF HOUSTON PLANNING & DEVELOPMENT DEPT.

I LIVE AT 1011 TABOR ST. & WE ARE
PROTESTING THE MINIMUM Bldg. Line Application.
IF YOU HAVE ANY QUESTIONS, YOU CAN CONTACT
US AT 713 516-5278

THANK-YOU,
Mira Salazar + Lydia Salazar

BROOKE SMITH



20' Special Building Line MAP/SKETCH

SBLRA No. 129

-  Properties that meet the 20' Special Minimum Building Line
-  Properties less than the 20' Special Minimum Building Line
- MF** Multi Family
- COM** Commercial
- VAC** Vacant
- EXC** Excluded

TO: Mayor via City Secretary REQUEST FOR COUNCIL ACTION

SUBJECT: Ordinance designating the 1900 block of West McKinney Street, south side, between Stanford and Taft Street as a Special Building Line Requirement Area	Category #	Page 1 of _____	Agenda Item # 40
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FROM (Department or other point of origin): Marlene L. Gafrick, Director Planning and Development Department	Origination Date 3/21/2008	Agenda Date MAY 28 2008
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DIRECTOR'S SIGNATURE: <i>MS</i> <i>Marlene L. Gafrick</i>	Council District affected: D
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For additional information contact: Kevin Calfee Phone: 713.837.7768	Date and identification of prior authorizing Council action: N/A
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RECOMMENDATION: (Summary) Approval of an ordinance designating the 1900 block of West McKinney Street, south side, between Stanford and Taft Streets as a Special Building Line Requirement Area, pursuant to Chapter 42 of the Code of Ordinances, and establishing a 24' special building line.

Amount and Source of Funding:	F & A Budget:
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SPECIFIC EXPLANATION: In accordance with Section 42-163 of the Code of Ordinances, the property owner of Lot 36, Block 5, of the Temple Terrace Subdivision initiated an application for the designation of a special building line requirement area. The application includes written evidence of support from owners of 54% of the area. Notification was mailed to 20 property owners indicating that the special building line requirement area application had been made. The notification further stated that written protest could be filed with the Planning and Development Department within thirty days of mailing. 1 written protest was filed. The Houston Planning Commission considered the application and protest at the February 14, 2008 meeting and voted to recommend the City Council establish the Special Building Line Requirement Area.

It is recommended that the City Council adopt an ordinance establishing a 24' Special Building Line for the area.

MLG:md:db

Attachments: Planning Commission Approval, Special Building Line Requirement Application & Petition, Evidence of Support, Map of the Area, Protest Letter

- xc: Marty Stein, Agenda Director
Anna Russell, City Secretary
Arturo G. Michel, City Attorney
Deborah McAbee, Land Use Division, Legal Department
Linda Tarver, Public Works and Engineering
Gary Bridges, Public Works and Engineering

REQUIRED AUTHORIZATION

F & A Director:	Other Authorization:	Other Authorization:
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Wilson, Keith - PD

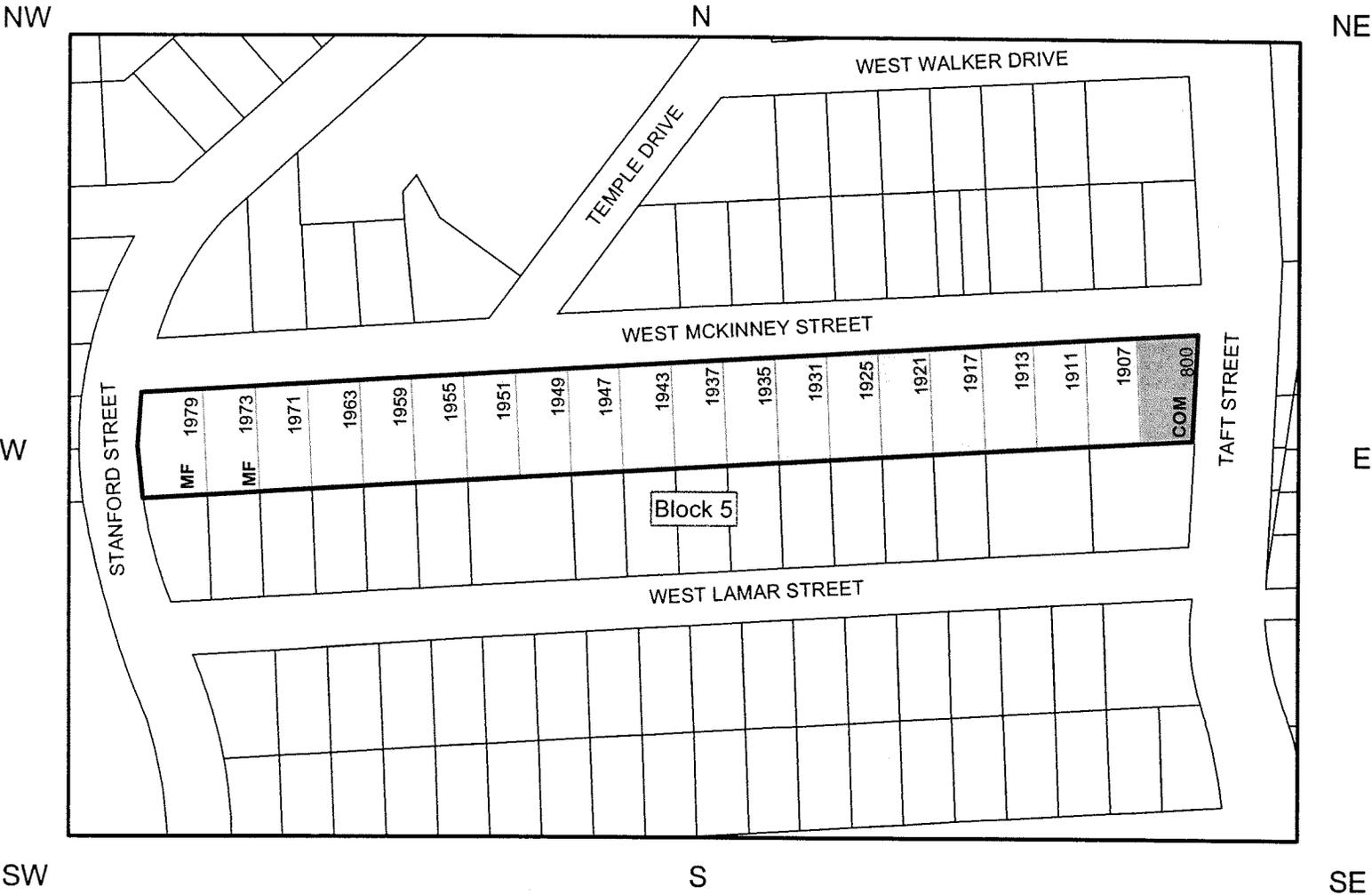
From: Michael Wynhoff [mailto:Michael.Wynhoff@LiveOakCapital.net]
Sent: Thursday, December 27, 2007 12:57 PM
To: keith.wilson@cityofhouston.net
Cc: suzy.hartgrove@cityofhouston.net
Subject: notice of protest regarding Application for Special Minimum Lot Size Area

The email serves as written notice of protest regarding the proposed creation of a Special Minimum Lot Size Area and Special Building Line Requirement Area. The application refers to the 1900 Block of West McKinney Street, south side, between Stanford and Taft Streets.

Michael Wynhoff
Senior Investment Analyst

Live Oak Capital, Ltd.
2200 West Loop South, #600
Houston, TX 77027
Ph) 713.993.1315
Fx) 713.993.1345
www.liveoakcapital.net

TEMPLE TERRACE



24' Special Building Line MAP/SKETCH

SBLRA No. 132

- Properties that meet the 24' Special Minimum Building Line
- Properties less than the 24' Special Minimum Building Line
- MF** Multi Family
- COM** Commercial
- VAC** Vacant
- EXC** Excluded

Special Building Line Requirement Area No. 132

Planning Commission Approval

Planning Commission Evaluation:

Satisfies	Does Not Satisfy	Criteria
X		<p><i>SBLRA includes all property within at least one block face and no more than two opposing block faces;</i></p> <p>The application is for the 1900 block of West McKinney Street, south side.</p>
X		<p><i>More than 60% of the proposed SBLRA is developed with or is restricted to not more than two single-family residential (SFR) units per lot;</i></p> <p>84% of the proposed application area is developed with not more than two SF residential units per property.</p>
X		<p><i>Demonstrated sufficient evidence of support;</i></p> <p>Petition signed by owners of 54% of the SBLRA.</p>
X		<p><i>Establishment of the SBLRA will further the goal of preserving the building line character of the area; and,</i></p> <p>A minimum building line of 24 ft exists on nineteen (19) properties in the blockface.</p>
X		<p><i>The proposed SBLRA has a building line character that can be preserved by the establishment of a minimum building line, taking into account the age of the neighborhood, the age and architectural features of structures in the neighborhood, existing evidence of a common plan or scheme of development, and such other factors that the director, commission or city council, respectively as appropriate, may determine relevant to the area.</i></p> <p>The subdivision was platted in 1926. The houses mostly originate from the 1930's. The establishment of a 24 ft minimum building line will preserve the building line character of the area.</p>
<p><i>The minimum building line for this application was determined by finding the current building line that represents a minimum standard for at least 70% of the application area.</i></p> <p>Nineteen (19) out of twenty (20) developed properties (representing 95% of the application area) have a building line of at least twenty-four (24) feet.</p>		

The Special Building Line Requirement Area meets the criteria.

Carol Lewis, Chair

Date

or


2/14/09

Mark A. Kilkenney,
Vice-Chair

Date

PETITION

Tuesday, November 27, 2007

I, Timothy A. Anthony, owner of property within the proposed boundaries of the special building line requirement area, specifically, Block (5), Lot (36), of Temple Terrace Subdivision, do hereby submit this petition as prescribed by the Code of Ordinances, City of Houston, Sec 42-163. With this petition and other required information, I request to preserve the character of the existing blockfaces for Block 5, Lots 20-39 in Temple Terrace Subdivision through the application of and creation of a special building line requirement area.


Timothy A. Anthony
Petitioner

SPECIAL BUILDING LINE REQUIREMENT AFFIDAVIT

I am eighteen years of age or older, of sound mind and capable of making this affidavit. I have personal knowledge of the facts set forth in the affidavit each of which is true and correct.

Initial (1), (2), or (3) as applicable:

1. _____ I affirm that all the property in the proposed Building Line Area does not have deed restrictions (the land is unrestricted).

2. T.A. I affirm that some or all of the properties have deed restrictions; however, the ordinance for which I am applying will not violate the provisions of the deed restrictions for front setback.

3. _____ I affirm that some of the properties have deed restrictions that address building line; however, at least one of the properties in the application is not restricted for building line.

I have read the above affidavit and all statements therein are true and correct.

Timothy A. Anthony
Applicant Signature

11/27/07
Date

Timothy A. Anthony
Applicant Printed name

1963 W. McKinney, 77019
Address

10257402

Texas Drivers License or I.D. Number

TO: Mayor via City Secretary REQUEST FOR COUNCIL ACTION

SUBJECT: Ordinance designating the 1900 block of West McKinney Street, south side, between Stanford and Taft Streets as a Special Minimum Lot Size Area	Category #	Page 1 of _____	Agenda Item # <i>41</i>
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FROM (Department or other point of origin): Marlene L. Gafrick, Director Planning and Development Department	Origination Date 3/21/2008	Agenda Date MAY 28 2008
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DIRECTOR'S SIGNATURE: <i>MS</i> <i>Marlene L. Gafrick</i>	Council District affected: D
------------------------------------------------------------------------	----------------------------------------

For additional information contact: Kevin Calfee Phone: 713.837.7768	Date and identification of prior authorizing Council action: N/A
--------------------------------------------------------------------------------	-------------------------------------------------------------------------

RECOMMENDATION: (Summary) Approval of an ordinance designating the 1900 block of West McKinney Street, south side, between Stanford and Taft Streets as a Special Minimum Lot Size Area, pursuant to Chapter 42 of the Code of Ordinances.

Amount and Source of Funding:	F & A Budget:
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SPECIFIC EXPLANATION: In accordance with Section 42-194 of the Code of Ordinances, the property owner of of Lot 36, Block 5, of the Temple Terrace Subdivision initiated an application for the designation of a special lot size area. The application includes written evidence of support from the owners of 54% of the area. Notification was mailed to the 20 property owners indicating that the special minimum lot size area application had been made. The notification further stated that written protest could be filed with the Planning and Development Department within thirty days of mailing. 1 written protest was filed. The Houston Planning Commission considered the protest on February 14, 2008 and voted to recommend that the City Council establish the Special Minimum Lot Size Requirement Area.

It is recommended that the City Council adopt an ordinance establishing a Special Minimum Lot Size of 5,000 sf.

MLG:kw

Attachments: Planning Commission's Approval, Special Minimum Lot Size Application, Evidence of support, Map of the area, Protest Letter

- xc: Marty Stein, Agenda Director
Anna Russell, City Secretary
Arturo G. Michel, City Attorney
Deborah McAbee, Land Use Division, Legal Department

REQUIRED AUTHORIZATION

F & A Director:	Other Authorization:	Other Authorization:
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Wilson, Keith - PD

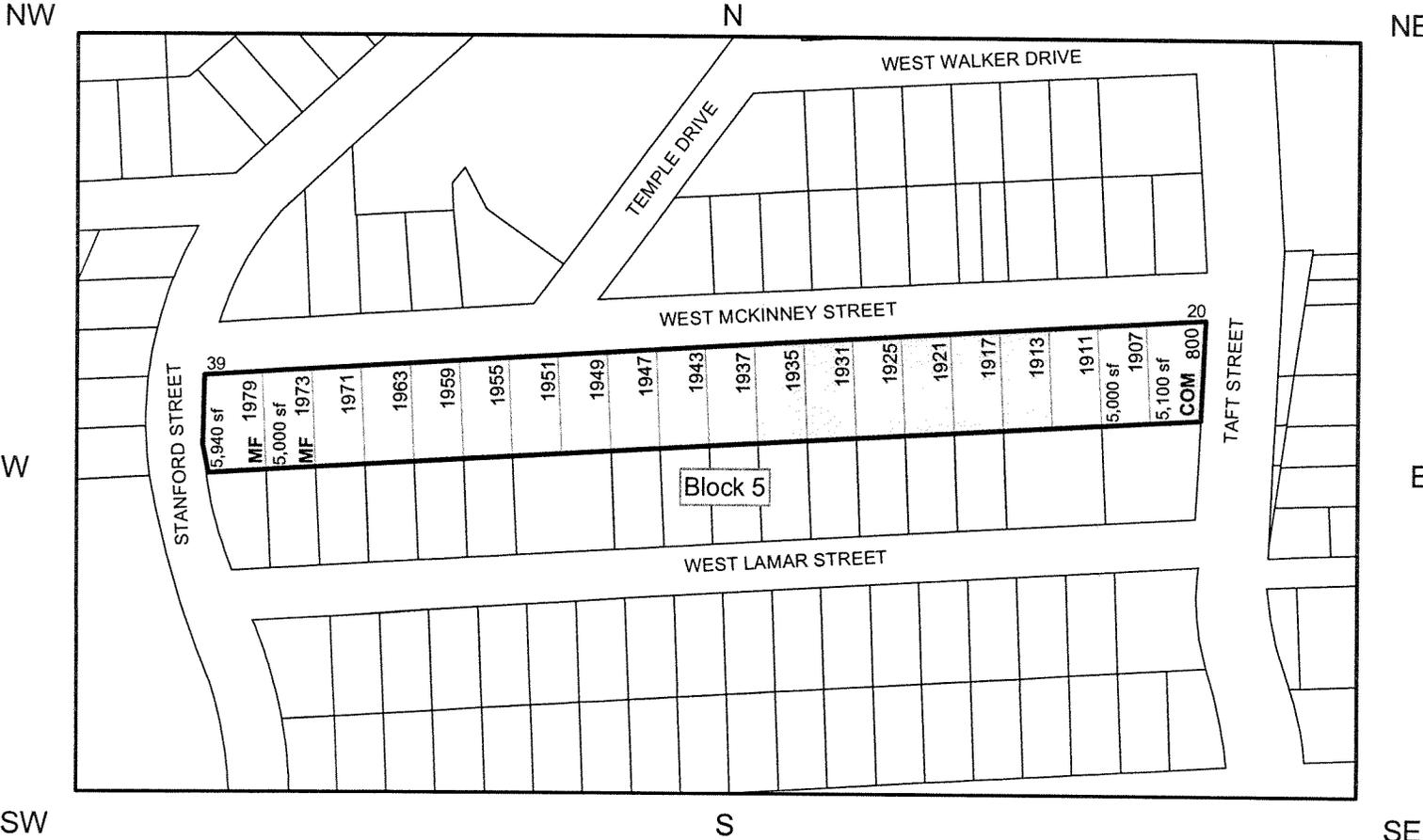
From: Michael Wynhoff [REDACTED]
Sent: Thursday, December 27, 2007 12:57 PM
To: keith.wilson@cityofhouston.net
Cc: suzy.hartgrove@cityofhouston.net
Subject: notice of protest regarding Application for Special Minimum Lot Size Area

The email serves as written notice of protest regarding the proposed creation of a Special Minimum Lot Size Area and Special Building Line Requirement Area. The application refers to the 1900 Block of West McKinney Street, south side, between Stanford and Taft Streets.

Michael Wynhoff
Senior Investment Analyst

Live Oak Capital, Ltd.
2200 West Loop South, #600
Houston, TX 77027
Ph) 713.993.1315
Fx) 713.993.1345
www.liveoakcapital.net

TEMPLE TERRACE



5000sf Special Minimum Lot Size

MAP/SKETCH

SMLSA No. 277

- Properties that meet the 5,000sf Special Minimum Lot Size
- Properties less than the 5,000sf Special Minimum Lot Size
- MF** Multi Family
- COM** Commercial
- VAC** Vacant
- EXC** Excluded

Special Minimum Lot Size Requirement Area No. 277

Planning Commission Approval

Planning Commission Evaluation:

Satisfies	Does Not Satisfy	Criteria
X		<p><i>MLS area includes all property within at least one block face and no more than two opposing block faces;</i></p> <p>The application is for the 1900 block of West McKinney Street, south side.</p>
X		<p><i>At least 60% of the proposed SMLSA is developed with or is restricted to not more than two single-family residential (SFR) units per lot;</i></p> <p>84% of the proposed application area is developed with not more than two SF residential units per property.</p>
X		<p><i>Demonstrated sufficient evidence of support;</i></p> <p>Petition signed by owners of 54% of the SMLSA.</p>
X		<p><i>Establishment of the SMLSA will further the goal of preserving the lot size character of the area; and,</i></p> <p>A minimum lot size of 5,000 sq ft exists on twenty (20) lots in the blockface.</p>
X		<p><i>The proposed SMLSA has a lot size character that can be preserved by the establishment of a special minimum lot size, taking into account the age of the neighborhood, the age of structures in the neighborhood, existing evidence of a common plan or scheme of development, and such other factors that the director, commission or city council, respectively as appropriate, may determine relevant to the area.</i></p> <p>The subdivision was platted in 1926. The houses mostly originate from the 1930's. The establishment of a 5,000 sf minimum lot size will preserve the lot size character of the area.</p>
<p><i>The minimum lot size for this application was determined by finding the current lot size that represents a minimum standard for at least 70% of the application area.</i></p> <p>Twenty (20) out of twenty (20) lots (representing 100% of the application area) are at least 5,000 square feet in size.</p>		

The Special Minimum Lot Size Requirement Area meets the criteria.

Carol Lewis, Chair

Date

or


Mark A. Kilkenny,

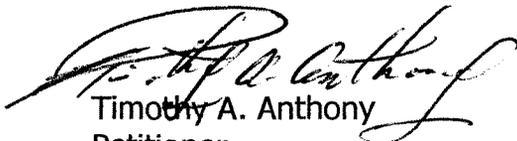
2-14-05
Date

Vice-Chair

PETITION

Tuesday, November 27, 2007

I, Timothy A. Anthony, owner of property within the proposed boundaries of the special minimum lot size requirement area, specifically, Block (5), Lot (36), of Temple Terrace Subdivision, do hereby submit this petition as prescribed by the Code of Ordinances, City of Houston, Sec 42-213. With this petition and other required information, I request to preserve the character of the existing lot sizes for Block 5, Lots 20-39 in Temple Terrace Subdivision through the application of and creation of a special minimum lot size requirement area.



Timothy A. Anthony
Petitioner

CITY OF HOUSTON

HOUSTON PLANNING COMMISSION

PLANNING & DEVELOPMENT DEPARTMENT

SPECIAL LOT SIZE REQUIREMENT AFFIDAVIT

I am eighteen years of age or older, of sound mind and capable of making this affidavit. I have personal knowledge of the facts set forth in the affidavit each of which is true and correct.

Initial (1), (2), or (3) as applicable:

1. I affirm that all the property in the proposed Lot Size Area do not have deed restrictions (the land is unrestricted).
2. I affirm that some or all of the properties have deed restrictions, however, the deed restrictions do not address minimum/maximum lot sizes.
3. I affirm that some of the properties have deed restrictions that address lot size; however, at least one of the properties in the application is not restricted for lot size.

I have read the above affidavit and all statements therein are true and correct.


Applicant Signature

11/27/07
Date

Timothy A. Anthony
Applicant Printed name

1963 W. McKinney, 77019
Address

10257402
Texas Drivers License or I.D. Number

CITY OF HOUSTON

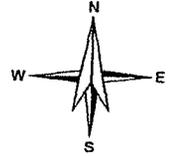
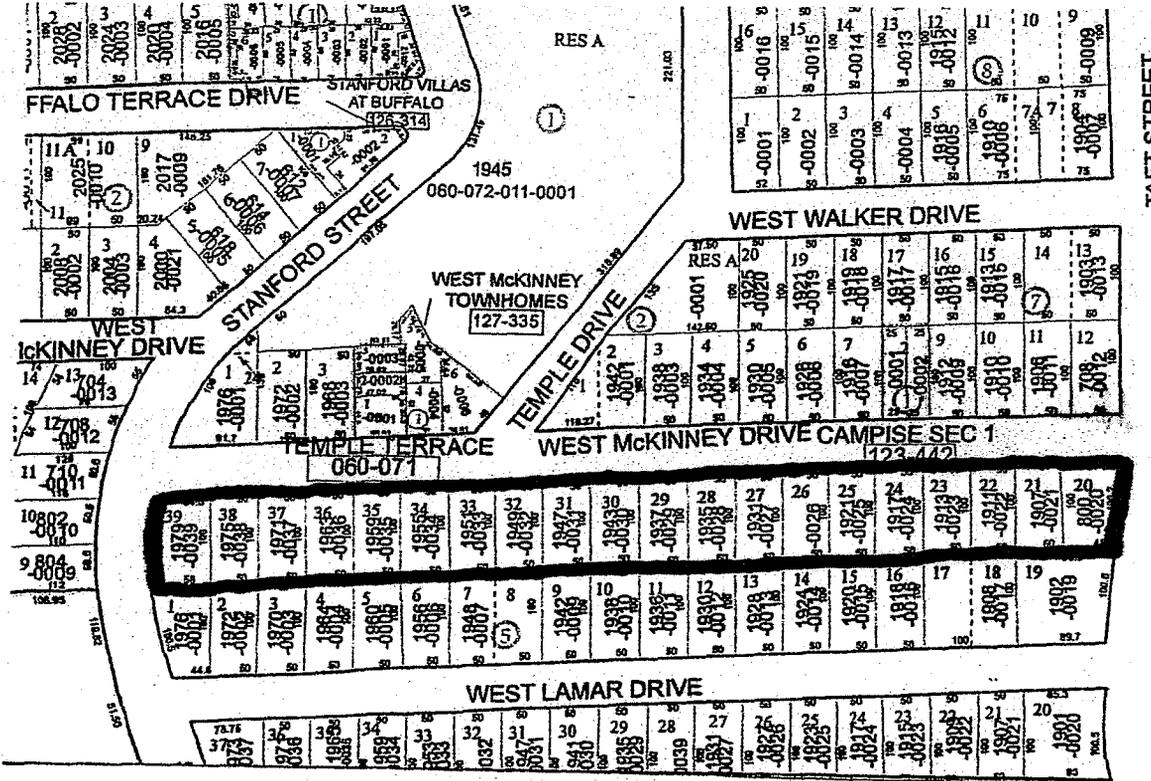
HOUSTON PLANNING COMMISSION

PLANNING & DEVELOPMENT DEPARTMENT

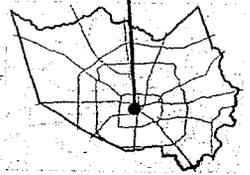
PREVAILING LOT SIZE APPLICATION

To expedite this application, please complete entire application form.

Staff will complete shaded items.



MAP LOCATION



**FACET
5357B**

1	2	3	4
5	6	7	8
9	10	11	12

1. BOUNDARY

Block no.: Block 5
 Lot nos.: Lots 20 - 39
 Subdivision name: Temple Terrace Subdivision
 Street name & side: South side of West McKinney Street, east of Stanford and West of Taft Street
 Block Address: 1900 Address Block of West McKinney Street
 Odd/Even Addresses: Odd Addresses on South side of West McKinney

2. PROJECT INFO.:

File no.: 277
 Lambert: 5357
 Key Map: 493J
 S. Neigh: 24
 TIRZ:

Census Tract: 4102
 Zip Code: 77019

School Dist.: HISD - Dist 1
 City Council Dist.: 61
 Co. Comm. Prct.: 40

3. CONTACTS:

Applicant: Timothy A. Anthony
 Address: 1963 W. McKinney Street
 City: Houston

Phone: 832-722-6901
 State: Texas

Fax:
 Zip: 77019

SUBJECT: An ordinance approving an agreement with Harmony House, Inc. to provide a facility to house TB patients under medical supervision.		Category #	Page 1 of 1	Agenda Item # 42
FROM (Department or other point of origin): Stephen L. Williams, M.Ed., M.P.A. Director-Houston Department of Health and Human Services		Origination Date 04/16/08	Agenda Date MAY 28 2008	
DIRECTOR'S SIGNATURE: <i>Stephen L. Williams</i>		Council District affected: ALL		
For additional information contact: Kathy Barton Telephone: 713-794-9998 or 713-826-5801		Date and identification of prior authorizing Council action:		
RECOMMENDATION: (Summary) Approval of an ordinance for an agreement with Harmony House, Inc. to provide a facility to house TB patients under medical supervision.				
Amount of Funding:			F&A Budget:	
Maximum Contract Amount: \$828,423.00 Total Initial allocation: \$62,786.00 \$38,400.00 General Fund (1000) \$24,386.00 Federal State Local - Pass Through Fund (5030)				
SOURCE OF FUNDING: [X] General Fund [X] Grant Fund [] Enterprise Fund [] Other (Specify)				
SPECIFIC EXPLANATION: <p>The Houston Department of Health and Human Services (HDHHS) requests City Council approval of an ordinance authorizing an agreement with Harmony House, Inc. to provide a facility to house TB patients under medical supervision. The annual contract amount is \$276,140.75 for a total contract value of \$828,423.00. Funding requested for the initial allocation is \$62,786.00. The contract term is from Date of Countersignature through one year with two (2) successive one year renewal terms.</p> <p>There is a need in Houston for housing of tuberculosis cases who are discharged from hospitals while still infectious. These patients are often released to the general population where they can infect others with TB. Living in congregate settings (homeless shelters, jails) increases the risk of infecting others and the absence of a stable environment impacts compliance and increases the risk of multidrug resistant TB. Often a stable environment is not available because of homelessness, substance abuse or family alienation.</p> <p>Harmony House has provided housing for non-contagious TB patients since 2000. Harmony House provides a stable environment where public health workers can access patients for their directly observed therapy (DOT). In response to the need to house contagious patients, Harmony House has equipped a separate facility (Langston House) to provide interim housing, including meals, twenty-four hour supervision, transportation and referrals. As soon as they complete appropriate treatment and become non-contagious, these patients can return to a traditional congregate setting or to their family environment.</p> <p>Harmony House is the only facility identified by HDHHS to provide this type of specialized housing, including negative air flow, HEPA filtration and ultra violet lighting. These environmental controls, along with a separate room for each resident are necessary for housing infectious patients to prevent TB transmission.</p> <p>cc: Finance & Administration Legal Department Agenda Director</p>				
REQUIRED AUTHORIZATION				
F&A Director		Other Authorization:		Other Authorization:

SUBJECT: An ordinance approving an agreement with Houston Works USA to train and employ youth to be energy conservation advocates to distribute energy efficient light bulbs in various Houston neighborhoods		Category #	Page 1 of 1	Agenda Item # 43
FROM (Department or other point of origin): Stephen L. Williams, M.Ed., M.P.A. Director-Houston Department of Health and Human Services		Origination Date 05/20/08	Agenda Date MAY 28 2008	
DIRECTOR'S SIGNATURE: <i>Stephen L. Williams</i>		Council District affected: ALL		
For additional information contact: Kathy Barton Telephone: 713-794-9998 or 713-826-5801		Date and identification of prior authorizing Council action:		
RECOMMENDATION: Approval of an ordinance for an agreement with Houston Works USA for the distribution of energy efficient light bulbs.				
Amount of Funding: Total Contract Value: \$300,000.00 Initial Allocation: \$10,000.00 General Fund (1000) (To be reimbursed by CenterPoint Energy)			Finance Budget:	
SOURCE OF FUNDING: <input checked="" type="checkbox"/> General Fund <input type="checkbox"/> Grant Fund <input type="checkbox"/> Enterprise Fund <input checked="" type="checkbox"/> Revenue Fund				
SPECIFIC EXPLANATION: The Houston Department of Health and Human Services requests City Council to approve an agreement with Houston Works USA and create a Mayor's Summer Youth Conservation Corps Fund. Houston Works USA will train and employ youth to be energy conservation advocates to distribute energy efficient light bulbs, called Compact Fluorescent Lamps (CFLs), in various Houston neighborhoods from June 4, 2008 through July 19, 2008. Revenue received by the General Services Department from CenterPoint Energy for the CFL distribution program shall be deposited in the Mayor's Summer Youth Conservation Corps Fund. The Fund will be used to pay for services, supplies and marketing related to the Mayor's Summer Youth Conservation Corps CFL distribution program. The Mayor's Summer Youth Conservation Corps will train and employ 100 motivated and responsible youth to be energy conservation advocates who distribute free CFLs. This project plans to distribute approximately 250,000 CFLs and energy conservation information to 62,500 residents. Houston Works will hire youth and youth supervisors to distribute CFLs, to low and middle-income neighborhoods throughout Houston over a six-week period. This project is funded through the existing incentive agreement with CenterPoint Energy. In the existing agreement, CenterPoint Energy agrees to make incentive payments to the City of Houston for its participation in CenterPoint's Standard Offer Program, in which the City takes steps to lower energy consumption. This initial allocation is for the start up costs associated with the Youth CFL Distribution Program. It is further recommended that City Council delegate authority to the HDHHS director to approve supplemental allocations up to the maximum contract amount of \$300,000.00, which includes the remaining amount for administration of the six-week program. cc: Finance & Administration Legal Department Agenda Director				
REQUIRED AUTHORIZATION				
Finance Director	General Services Department: <i>Issa Dadoush</i> Issa Dadoush, P.E.		Other Authorization:	

#43
5-28-08

The Mayor's Summer Youth Conservation Corps Coordinated by Houston Department of Health and Human Services

The Mayor's Summer Youth Conservation Corps, in partnership with Houston Works, will employ and train youth to be energy conservation advocates. As energy advocates, the youth will educate residents and distribute 250,000 free Compact Florescent Light (CFL) bulbs that are energy efficient to low and middle income neighborhoods throughout Houston.

The program will provide 100 Houston youth with training, job skills, and meaningful employment through the listed objectives:

- Personal responsibility
- Workplace specific skills and work ethic
- Positive relationships with adults
- Self confidence and Communication Skills
- Public Service
- Safety

Energy advocates will also learn and share that using CFL bulbs:

- Use at least 2/3 less energy and produce 70% less heat
- Last longer than traditional bulbs
- Can reduce your electric bill up to 10%
- Require special disposal

Energy advocates will also provide information about:

- Adjusting air condition thermostat appropriately
- Sealing windows and doors leading outdoors
- Maintaining heating and cooling systems
- Finding the best deal from electric providers

The neighborhoods receiving energy efficient bulbs are selected according to the parameters set by Center Point Energy and the City. The selected neighborhoods include approximately 62,500 households from all nine City of Houston council districts. This summer project is funded by CenterPoint Energy.

The Mayor's Summer Youth Conservation Corps
Preliminary List of Neighborhoods

<i>Neighborhood</i>	<i>Super Neighborhood #</i>
Greater Hobby	78
Edgebrook	79
Meadowbrook/Allendale	75
Park Place	74
Golfcrest/Belfort/Reville	73
Magnolia Park/Manchester	82
Second Ward	63
Greater	
Eastwood/Lawndale	64
Greater Thrid Ward	67
Fourth Ward	60
Montrose	24
Greater Fifth Ward	55
Kashmere Gardens	52
Trinity-Houston Gardens	48
Settegast	50
Heights	15
Northside/Northline	45
Acres Homes	6
Spring Branch North	84
Spring Branch Central	85
Eldridge West Oaks	17
Alief	25
Sharpstown	26
Gulfton	27
Greater Fondren	36
Westbury	37
Central Southwest	40
Sunnyside	71

SUBJECT: An Ordinance Authorizing the Execution of a Contract Between the City of Houston and A Caring Safe Place, Inc. for the Administration and Operation of a HOPWA Community Residence with Supportive Services.	Page 1 of 2	Agenda Item # 44
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FROM (Department or other point of origin): Richard S. Celli, Director Housing and Community Development Department	Origination Date 05/14/08	Agenda Date MAY 28 2008
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DIRECTOR'S SIGNATURE: 	Council District affected: District B
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For additional information contact: Keith Bynam Phone: 713-868-8396	Date and identification of prior authorizing Council action: N/A
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RECOMMENDATION: (Summary)
Approval of an ordinance authorizing a contract between the City of Houston and A Caring Safe Place, Inc., which will provide for supportive services, and the administration and operation of a community residence under the Housing Opportunities for Persons with AIDS ("HOPWA") Program.

Amount of Funding: <u>\$788,510.00</u> One (1) year contract with one (1) year renewal (\$394,255.00 HOPWA Grant (\$394,255.00 Renewal HOPWA Grant)	Finance Budget: 
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SOURCE OF FUNDING General Fund Grant Fund Enterprise Fund

Other (Specify) Grant Fund (5000)

SPECIFIC EXPLANATION:
The Housing and Community Development Department ("HCDD") recommends approval of a Contract between the City of Houston ("City") and A Caring Safe Place, Inc. to finance the administration and operation of a HOPWA community residence. A Caring Safe Place is a Texas nonprofit corporation that provides transitional housing and supportive services for persons with HIV/AIDS who also have a chemical and/or alcohol dependency.

Total Funds and Sources: \$788,510.00 One (1) year contract with one (1) year renewal
 Number of Persons to be Served: 35 (annually)
 Category of Persons to be Served: Low-income individuals living with HIV/AIDS

Located in the Fifth Ward area of Houston, A Caring Safe Place has provided transitional living and supportive services to individuals infected and affected by HIV/AIDS, since its establishment in 1997. The agency's mission is to provide crisis intervention services to HIV/AIDS infected individuals who are also victims of drug abuse, abandonment and neglect. Services funded by other grants have included health education, risk reduction counseling, mental health case management, and outreach services. Through its HOPWA contracts, A Caring Safe Place has provided transitional housing and life management skills training to dually diagnosed HIV/AIDS men, for the past seven years. Under its present contract, A Caring Safe Place has provided housing assistance and life management skills to over forty ("40") persons. A Caring Safe Place now desires to continue this HOPWA project.

REQUIRED AUTHORIZATION			NDT
Finance Director:	Other Authorization:	Other Authorization:	

Date:
05/14/08

Subject: An ordinance authorizing the execution of a contract with A Caring Safe Place, Inc. providing for supportive services and the operation of a HOPWA community residence.

**Originator's
Initials**
RC

Page
2 of 2

This agreement will provide up to \$788,510.00 with a one (1) year contract with one (1) year renewal. The 2008 contract will provide HOPWA funds that are inclusive of \$90,044.46 in pre-contract services. The agency continues to provide the same services in this contract as they did in previous contracts.

The scope of work for this project entails the provision of housing information and referral services and transitional housing and supportive services for thirty-five ("35") unduplicated persons. Supportive services to be provided will include life skills training and mental health counseling; job search, placement, and vocational training; and case management.

This contract will provide the following activities for a 12-month period.

Pre-Contract Services Agreement

Administration	\$ 6,122.50
Supportive Services	\$ 55,351.90
Operating Costs	\$ 28,570.06
Sub Total	\$ 90,044.46

Annual Contract Services

Administration	\$ 21,437.50
Supportive Services	\$ 169,259.49
Operating Costs	\$ 109,513.55
Housing Information	\$ 4,000.00
Sub Total	\$304,210.54

Total: **\$394,255.00**

RC:kb:dg

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

Date
04/08/08

Subject: An Ordinance authorizing the execution of a contract
between The City of Houston and Fort Bend County Black Nurses
Association for the administration for a HOPWA Grant.

Originator's
Initials
[Signature]

Page
2 of 2

Total Funds and Sources: \$226,500.00
Number of Persons to be Served: 125
Category of Persons: HIV/AIDS/Low-income

The Contract will provide funding for:

Administration Expenses	\$ 11,500.00
Supportive Services	\$ 95,000.00
STRUMA	\$120,000.00
Total	\$226,500.00

RC:DG:MR

City Secretary
Mayor's Office
Legal Department
Finance Department

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

SUBJECT: An Ordinance Authorizing the Execution of a Contract between the City of Houston and SEARCH, Inc. providing for Supportive Services and the Administration of a HOPWA contract.		Page 1 of 2	Agenda Item # 46
FROM (Department or other point of origin): Richard S. Celli, Director Housing and Community Development Department		Origination Date 5/7/08	Agenda Date MAY 28 2008
DIRECTOR'S SIGNATURE: <i>Richard S. Celli</i>		Council District affected: District I	
For additional information contact: Keith Bynam Phone: 713-868-8396		Date and identification of prior authorizing Council action:	
RECOMMENDATION: (Summary) Approval of an ordinance authorizing the execution of a contract between the City of Houston and SEARCH, Inc. providing up to \$54,768.22 for the administration and supportive services, only, under the Housing Opportunities for Persons with AIDS ("HOPWA") Program.			
Amount of Funding: \$54,768.22		Finance Budget: <i>Maxwell</i>	
SOURCE OF FUNDING <input type="checkbox"/> General Fund <input checked="" type="checkbox"/> Grant Fund <input type="checkbox"/> Enterprise Fund			
<input type="checkbox"/> Other (Specify) 2008 HOPWA Grant (Fund 5000)			
SPECIFIC EXPLANATION: The Housing and Community Development Department ("HCDD") recommends approval of a Contract between the City of Houston and the Service of the Emergency Aid Resource Center for the Homeless, Inc. (SEARCH) to finance the administrative and supportive services costs associated with the agency's housing and services programs for homeless, HIV/AIDS individuals. SEARCH, whose downtown facility opened in 1989, has provided services to thousands of the homeless by offering one-stop service delivery through programs it provides directly and through those of other community based providers it host at its facilities. These services include the daycare services for HIV positive individuals and their children through the House of Tiny Treasures, an early childhood development childcare facility. SEARCH has received funding from the City of Houston through several prior HOPWA contracts. SEARCH's previous HOPWA contract provided over \$800,000 in HOPWA funds for a two-year period, which provided housing assistance and supportive services for low-income individuals with HIV/AIDS and their families. The agency now desires to continue its collaboration with the City through a new contract that will offer early childhood development child care and other supportive services to indigent and low-income individuals who are living with HIV/AIDS and their families. This agreement will provide up to \$54,768.22 for a one-year contract.			
REQUIRED AUTHORIZATION			NDT
Finance Director:	Other Authorization:	Other Authorization:	

Date:
3/7/08

Subject: An ordinance authorizing the execution of a contract with SEARCH, Inc. providing for supportive services and the administration and operation of a HOPWA project.

**Originator's
Initials**
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Page
2 of 2

Total Funds and Sources: **\$54,768.22**
Number of Persons to be Served: **33 HIV positive children and their families**
Category of Persons to be Served: **Low-income individuals living with HIV/AIDS**

Administrative Expenses 3,539.06

Supportive Services 51,229.16

Total 54,768.22

This project was reviewed by the Housing and Community Development Committee on June 13, 2007, and was recommended for Council Action.

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

RC:ab

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Lease Agreement between the City of Houston and Wilson Air Center - Houston, Inc. - William P. Hobby Airport (HOU).	Category #	Page 1 of 3	Agenda Item # 47
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FROM (Department or other point of origin): Houston Airport System	Origination Date April 28, 2008	Agenda Date MAY 28 2008
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DIRECTOR'S SIGNATURE: <i>Am Lee</i>	Council District affected: I
--------------------------------------------	----------------------------------------

For additional information contact: Janet Schafer <i>JS</i> Phone: 281/233-1796 Lucy S. Ortiz	Date and identification of prior authorizing Council action: 9/30/92 (O) 92-1300; 9/18/96 (O) 96-945 04/12/00 (O) 00-0275; 01/04/06 (O) 06-006
------------------------------------------------------------------------------------------------------------	-------------------------------------------------------------------------------------------------------------------------------------------------------------

AMOUNT & SOURCE OF FUNDING: REVENUE \$234,555.02 per year (\$19,546.25* monthly)	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 Wilson Air Center - Houston, Inc. for certain premises at William P. Hobby Airport (HOU) and concurrently terminating Lease Agreement No. 32967, as amended, by and between the City of Houston and Wilson Air Center - Houston, Inc.

SPECIFIC EXPLANATION:

On September 30, 1992, the City approved Lease Agreement No. 32967 with Fletcher Aviation, Inc. (Fletcher), effective 6/1/93, in which Fletcher leased both land and improvements at William P. Hobby Airport (HOU) and was granted the non-exclusive right to provide the aircraft fueling, maintenance, servicing and repair services as a general aviation fixed base operator (FBO). The lease was amended in 1996, and 2000 to add additional leased premises. Fletcher was required to make improvements to the leased premises which Fletcher subsequently made. In 2005, Fletcher filed a name change with the Secretary of State changing its name to Wilson Air Center - Houston, Inc (Lessee). In 2006, Lessee requested to amend the Lease Agreement to add additional leased premises, and extend the term in exchange for Lessee constructing an additional \$750,000.00 of improvements on/to the leased premises, paying an increased rental amount and agreeing to other lease modifications.

Wilson Air Center - Houston, Inc. (Wilson) now requests to terminate the original Lease Agreement No. 32967 and enter into a new Lease. In exchange, Wilson will construct additional improvements, lease additional unimproved land, and pay additional rent. The new Lease shall supersede and replace Lease Agreement No. 32967, as amended, and set forth the rights, privileges, obligations and duties of Wilson as a Fixed Based Operator (FBO) at William P. Hobby Airport (HOU).

REQUIRED AUTHORIZATION		
F&A Budget:	Other Authorization:	Other Authorization:

129

Date April 28, 2008	Subject: Lease Agreement between the City of Houston and Wilson Air Center – Houston, Inc. – William P. Hobby Airport (HOU).	Originator's Initials	Page 2 of 3
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The pertinent terms and conditions of the new Lease are as follows:

- Leased Premises:** Approximately 14.976 acres (approximately 652,354.56 square feet) of improved and unimproved land which includes approximately 151,432 square feet in four HOU hangars.
- Option Tracts:** Wilson shall have the right of first refusal to lease any or all of two identified option tracts, if available. If the option is exercised the option tract(s) shall become a part of the Lease expiring on the same date.
- Term:** Thirty (30) years from the date of counter signature by the City Controller unless sooner terminated in accordance with the Lease.
- Option:** If not in default, Wilson may extend the term for an additional 2 five-year option periods by giving written notice to the Director within thirty days of receiving notice of the appraised rental rate for such option period(s).
- Rent:** On the effective date, \$234,555.02 annually (\$19,546.25 monthly) and increases by 15% at the end of each five years of term. The 12th monthly payment will be adjusted, if necessary, so that the total of the twelve monthly payments equals the annual rental amount.
- Two 5-year option periods (If exercised, will be at the rental rate established by appraisal of land and improvements.)
- Performance Security:** Upon the first occurrence of a default, including a late rental payment, a performance bond or an irrevocable letter of credit in the amount of \$117,277.51 which represents six months rent.
- Improvements:** Wilson has expended not less than \$3,000,000.00 to construct improvements on the leased premises. Upon expiration or earlier termination of the Lease, the improvements will automatically vest in the City.
- Maintenance and Utilities:** Wilson shall assume the entire responsibility, cost and expense for all repair and maintenance of the leased premises and shall be responsible for all utilities furnished to the leased premises.
- Indemnification and Insurance:** Wilson shall indemnify and hold the City harmless and shall provide the required insurance in the limits as stated in the Lease.
- Environmental Matters and Airport Rules:** Wilson shall comply with all federal, state and local environmental laws and all airport policies and procedures.
- Other:** Wilson agrees to comply with all rules and regulations adopted by the airport and/or the TSA, and/or the FAA, and to comply with all federal, state and local statutes, ordinances, regulations and policies.

Date April 28, 2008	Subject: Lease Agreement between the City of Houston and Wilson Air Center – Houston, Inc. – William P. Hobby Airport (HOU).	Originator's Initials	Page 3 of 3
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Upon the effective date of the Lease with Wilson Air Center – Houston, Inc., the Lease Agreement in the name of Fletcher Aviation, Inc. will be terminated and the Lease with Wilson Air Center – Houston, Inc. shall supersede and replace the existing lease.

cc: Ms. Marty Stein
Mr. Anthony W. Hall, Jr.
Mr. Arturo Michel
Ms. Kathy Elek
Mr. Aleks Mraovic
Mr. David K. Arthur
Mr. Carlos Ortiz
Ms. Janet Schafer
Mr. Charles Wall
Ms. Mary Case
Mr. Brian Rinehart
Ms. Marlene McClinton
Mr. Randy Riven

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Ordinance approving a contract between the City of Houston and Null-Lairson, P.C. for professional consulting services to support the TIRZ Program.	Category # 1	Page 1 of 1	Agenda Item # 48
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FROM: (Department or other point of origin): Finance	Origination Date May 1, 2008	Agenda Date MAY 28 2008
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DIRECTOR'S SIGNATURE: <i>Michelle Mitchell</i>	Council Districts affected: All
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For additional information contact: Robert Fiederlein Phone: 713.437.6491 Tom Mesa Phone: 713.837.9857	Date and identification of prior authorizing Council Action:
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RECOMMENDATION: (Summary) Approve an ordinance approving a contract between the City of Houston and Null-Lairson, P.C. for professional consulting services to support the TIRZ Program.

Amount and Source of Funding: \$186,250 Fund 1000 – General Fund	Finance Budget
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Specific Explanation:
The TIRZ Program within the Economic Development Division of the Finance Department is responsible for the financial oversight and operations of the City's 22 tax increment and reinvestment zones (TIRZs) and accompanying redevelopment authorities. In an effort to improve that function, the Program wishes to retain a professional consultant to provide specialized expertise in accounting and auditing services.

- The consultant is being retained to provide the following professional services:
1. Develop a web-based financial reporting system that will streamline the submission and compilation of periodic financial statements
 2. Develop a generic internal control framework for the TIRZs/redevelopment authorities and, as requested, analyze individual TIRZs/redevelopment authorities' current internal control framework relative to this generic standard
 3. Review financial reports and statements submitted by the TIRZs/redevelopment authorities and make recommendations regarding standardized accounting treatments to assure appropriate and comparable treatments amongst the various entities, and
 4. Provide accounting services to various redevelopment authorities as requested for the preparation of annual required financial statements.

Null-Lairson, P.C. was selected to provide these services to the Program via an RFQ process. The M/WBE goal for this project is 24% and Null-Lairson, P.C. has identified subconsultants to meet this goal.

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

REQUIRED AUTHORIZATION

Finance Director:	Other Authorization:	Other Authorization: <i>[Signature]</i>
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TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: An ordinance appropriating \$50,647,455.29 in tax increment revenue payments made by the City of Houston and authorizing the transfer of tax increment revenues from the various Tax Increment Funds pursuant to Tri-Party Agreements.	Category # 1	Page 1 of 1	Agenda Item # 49
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FROM: (Department or other point of origin): Department of Finance (Economic Development)	Origination Date May 20, 2008	Agenda Date MAY 28 2008
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DIRECTOR'S SIGNATURE: <i>Michelle Mitchell</i>	Council Districts affected:
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For additional information contact: Tom Mesa Phone: 7-9857 Randell M. Naquin Phone: 7-9646	Date and identification of prior authorizing Council Action:
---------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------

RECOMMENDATION: (Summary)
An ordinance appropriating \$50,647,455.29 in tax increment revenue payments made by the City of Houston, and authorizing the transfer of tax increment revenues from the various Tax Increment Funds pursuant to Tri-Party Agreement.

Amount of Funding: \$50,647,455.29	Finance Budget
-------------------------------------------	----------------

Source of Funding:) [] General Fund [] Grant Fund [] Enterprise Fund [X] Other (Specify)
\$50,647,455.29 from various TIRZ funds (See attached spreadsheet).

Specific Explanation:
The appropriation of \$50,647,455.29 results from tax increment payments received in April 2007 from the City of Houston for various Zones.

As set forth in the attached spreadsheet, \$2,351,842.48 will be transferred to the City of Houston affordable housing fund pursuant to Tri-Party Agreement; \$2,327,417.72 will be transferred to the General Fund for TIRZ Administrative costs; and \$45,968,195.09 will be paid to various redevelopment authorities or retained in the TIRZ Fund for approved project costs.

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

REQUIRED AUTHORIZATION		
Finance Director:	Other Authorization: <i>[Signature]</i>	Other Authorization: <i>[Signature]</i>

TIRZ Revenue City Increment Tax Year 2007 (FY08)

#	TIRZ Name	Jurisdiction Code	Fund #	City Increment	Affordable Housing Transfer to Fund 2409	City Admin. Fee Transfer to Fund 1000	Total Increment Amount Due to Redev. Auth.	Payee
1	Lamar Terrace	577	7512	\$ 1,150,972.50	\$ 383,657.50	\$ 57,548.63	\$ 709,766.37	St. George Place RA
2	Midtown	581&582	7550	\$ 5,094,201.06	N/A	\$ 254,710.05	\$ 4,839,491.01	Midtown RA
	Original	593		4,389,654.19		219,482.71	4,170,171.48	
	Annexed			704,546.87		35,227.34	669,319.53	
3	Main St./Market Square		7551	\$ 5,024,071.45	N/A	\$ 251,203.58	\$ 4,772,867.87	Special Pay Instructions #1
	Original	575		385,308.53		19,265.43	366,043.10	
	Annexed	576		4,589,676.17		229,483.81	4,360,192.36	
	Annexed	260		49,086.75		2,454.34	46,632.41	
4	Village Enclave		7552	\$ 4,099,101.18	\$ 1,366,367.06	\$ -	\$ 2,732,734.12	Special Pay Instructions #2
	Original	579		284,704.85	94,901.62		189,803.23	
	Annexed	578		3,814,396.33	1,271,465.44		2,542,930.89	
5	Memorial Heights	583	7553	\$ 1,394,889.39	N/A	\$ 69,744.47	\$ 1,325,144.92	Memorial Heights RA
6	Eastside	584	7554	\$ -	N/A	\$ -	\$ -	No payment.
7	OST Alameda		7555	\$ 3,363,480.55	N/A	\$ 168,174.02	\$ 3,195,306.53	OST Alameda RA
	Original	586		2,403,008.06		120,150.40	2,282,857.66	
	Annexed	587		960,472.49		48,023.62	912,448.87	
8	Gulfgate		7556	\$352,927.06	N/A	\$17,646.35	\$335,280.71	Gulfgate RA
	Original	588		172,164.88		\$8,608.24	\$163,556.64	
	Annexed	595		180,762.18		\$9,038.11	\$171,724.07	
9	South Post Oak	589	7557	\$ 340,413.14	N/A	\$ 17,020.66	\$ 323,392.48	South Post Oak RA
10	Lake Houston		7558	\$ 2,432,727.39	N/A	\$ 121,636.37	\$ 2,311,091.02	Special Pay Instructions #3
	Original	580		2,020,623.41		101,031.17	1,919,592.24	
	Annexed	585		412,103.98		20,605.20	391,498.78	
11	Greater Greenspoint	590	7559	\$ 3,204,110.46	N/A	\$ 160,205.52	\$ 3,043,904.94	Greater Greenspoint RA
12	City Park	591	7560	\$ 241,867.74	N/A	\$ 12,093.39	\$ 229,774.35	City Park RA
13	Old Sixth Ward	592	7561	\$ 416,922.80	\$ 138,974.27	\$ 20,846.14	\$ 257,102.39	Old Sixth Ward RA
14	Fourth Ward	599	7562	\$ 1,388,530.94	\$ 462,843.65	\$ 69,426.55	\$ 856,260.74	Fourth Ward RA
15	East Downtown	596	7563	\$ 488,064.79	N/A	\$ 24,403.24	\$ 463,661.55	East Downtown RA
16	Uptown	597	7564	\$ 10,489,889.12	N/A	\$ 524,494.46	\$ 9,965,394.66	Uptown Development Authority
17	Memorial City	977	7565	\$ 3,074,574.32	N/A	\$ 153,728.72	\$ 2,920,845.60	Memorial City RA
18	Fifth Ward	594	7566	\$ 32,214.51	N/A	\$ 1,610.73	\$ 30,603.78	Fifth Ward RA
19	Upper Kirby	598	7567	\$ 3,475,094.69	N/A	\$ 173,754.73	\$ 3,301,339.96	Upper Kirby RA
20	Southwest Houston	994	7568	\$ 4,319,577.37	N/A	\$ 215,978.87	\$ 4,103,598.50	Southwest Houston RA
21	Hardy Place	794	7569	\$ 244,855.34	N/A	\$ 12,242.77	\$ 232,612.57	Special Pay Instruction #3
22	Leland Woods	795	7570	\$ 18,969.49	N/A	\$ 948.47	\$ 18,021.02	Leland Woods RA
	Total			\$50,647,455.29	\$ 2,351,842.48	\$ 2,327,417.72	\$ 45,968,195.09	

Special Pay Instructions #1

Payment to HHFC for Rice Hotel (original zone)	\$ 366,043.10
Payment to Main Street/Market Square RA	\$ 4,406,824.77
Total to Main Street/Market Square	\$ 4,772,867.87

Special Pay Instructions #3

Payments are for project costs, developer reimbursements, and debt service; invoices to be submitted at a later date.

Special Pay Instructions #2

Payment to HISD for West Side HS	\$ 2,732,734.12
Withholding for TIRZ Admin costs	\$ -

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: An ordinance appropriating \$36,534,537.85 in tax increment revenue payments made by Houston, Aldine, and Spring ISDs and authorizing the transfer of tax increment revenues from the various Tax Increment Funds pursuant to Tri-Party & Interlocal Agreements.		Category # 1	Page 1 of <u>1</u>	Agenda Item # 50
FROM: (Department or other point of origin): Department of Finance (Economic Development)		Origination Date May 20, 2008		Agenda Date MAY 28 2008
DIRECTOR'S SIGNATURE: <i>Michelle Mitchell</i>		Council Districts affected:		
For additional information contact: Tom Mesa Phone: 7-9857 Randell M. Naquin Phone: 7-9646		Date and identification of prior authorizing Council Action:		
RECOMMENDATION: (Summary) That City Council approve an ordinance appropriating \$36,534,537.85 in tax increment revenue payments made by Houston, Aldine, and Spring ISDs and authorizing the transfer of tax increment revenues from the various Tax Increment Funds pursuant to Tri-Party & Interlocal Agreements.				
Amount of Funding: \$36,534,537.85			Finance Budget	
Source of Funding:) [] General Fund [] Grant Fund [] Enterprise Fund [X] Other (Specify) \$36,534,537.85 from various TIRZ funds (See attached ISD Analysis).				
Specific Explanation: The appropriation of \$36,534,537.85 results from tax increment payments received in the months of April and May 2008 from Houston, Aldine and Spring Independent School Districts for various Zones in which the jurisdictions participate. As set forth in the attached spreadsheet, \$3,508,816.53 will be transferred into the City's affordable housing fund; \$405,568.24 will be transferred to the General Fund for TIRZ Administrative costs; \$15,388,992.15 will be paid to Houston and Aldine ISDs for Educational Facilities Project Costs (of which \$1,115,672.56 will be paid to Greater Greenspoint Redevelopment Authority to be held in escrow for Aldine ISD); and \$17,231,160.93 will be paid to various redevelopment authorities or retained in TIRZ funds for approved project costs.				
cc: Marty Stein, Agenda Director Michelle Mitchell, Director of Finance Anna Russell, City Secretary Arturo Michel, City Attorney Deborah McAbee, Senior Assistant City Attorney				
REQUIRED AUTHORIZATION				
Finance Director:		Other Authorization: <i>Tom Mesa</i>		Other Authorization: <i>[Signature]</i>

**TIRZ: SCHOOL DISTRICT INCREMENT TAX YEAR 2007
FROM HOUSTON, ALDINE, SPRING ISDs**

#	TIRZ	Fund #	ISD and CCD Payments Received (1)	Affordable Housing Transfer to Fund 872	ISD & CCD Admin. Transfer to General Fund	Payment Amount to ISDs for Educational Facilities (3)	ISD and CCD Increment due to the Redevelopment Authorities	Payee
1	Lamar Terrace East and West	7512	\$ 973,947.69	\$ 324,649.23	\$ 25,000.00 ⁽²⁾	\$ 300,432.44	\$ 323,866.02	St. George Place RA
2	Midtown	7550	\$ 4,807,228.17	N/A (6)	\$ 25,000.00 ⁽²⁾	\$ 1,908,871.77	\$ 2,873,356.40	Midtown RA
	Original		\$ 4,300,720.45					
	Annexed		\$ 506,507.72					
3	Market Square	7551	\$ 4,183,063.24	N/A	\$ 25,000.00 ⁽²⁾	\$ 1,927,163.54	\$ 2,230,899.70	Special Pay Instruction #1
	Original		\$ 692,945.20		\$ 12,500.00	\$ 316,360.66	\$ 364,084.54	
	Annexed		\$ 3,490,118.04		\$ 12,500.00	\$ 1,610,802.88	\$ 1,866,815.16	
4	Village Endave	7552	\$ 7,470,045.44	\$ 2,490,015.15	\$ 25,000.00 ⁽⁴⁾	\$ 4,955,030.29		
	Original		\$ 483,692.30					
	Annexed		\$ 6,986,353.14					
5	Memorial Heights	7553	\$ 976,715.28	N/A	\$ 25,000.00 ⁽²⁾	\$ 455,579.66	\$ 496,135.62	Memorial Heights RA
6	Eastside	7554	\$ -	N/A	\$ -	\$ -	\$ -	No Payment
7	Ost/Alameda	7555	\$ 1,673,284.93	N/A	\$ 25,000.00 ⁽²⁾	\$ 327,233.07	\$ 1,321,051.86	Ost/Alameda RA
	Original		\$ 901,100.76					
	Annexed		\$ 772,184.17					
8	Gulfgate	7556	\$ 581,037.26	N/A	\$ 25,000.00 ⁽²⁾	\$ 234,043.37	\$ 321,993.89	Gulfgate RA
9	South Post Oak	7557	\$ 555,133.98	N/A	\$ 25,000.00 ⁽²⁾	\$ 226,098.11	\$ 304,035.87	South Post Oak RA
10	Lake Houston	7558	\$ -	N/A	\$ - ⁽²⁾	\$ -	\$ -	Special Pay instructions #2
	Original (Humble ISD)		\$ -					
	Annexed		\$ -					
11	Greenspoint	7559	\$ 3,780,005.13	N/A	\$ 50,000.00	\$ 1,115,672.56	\$ 2,614,332.57	Special Pay instructions #3
	Aldine ISD		\$ 3,347,017.68		\$ 25,000.00 ⁽²⁾	\$ 1,115,672.56		
	Spring ISD		\$ 432,987.45		\$ 25,000.00 ⁽²⁾	N/A		
	NHMCCD		\$ -		\$ - ⁽⁵⁾			
12	CityPark	7560	\$ 408,431.00	N/A	\$ 25,000.00 ⁽²⁾	\$ 184,921.84	\$ 198,509.16	City Park RA
13	Old Sixth Ward	7561	\$ 252,901.82	\$ 84,300.61	\$ 25,000.00 ⁽²⁾	\$ 100,907.41	\$ 42,693.80	Old Sixth Ward RA
14	Fourth Ward	7562	\$ 1,829,554.61	\$ 609,851.54	\$ 25,000.00 ⁽²⁾	\$ 614,433.25	\$ 580,269.82	Fourth Ward RA
15	East Downtown	7563	\$ 695,247.89	N/A	\$ 25,000.00 ⁽²⁾	\$ 233,262.35	\$ 436,985.54	East Downtown RA
16	Uptown	7564	\$ 7,024,533.57	N/A (6)	\$ 25,000.00 ⁽²⁾	\$ 2,361,069.58	\$ 4,638,463.99	Uptown DA
17	Memorial City	7565	N/A				N/A	
18	Fifth Ward	7566	\$ 167,208.69	N/A	\$ 5,568.25 ⁽⁵⁾	\$ 55,843.62	\$ 105,796.82	Fifth Ward RA
19	Upper Kirby	7567	\$ 1,156,199.15	N/A	\$ 25,000.00 ⁽²⁾	\$ 388,429.29	\$ 742,769.86	Upper Kirby RA
20	Southwest Houston	7568	N/A				N/A	
21	Hardy Yards	7569	N/A				N/A	
22	Leland Woods	7570	N/A				N/A	
	Total		\$ 36,534,537.85	\$ 3,508,816.53	\$ 405,568.24	\$ 15,388,992.15	\$ 17,231,160.93	

The table sets forth several requested appropriations: a) recently deposited tax increments received by the City from Houston ISD, Aldine ISD, Spring ISD, and North Harris Montgomery County College District. The table also sets forth several requested expenditures: a) transfers into Fund 2409 for the one-third affordable housing set-aside; b) payment amounts to ISDs for educational facilities; c) transfer amounts into the General Fund for costs associated with the administration of the zones; and d) payments to the various redevelopment authorities, or for direct TIRZ project costs.

Special Pay Instructions #1

Payment to HHFC for Rice Hotel	\$ 383,956.90
Payment to Main Street/Market Square RA	1,846,942.80
	\$ 2,230,899.70

Special Pay Instructions #2

Retain in fund to pay developer and TIRZ admin costs.

Special Pay Instructions #3

Educ. Facilities - Aldine ISD	\$ 1,115,672.56	Held in escrow with #11-Greenspoint RA
Increment Revenue	2,614,332.57	
Total Payment to Greater Greenspoint RA	\$ 3,730,005.13	

ISD Pay Instructions

Aldine ISD (Held in escrow)	\$ 1,115,672.56
Payment to Houston ISD	14,273,319.59
Payment to Humble ISD	-
	\$ 15,388,992.15

Notes:

- 1) ISD = Independent School District and CCD = Community College District
- 2) Per the Houston, Humble, Aldine and Spring ISD Interlocal Agreements, there is a \$25,000 maximum for administrative fees.
- 3) Educational Facilities revenues are set-aside per the Houston ISD and Humble ISD Interlocal Agreements in which the increment is paid to the ISDs for construction of educational facilities inside or outside the zones.
- 4) All Houston ISD payment minus set-aside for affordable housing is returned for payments for Westside High School.
- 5) The administration fee is calculated at 5% of the net increment revenue rather than the \$25,000 maximum.
- 6) After receiving the increment revenue, Midtown and Uptown pay their Affordable Housing Transfer directly to the City's Housing and Community Development Department.

SUBJECT: An Ordinance approving and authorizing (i) the execution of a Compromise and Settlement Agreement ("CSA") between the City of Houston and Eli and Lydia Escobar ("Plaintiffs") to settle <i>Escobar, et al. v. City of Houston, et al.</i> ; H-04-1945; and (ii) ratifying the engagement of, and payment of legal services fees to Akin Gump Strauss Hauer & Feld, L.L.P.		Page 1 of 1	Agenda Item # 51
FROM (Department or other point of origin): Legal Department		Origination Date 5/23/08	Agenda Date MAY 28 2008
DIRECTOR'S SIGNATURE: 		Council District affected: ALL	
For additional information contact: Arturo Michel Phone: 832.393.6412 Robert L. Cambrice 832.393.6476		Date and identification of prior authorizing Council action:	
RECOMMENDATION: (Summary) That Council pass an Ordinance approving and authorizing a CSA between Houston and Plaintiffs to settle <i>Escobar, et al. v. City of Houston, et al.</i> , Cause No. H-04-1945 in the United States District Court for Southern District of Texas and ratifying and approving payment of legal services fees of Akin Gump Strauss Hauer & Feld, L.L.P.			
Amount and Source of Funding: \$1,500,000.00 - for CSA \$ 89,922.28 - for Akin Gump Strauss Hauer & Feld, L.L.P. Fund 1004 - Property and Casualty Fund			
SPECIFIC EXPLANATION: FOR SETTLEMENT PURPOSES ONLY The lawsuit arose from the death of Eli Escobar, Jr. in 2003, who died when HPD Officer Arthur Carbonneau accidentally fired his weapon. The officer was attempting to question the decedent, a 14 year old boy, who was not a suspect in an assault - no injury call investigation. The officer was convicted of criminally negligent homicide. The Plaintiffs filed their suit under the U.S. Constitution and state tort law alleging and seeking damages for negligence and a City policy or custom of condoning excessive force and of inadequate training and supervision. The Plaintiffs also seek attorney's fees and costs. The City denies the allegations. The City Attorney recommends settlement because of the risk of an adverse judgment and expense of litigation. The terms of the proposed settlement provide a full and final dismissal of the suit by the Plaintiffs including claims for attorneys fees and costs, the City pays \$1,500,000, sends a letter of condolence to the family, will install a plaque on City property, e.g., Talento Bilingue Theater, to memorialize Eli Escobar, Jr.'s life, and enhanced training in firearm use and crisis intervention. The City Attorney also recommends ratification and authorization to pay the firm of Akin Gump Strauss Hauer & Feld, L.L.P. as full payment for the valuable assistance it provided in preparing the case for trial and negotiating settlement terms.			
REQUIRED AUTHORIZATION			
Other Authorization:	Other Authorization:	Other Authorization:	

54

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 7843

Subject: Approve an Amending Ordinance to Increase the Maximum Contract Amount and Approve and Authorize a First Amendment to Contract #C55019 for Professional Auditing Services for the Finance Dept./TC-3-0739-010-13593-A2

Category #
9

Page 1 of 1

Agenda Item

52

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

Origination Date
March 26, 2008

Agenda Date
MAY 28 2008

DIRECTOR'S SIGNATURE

Calvin D. Wells

Council District(s) affected
All

For additional information contact:
Douglas Seckel Phone: (713) 837-9880
Ray DuRousseau Phone: (713) 247-1735

Date and Identification of prior authorizing Council Action:
Ords:03-529,6/4/03;07-242,2/21/07;07-1336,11/28/07

RECOMMENDATION: (Summary)

Approve an amending ordinance to increase the maximum contract amount and approve and authorize a first amendment to a contract between the City of Houston and Deloitte & Touche, LLC to increase the maximum contract amount from \$5,542,737.00 to \$7,302,737.00, and extend the contract term from June 30, 2008 to June 30, 2009 for professional auditing services for the Finance Department.

Maximum Contract Amount Increased By: \$1,760,000.00

F & A Budget
Maicelle
Maicelle

\$1,760,000.00 - General Fund (1000)

SPECIFIC EXPLANATION:

The City Purchasing Agent recommends that City Council approve an amending ordinance to increase the maximum contract amount and approve and authorize a first amendment to a contract between the City of Houston and Deloitte & Touche, LLC to increase the maximum contract amount from \$5,542,737.00 to \$7,302,737.00, and extend the contract term from June 30, 2008 to June 30, 2009 for professional auditing services for the Finance Department.

This contract was awarded on June 4, 2003, by Ordinance No. 2003-0529 for a three-year term, renewed for two additional one-year terms, in the original contract award amount of \$3,439,097.00. On February 21, 2007, Council approved Ordinance No. 2007-0242, increasing the maximum contract amount to \$3,747,737.00. It was subsequently amended on November 28, 2007 by Ordinance No. 2007-1336, increasing the maximum contract amount to \$5,542,737.00. The remaining balance as of March 17, 2008 is \$677,212.00. All other terms and conditions remain as originally approved by City Council. The City Purchasing Agent may terminate this contract at any time upon 30-days written notice.

The Finance Department will issue a request for proposals for a new-five year professional auditing services contract this fall to begin with the audit of FY2009.

The scope of work requires the contractor to provide all materials and supervision necessary to perform the contractual services that are requested by the City. These services include audits, reviews and consulting services.

This contract was issued as a goal-oriented contract with a 24% M/WBE participation level and the contractor is currently achieving 12%.

Buyer: Joyce Hays

Estimated Spending

DEPARTMENT	FY08	FY09
Finance Department	\$225,000.00	\$1,535,000.00

REQUIRED AUTHORIZATION

F& A Director:

Other Authorization:

Other Authorization:

Calvin D. Wells

100T

55
2-4

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 7929

Subject: Ordinance for the appropriation of funds to purchase Capital Equipment for the Houston Fire Department

Category #
1

Page 1 of 2

Agenda Item

53

FROM (Department or other point of origin):

Phil Boriskie
Fire Chief
Fire

Origination Date

May 01, 2008

Agenda Date

MAY 28 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 authorizing the appropriation of \$\$848,858.50 out of the Equipment Acquisition Consolidated Fund (Fund 1800) and \$50,000.00 out of the Fleet/Equipment Internal Services Fund (Fund 9002) for the purchase of Capital Equipment for the Houston Fire Department.

\$898,858.50 - Total
(\$848,858.50 (Fund 1800); \$50,000.00 (Fund 9002))

FIN Budget Mitchell

SPECIFIC EXPLANATION:

The Fire Chief recommends that City Council approve an ordinance authorizing the appropriation of \$848,858.50 out of the Equipment Acquisition Consolidated Fund (Fund 1800) and \$50,000.00 out of the Fleet/Equipment Internal Services Fund (Fund 9002) for the purchase of capital equipment for the Fire Department that will be purchased in separate procurements from existing City contracts with sufficient spending authority.

The capital equipment purchase includes the following equipment:

Ambulance Stretchers – 30 manual-lift and 9 hydraulic-assist undercarriage stretchers will be purchased in the amount of \$174,810.00 (\$50,000.00 from Fund 9002 and \$124,810.00 from Fund 1800). These new stretchers will be used to replace aging equipment that is no longer cost effective to repair, and to continue the integration of hydraulic-assist undercarriage stretchers into the Department's fleet.

Thermal Imaging Cameras - 12 thermal imaging cameras will be purchased in the amount of \$81,300.00 (Fund 1800). The cameras will be used to upgrade current aging technology units assigned to the Department's ladder trucks.

Self Contained Breathing Apparatus (SCBA) – 75 SCBA units will be purchased in the amount of \$343,129.50 (Fund 1800). These SCBA units are compliant with 2007 standards for Chemical, Biological, Radiological and Nuclear (CBRN) firefighting activities and include integrated Pack Alert Safety System (PASS) and heads up display.

EZ Comm Communication Devices – 425 fire ground communication devices will be purchased in the amount of \$291,975.00 (Fund 1800). These new communication devices will facilitate clear and audible fireground face-to-face and radio communications and will replace existing units damaged throughout the year.

REQUIRED AUTHORIZATION

FIN Director:

Other Authorization:

Other Authorization:

*780-400
5-2-08*

Date: 5/1/2008	Subject: Ordinance for the appropriation of funds to purchase Capital Equipment for the Houston Fire Department	Originator's Initials KD	Page 2 of 2
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Gear Lockers – 4 gear storage lockers will be purchased in the amount of \$7,644.00 (Fund 1800). These gear lockers will be used to securely store firefighting bunker gear at fire stations.

The funding for the equipment that will be purchased from the Equipment Acquisition Fund (Fund 1800) is included in the adopted FY2008 Equipment Acquisition Plan.

The funding for the equipment that will be purchased from the Fleet/Equipment Internal Services Fund (Fund 9002) is included in the funding transfer from the General Fund balance to the Fleet/Equipment Internal Services Fund approved by City Council on December 19, 2007, Council Motion No. 2007-1253.

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 7693

Subject: Formal Bids Received for Glass Replacement and Repair Services for Various Departments
S39-L22628

Category #
4

Page 1 of 2

Agenda Item

54

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

Origination Date
February 21, 2008

Agenda Date
MAY 28 2008

DIRECTOR'S SIGNATURE
Calvin D. Wells

Council District(s) affected
All

For additional information contact:
Jacquelyn L. Nisby Phone: (713) 247-1814
Ray DuRousseau Phone: (713) 247-1735

Date and Identification of prior authorizing Council Action:

RECOMMENDATION: (Summary)

Approve an ordinance awarding a contract to Ranger Specialized Glass Inc. on its low bid in an amount not to exceed \$1,585,757.50 for glass replacement and repair services for various departments.

Maximum Contract Amount: \$1,585,757.50

F & A Budget

- \$ 795,105.50 - General Fund (1000)
- \$ 342,990.00 - HAS Revenue Fund (8001)
- \$ 75,962.00 - PWE W & S System Operating Fund (8300)
- \$ 22,700.00 - Building Inspection Fund (2301)
- \$ 349,000.00 - C&E-Civic Center Facility Revenue Fund (8601)
- \$1,585,757.50 - Total

SPECIFIC EXPLANATION:

The City Purchasing Agent recommends that City Council approve an ordinance awarding a three-year contract, with two one-year options to Ranger Specialized Glass Inc. on its low bid in an amount not to exceed \$1,585,757.50 for glass replacement and repair services for various departments. The City Purchasing Agent may terminate this contract at any time upon 30 days written notice to the contractor.

This project was advertised in accordance with the requirements of the State of Texas bid laws. Two bids were received as outlined below:

<u>Company</u>	<u>Total Amount</u>
1. Ranger Specialized Glass Inc.	\$1,585,757.50
2. J C Glass, Inc.	\$1,849,875.07

- The Strategic Purchasing Division conducted a thorough search for additional vendors who could possibly perform these services. As a result, eleven prospective bidders were identified and notified of the Invitation to Bid (ITB). Two prospective bidders attended the pre-bid conference. Subsequent to the receipt of the bid, the prospective bidders were contacted to determine the reason for the limited response to the ITB. Prospective bidders advised that their company could not provide services due to their current workload or could not meet the scope of services requirements.

The scope of work requires the contractor to provide all labor, materials, equipment, tools, permits, supervision, transportation, and training necessary for glass replacement and repair services. Services include replacement or repair of any structural glass product used at City-owned facilities. In the event of a

REQUIRED AUTHORIZATION

F&A Director:

Other Authorization:

Other Authorization:

MO

Date: 5/8/2008	Subject: Formal Bids Received for Glass Replacement and Repair Services for Various Departments S39-L22628	Originator's Initials LW	Page 2 of 2
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threat or actual emergency, this contract provides for storm protective measures, such as securing/boarding of windows, doors, and other glass installation.

M/WBE Subcontractor

This invitation to bid was issued as a goal-oriented contract with a 15% M/WBE participation level. Ranger Specialized Glass Inc. has designated the below-named company as its certified M/WBE subcontractor.

<u>Name</u>	<u>Type of Work</u>	<u>Dollar Amount</u>
Hou-Tex Glass & Mirror Company	Glass/Glazing	\$237,863.62

This contract will be monitored by the Affirmative Action Division.

Estimated Spending Authority

Department	FY'08	Out Years	Total
General Services	\$5,000.00	\$489,155.50	\$494,155.50
Houston Airport System	\$7,000.00	\$335,990.00	\$342,990.00
Convention & Entertainment Facilities	\$100,000.00	\$249,000.00	\$349,000.00
Park & Recreation	\$20,000.00	\$175,000.00	\$195,000.00
Public Works & Engineering	\$33,922.40	\$135,689.60	\$169,612.00
Solid Waste Management	\$5,920.00	\$29,080.00	\$35,000.00
Total	\$171,842.40	\$1,413,915.10	\$1,585,757.50

Buyer: Latrice Williams

SUBJECT: Professional Landscape Architectural Task Order Contract for the Parks and Recreation Department Clark Condon Associates, Inc. WBS No. F-00504B-0002-3	Page 1 of 2	Agenda Item 55
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FROM (Department or other point of origin): General Services Department	Origination Date 5-12-08	Agenda Date MAY 28 2008
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DIRECTOR'S SIGNATURE Issa Z. Dadoush, P.E. 	Council Districts affected: B, C, D, F, H, I
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For additional information contact: Jacquelyn L. Nisby  Phone: 713-247-1814	Date and identification of prior authorizing Council action:
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RECOMMENDATION: Approve and authorize a Task Order Contract with Clark Condon Associates and appropriate funds.

Amount and Source Of Funding: \$550,000.00 Parks Consolidated Construction Fund (4502) \$150,000.00 Parks Special Fund (4012) \$700,000.00 Total Funding	Finance Budget: <i>MWS</i> 
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SPECIFIC EXPLANATION: The General Services Department recommends that City Council approve a professional services contract with Clark Condon Associates, Inc. for citywide task order landscape architectural, architectural and engineering services for the Parks and Recreation Department.

PROJECT LOCATIONS:

<u>Park Name (Key Map)</u>	<u>Council District</u>	<u>Park Name (Key Map)</u>	<u>Council District</u>
Tidwell Park (454D)	B	Reveille Phase II (535S)	I
Keith Wiess Park (413M)	B	Guadalupe Plaza (494J)	H
Stuebner Airline Park (412K)	B	Cliff Tuttle Park (494H)	H
Godwin Park Ph. II (531U)	C	Lee & Joe Jamail Skatepark (493K)	H
Stewart Park (534Y)	I	West Webster Street Park (493P)	D
Various SNAP Projects	B/F		

SCOPE OF WORK: Under the terms of the contract, the consultant will perform design and construction phase services on an as needed basis for the projects referenced above and will seal documents to comply with the City Building Code. Fees for each project will be negotiated based upon the size and complexity of the task involved.

NDT

REQUIRED AUTHORIZATION CUIC ID# 25PARK15

General Services Department:  Phil Golembiewski, P.E. Chief of Design & Construction Division	Other Authorization:	Parks and Recreation Department:  Joe Turner Director
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Date:	Subject: Professional Landscape Architectural Task Order Contract for the Parks and Recreation Department Clark Condon Associates, Inc. WBS No. F-00504B-0002-3	Originator's Initials LJ	Page 2 of 2
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M/WBE INFORMATION: An M/WBE goal of 24% has been established for this contract. Since this is a task order contract, sub-consultant M/WBE utilization will be determined as projects and proposals are produced.

The consultant has submitted the following certified firms to achieve the goal:

<u>FIRM</u>	<u>WORK DESCRIPTION</u>
Rey De La Reza Architects, Inc.	Architectural Services
Lauren Griffith Associates, Inc.	Landscape Architectural Services
Tan Associates, Inc.	Architectural/Engineering Services
Landtech Consultants, Inc.	Land Surveying Services
HVJ Associates, Inc.	Geotechnical Engineering Services
Berg-Oliver Associates, Inc.	Environmental Services
Redline Courier Express, Inc.	Courier Services
Kuo & Associates, Inc.	Civil Engineering Services

IZD:PJG:JLN:LJ:lj

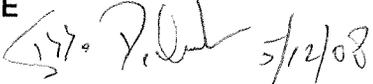
c: Marty Stein, Jacquelyn L. Nisby, Mark Ross, Velma Laws, Joseph Kurian, Webb Mitchell, Dan Pederson, File 506

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Amending Ordinance No. 2008-289 to correct a drafting error relating to the Outline Agreement No. for Architectural Services. WBS No. E-000156-0001-4	Page 1 of 1	Agenda Item 56
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FROM (Department or other point of origin): General Services Department	Origination Date 5-15-08	Agenda Date
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DIRECTOR'S SIGNATURE Issa Z. Dadoush, P.E.  5/12/08	Council District(s) affected: D
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For additional information contact: Jacquelyn L. Nisby  Phone: 713-247-1814	Date and identification of prior authorizing Council action: Ordinance 2008-289, dated 04-09-08
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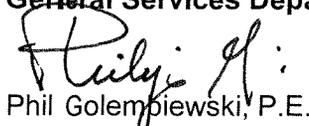
RECOMMENDATION: Amend Ordinance No. 2008-289 to correct a drafting error relating to the Outline Agreement No. to the existing design contract with Glassman Shoemake Maldonado Architects, Inc.

Amount and Source Of Funding: N/A	Finance Budget:
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SPECIFIC EXPLANATION: On April 9, 2008, Ordinance No. 2008-289, City Council appropriated the sum of \$45,000 for Architectural Services under Outline Agreement No. 4600007837, in connection with the renovation of the Clayton Library. Due to a drafting error, the Outline Agreement No. was incorrect. The proposed amendment will correct Section 1 of the Ordinance to reflect the correct Outline Agreement No. 4600007849, relating to the existing architectural services contract with Glassman Shoemake Maldonado Architects, Inc.


 IZD:PJG:JLN:MCP:JBW
 c: Marty Stein, Jacquelyn L. Nisby, Mary Villarreal, Anna Russell, File

REQUIRED AUTHORIZATION CUIC# 25CON47

General Services Department:  Phil Golembiewski, P.E. Chief of Design & Construction Division	Other Authorization:
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SUBJECT: Award Construction Contract Millis Development and Construction, Inc. Walter Rasmus Park WBS No. F-000643-0001-4	Page 1 of 2	Agenda Item 57
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FROM (Department or other point of origin): General Services Department	Origination Date 5-12-08	Agenda Date MAY 28 2008
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DIRECTOR'S SIGNATURE:  Issa Z. Dadoush, P.E.	Council District(s) affected: G
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For additional information contact: Jacquelyn L. Nisby  Phone: 713-247-1814	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: \$229,189.00 - Federal Government – Grant Funded (5000) (CDBG)	Finance Budget: 
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SPECIFIC EXPLANATION: The General Services Department recommends that City Council award a construction contract to Millis Development and Construction, Inc. on its low bid amount of \$204,811.00 for construction services in connection with Walter Rasmus Park for the Parks and Recreation Department.

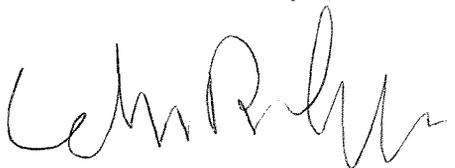
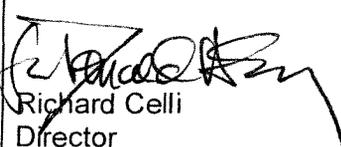
PROJECT LOCATION: 3721 Jeanetta (490X)

PROJECT DESCRIPTION: The scope of the project consists of renovating the existing multi-purpose pavilion. Repairs will be made to the pavilion roof, gutter system and columns. Once repairs are made the pavilion columns will be re-plastered and painted. Additionally grading and drainage are being done around the pavilion to reduce erosion.

The contract duration for this project is 120 days. M2L Associates, Inc. is the design consultant and construction manager for the project.

BIDS: The following five bids were received on January 10, 2008:

Bidder	Bid Amount
1. Millis Development and Construction, Inc.	\$204,811.00
2. Resicom, Inc.	\$233,000.00
3. Momentum Contractors, Inc.	\$245,000.00
4. Jerdon Enterprise, L.P.	\$272,272.72
5. Carrera Construction, Inc.	\$294,500.00

REQUIRED AUTHORIZATION			CUIC ID# 25 PARK26 NDT
General Services Department:  Phil Golembiewski, P.E. Chief of Design & Construction	Housing and Community Development Department:  Richard Celli Director	Parks and Recreation Department:  Joe Turner Director	

Date	Subject: Award Construction Contract Millis Development and Construction Inc. Walter Rasmus Park WBS No. F-000643-0001-4	Originator's Initials LJ	Page 2 of 2
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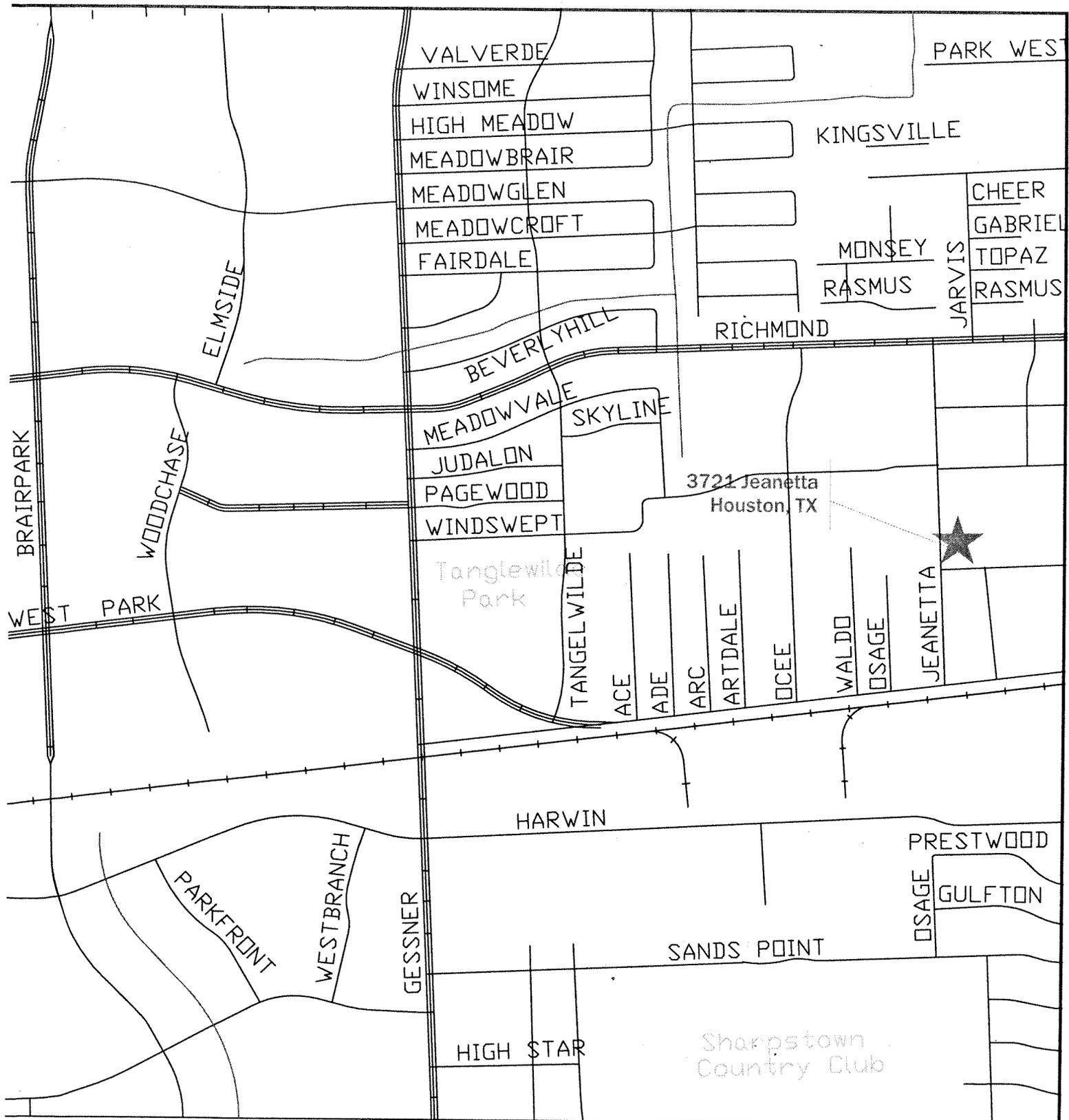
AWARD: It is recommended that City Council award the construction contract to Millis Development and Construction, Inc. and allocate funds for the project, including \$14,137.45 for construction management services under the existing contract with M2L Associates, Inc.

FUNDING SUMMARY:

\$ 204,811.00	Construction Contract
<u>\$ 10,240.55</u>	5% Contingency
\$ 215,051.55	Total Contract Services
<u>\$ 14,137.45</u>	Construction Management and Administration
\$ 229,189.00	Total Funding

IZD:PJG:JLN:CP:lj

c: Marty Stein, Phil Golembiewski, Mark Ross, Daniel Pederson, Jacquelyn L. Nisby, Gabriel Mussio, Pirooz Farhoomand, Gayve Anklesaria, Laura Ortiz, Lisa Johnson, Chip Perry, Project File 813



Walter Rasmus Park
3721 Jeanetta
Houston, Tx 77063

TO: Mayor via City Secretary REQUEST FOR COUNCIL ACTION

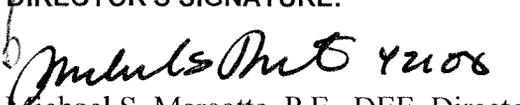
SUBJECT: Professional Construction Management and Inspection Services Contract between the City of Houston and Brian Smith Construction Inspection, Inc. for Construction Management associated with the Lockwood Lift Station Replacement.
WBS No.R-000267-00B3-4.

Page 1 of 1
Agenda Item # 58

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

Origination Date
5/2/08

Agenda Date
MAY 28 2008

DIRECTOR'S SIGNATURE:

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

Council District affected:
I

For additional information contact:

J. Timothy Lincoln, P.E.
Senior Assistant Director Phone: (713) 837-7074

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

RECOMMENDATION: (Summary) Approve Professional Construction Management and Inspection Services Contract with Brian Smith Construction Inspection, Inc. and appropriate funds.

Amount and Source of Funding: \$5,000.00 from Water & Sewer System Consolidated Construction Fund, Fund No. 8500. *FINANCE F&A Budget: MWS*

SPECIFIC EXPLANATION:

PROJECT NOTICE/JUSTIFICATION: This project is part of the City's Wastewater Construction Maintenance program. This program is required to meet the Texas Commission on Environmental Quality's (TCEQ) regulations.

DESCRIPTION/SCOPE: This contract provides for Construction Management and Inspection Services for the construction of the Lockwood Lift Station Replacement.

LOCATION: Lockwood Lift Station is located at 698 Lockwood, Key Map grid 494-Q.

SCOPE OF CONTRACT AND FEE: This contract will provide Construction Management and Inspection Services, including contract administration, processing pay estimates, coordinating schedules, evaluating proposals and change orders, site representation, inspection, document control, project closeout and other tasks requested by the Director of the Department of Public Works and Engineering.

Project funding for construction management services will be appropriated with the construction contract award. The requested appropriation of \$5,000.00 will provide for limited pre-construction review and preparation as required.

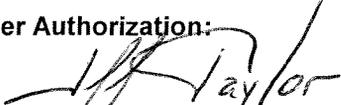
M/WBE PARTICIPATION: Brian Smith Construction Inspection, Inc. has proposed the following firms to achieve the 24% M/WBE goal for this project:

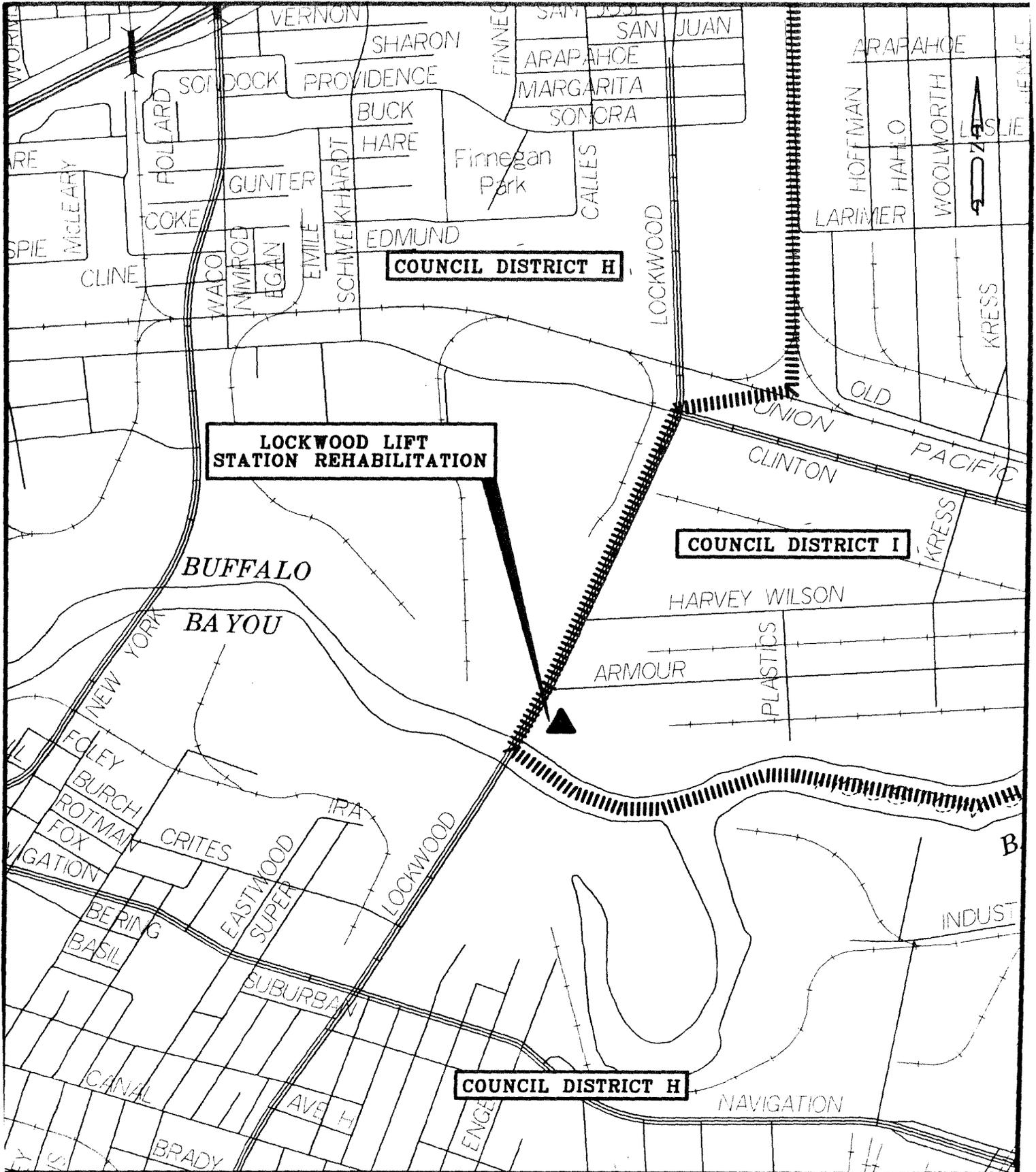
NAME OF FIRM	WORK DESCRIPTION	PERCENTAGE
Menendez-Donnell & Assoc., Inc.	Inspection/Administrative Services	12%
Zarinkelk Engineering Services, Inc.	Inspection/Administrative Services	12%
	Total	24%

MSM:JTL:CWS:mq
S:\E&C Construction\Facilities\CMs\Brian Smith\R-000267-00B3-4\RCA.DOC

C: Daniel W. Krueger, P.E. Velma Laws File No. Admin – Brian Smith - Admin

REQUIRED AUTHORIZATION CUIC ID # 20MZQ036

F&A Director:	Other Authorization:  Jeff Taylor, Deputy Director Public Utility Division	Other Authorization:  Daniel W. Krueger, P.E., Deputy Director Engineering and Construction Division
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LEGEND

-  PROJECT LOCATION
-  COUNCIL DISTRICT BOUNDARY

CITY OF HOUSTON
 GFS No. R-0267-B3-3 FILE No. WW4816-3
LOCKWOOD LIFT STATION
REHABILITATION

SUBJECT: Professional General Environmental, Asbestos and Lead related Consulting Services Contract between the City and Technology Serving People, Inc. WBS No. N-000396-0014-4, R-000019-0047-4, S-000019-0047-4.	Category # 9	Page 1	Agenda Item # 59
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FROM (Department or other point of origin): Department of Public Works and Engineering	Origination Date 5-2-08	Agenda Date MAY 28 2008
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DIRECTOR'S SIGNATURE:  Michael S. Marcotte, P.E., DEE Director	Council District affected: All U.T.
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For additional information contact: Michael K. Ho, P.E., F. ASCE Assistant Director  Phone: 713-837-7067	Date and identification of prior authorizing Council action: N/A
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RECOMMENDATION: (Summary)
Approve and authorize General Environmental, Asbestos and Lead related Consulting Services Contract with Technology Serving People, Inc. and appropriate funds.

Amount and Source of Funding: \$150,000.00
 \$75,000.00 from Street and Bridge Consolidated Construction Fund No. 4506
 \$75,000.00 from Water and Sewer System Consolidated Construction Fund No. 8500

Finance F&A Budget: MWS Michelle Mitchell
04/16/08

PROJECT NOTICE/JUSTIFICATION: This project will provide general environmental, asbestos and lead related consulting services for environmental problems encountered on City property or in City rights-of-ways. Also, Federal and State regulations require the survey of multi-family, commercial and public buildings for asbestos-containing materials (ACMs) and lead material in paint prior to implementing renovation or demolition work. The City uses a consultant to conduct ACM and lead surveys to protect the health and welfare of its citizens.

DESCRIPTION/SCOPE: This project consists of comprehensive professional environmental consulting services, including: project planning, site studies, pre-acquisition environmental site assessments, emergency responses to any environmental problems encountered during the construction phase of City projects, preparation of reports, environmental testing and review of analytical results, asbestos and/or lead surveys of buildings, and administration of any required remediation work.

LOCATION: This contract will encompass City projects within public rights-of-ways and Department of Public Works and Engineering facilities, including Public Utilities Division's water and wastewater treatment plant facilities, at sites located throughout the City.

PROJECT COST: The total cost of this project is \$150,000.00, to be appropriated as follows: \$135,000.00 for contract services, and \$15,000.00 for project management.

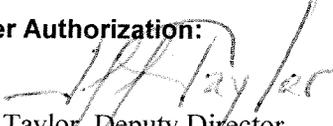
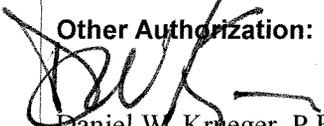
M/WBE PARTICIPATION: The M/WBE goal for the project is set at twenty-four percent (24%). The consultant has proposed the following firms to achieve this goal:

<u>Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
A & B Environmental Laboratories Services, Inc.	Analytical Laboratory Services	\$13,500.00	10 %
Environmental Consulting Services, Inc.	General Environmental Services	\$13,500.00	10 %
Rao Environmental	Hazardous Waste Disposal	\$5,400.00	4%
Total		\$32,400.00	24%

MSM:DWK:MKH:MT:tcn

c: Marty Stein Velma Laws Susan Bandy Craig Foster File

REQUIRED AUTHORIZATION CUIC ID# 20MT18

Other Authorization:	Other Authorization:  Jeff Taylor, Deputy Director Public Utilities Division	Other Authorization:  Daniel W. Krueger, P.E., Deputy Director Engineering and Construction Division
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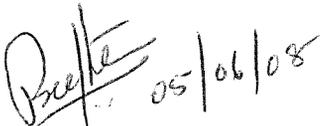
SUBJECT: Contract Award for FY08 Citywide Fire Hydrant Replacement and Height Correction. WBS No. S-000035-001V-4	Page 1 of 2	Agenda Item # 60
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FROM: (Department or other point of origin): Department of Public Works and Engineering	Origination Date: 5-20-08	Agenda Date: MAY 28 2008
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DIRECTOR'S SIGNATURE:  Michael S. Marcotte, P.E. DEE	Council District affected: All
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For additional information contact: A. James Millage Phone: 713-641-9566 Senior Assistant Director	Date and identification of prior authorizing Council action:
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RECOMMENDATION: (Summary)
Accept low bid, award construction Contract and appropriate funds.

Amount and Source of Funding:
\$1,805,365.45 Water and Sewer System Consolidated Construction Fund No. 8500. 

PROJECT NOTICE/JUSTIFICATION: This project is required to replace damaged or irreparable fire hydrants and to correct the heights of fire hydrants throughout the City.

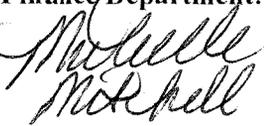
DESCRIPTION/SCOPE: This project will provide for the replacement of 670 fire hydrants and 30 valves. It will also provide for the height correction for 200 fire hydrants and ancillary work. The Contract duration for this project is 365 calendar days.

LOCATION: The project area is generally bound by the City limits. The project is located in various Key Map Grids.

BIDS: Bids were received on 02/28/08. The four (4) bids are as follows:

1.	<u>Bidder</u>	<u>Bid Amount</u>
	Troy Construction, L.L.C.	\$1,692,729.00
	Resicom, Inc.	\$1,704,339.90
	Metro City Construction, L.P.	\$1,705,630.00
	George Construction, Inc.	\$2,195,868.00

REQUIRED AUTHORIZATION CUIC#20AJM194

Finance Department:  Michelle Mitchell	Other Authorization:  A. James Millage 04/28/08	Other Authorization:  Jeff Taylor, Deputy Director Public Utilities Division
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Date	Subject: Contract Award for FY08 Citywide Fire Hydrant Replacement and Height Correction. WBS No. S-000035-01V-4	Originator's Initials	Page 2 of 2
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AWARD: It is recommended that this construction Contract be awarded to Troy Construction, L.L.C. with a low bid of \$1,692,729.00.

PROJECT COST: The total cost of this project is \$1,805,365.45 to be appropriated as follows:

- Bid Amount \$1,692,729.00
- Contingencies \$84,636.45
- Engineering and Testing Services \$28,000.00

Engineering and Testing Services will be provided by Paradigm Consultants, Inc. under a previously approved contract.

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

<u>Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
1. DGI Contracting	Underground utility repair	\$236,982.06	14.0%
2. Municipal Marketing Systems, Inc.	Sales of Tetherlok and rain stopper sewer lines	\$84,636.45	5.0%
3. RP Construction	Underground utility repair	<u>\$50,781.87</u>	<u>3.0%</u>
TOTAL		\$372,400.38	22.0%


MSM:JT:AJM:OS:TC:tc

- cc: Marty Stein
Mark Loethen, P.E.
Velma Laws
Michael Ho, P.E.
Craig Foster
Waynette Chan
Gary Norman
Carol Ellinger, P.E.
File No. WA 10866-02

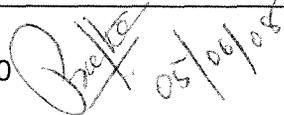
SUBJECT: Contract Award for Water Line Replacement in the University Area. WBS No. S-000035-00B1-4	Page 1 of <u>2</u>	Agenda Item # <u>61</u>
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FROM (Department or other point of origin): Department of Public Works and Engineering	Origination Date	Agenda Date MAY 28 2008
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DIRECTOR'S SIGNATURE:  Michael S. Marcotte, P.E., DEE, Director	Council District affected: <u>MB</u> C
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For additional information contact:  Reid K. Mrsny, P.E. Phone: (713) 837-0452 Senior Assistant Director	Date and identification of prior authorizing Council action:
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RECOMMENDATION:
 Accept low bid, award construction contract and appropriate funds.

Amount and Source of Funding:
 \$3,634,000.00 Water and Sewer System Consolidated Construction Fund No. 8500 

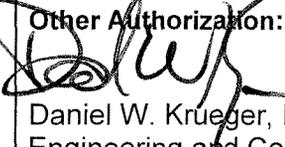
PROJECT NOTICE/JUSTIFICATION: This project is part of the City's Water Line Replacement Program. This program is required to replace and upgrade water lines within the City to improve circulation, fire protection and availability of water.

DESCRIPTION/SCOPE: This project consists of the construction of approximately 130 linear feet of 4-inch, 200 linear feet of 6-inch, 26,400 linear feet of 8-inch, 6,100 linear feet of 12-inch and 2,700 linear feet of 16-inch of water lines with all related appurtenances in the University Area. The contract duration for this project is 290 calendar days. This project was designed by ISANI Consultants, Inc.

LOCATION: Project area is bound by University Boulevard on the north, W. Holcombe Boulevard on the south, Montclair Drive on the east and Kirby Drive on the west. The project is located in the Key Map Grid 532 C & G.

BIDS: Bids were received on March 13, 2008. The five (5) bids are as follows:

<u>Bidder</u>	<u>Bid Amount</u>
1. Metro City Construction, L.P.	\$3,146,438.83
2. Calco Contracting, Ltd.	\$3,339,000.00
3. D. L. Elliott Enterprises, Inc.	\$3,342,445.00
4. R. K. Wheaton, Inc.	\$3,416,885.00
5. C. E. Barker, Ltd.	\$3,544,043.19

REQUIRED AUTHORIZATION		CUIC ID #20MB92	NDT
Finance Department	Other Authorization:	Other Authorization:	
	 Jeff Taylor, Deputy Director Public Utilities Division	 Daniel W. Krueger, P.E., Deputy Director Engineering and Construction Division	

Date	Subject: Contract Award for Water Line Replacement in the University Area. WBS No. S-000035-00B1-4	Originator's Initials MB	Page <u>2</u> of <u>2</u>
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AWARD: It is recommended that this construction contract be awarded to Metro City Construction, L.P. with a low bid of \$3,146,438.83.

PROJECT COST: The total cost of this project is \$3,634,000.00 to be appropriated as follows:

• Bid Amount	\$3,146,438.83
• Contingencies	\$157,321.94
• Engineering and Testing Services	\$110,000.00
• Project Management	\$220,239.23

Engineering and Testing Services will be provided by Paradigm Consultants, 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 and 3% SBE goal for this project.

<u>MBE - Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
D. Solis Trucking Company	Trucking (Haul Material)	\$106,925.00	3.40%
D. G. I. Contracting	Service Connections	\$195,505.00	6.21%
Access Data Supply, Inc.	Sand Supply	\$17,687.00	0.56%
J C Contracting	Water Line Installation	\$125,000.00	3.97%
TOTAL		\$445,117.00	14.14%

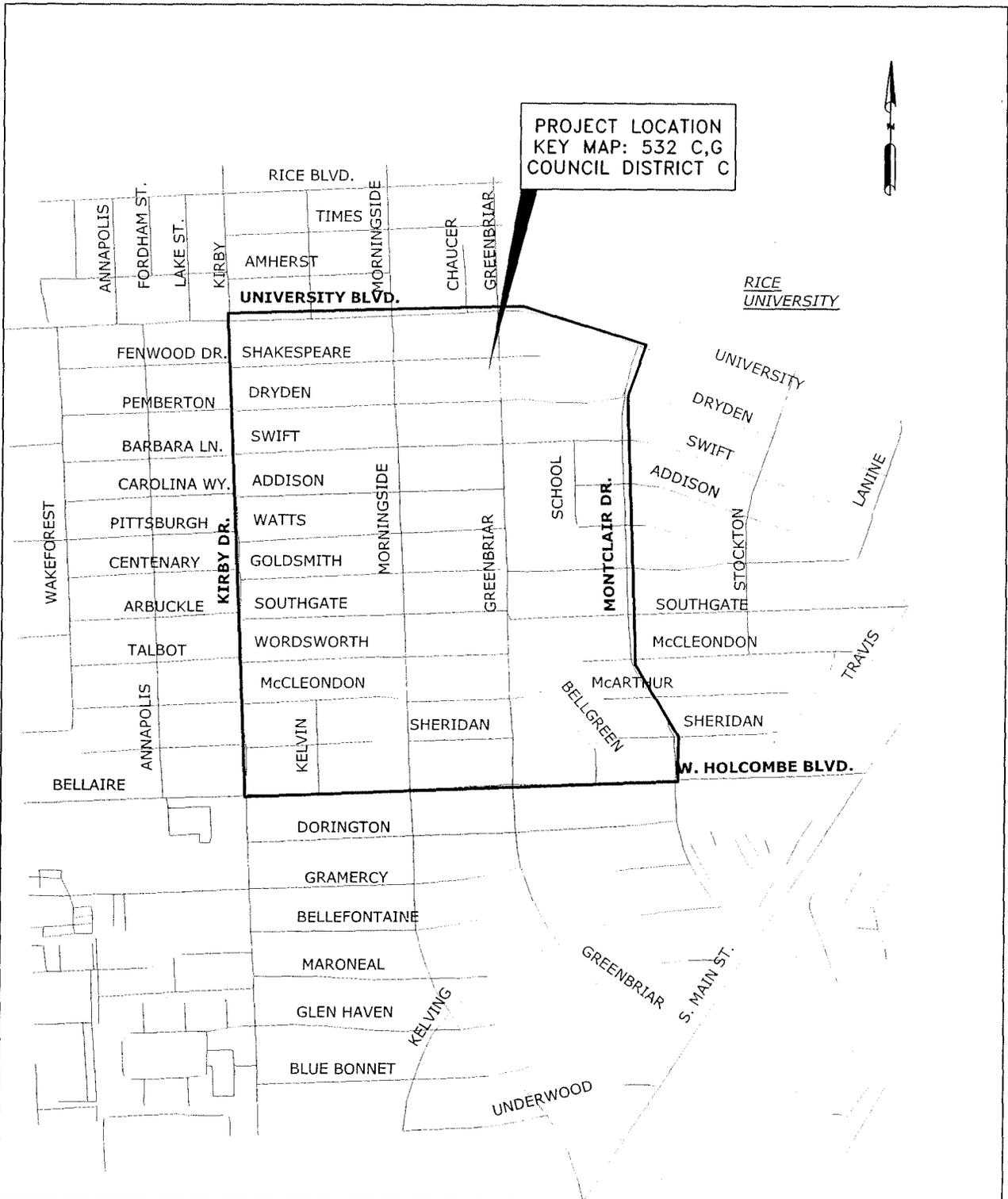
<u>WBE - Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
El Dorado Paving Company, Inc.	Paving	\$81,920.00	2.60%
Municipal Marketing System, Inc.	Pipe Supply	\$78,582.00	2.50%
TOTAL		\$160,502.00	5.10%

<u>SBE - Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
Environmental Allies, L.P.	Storm Water Pollution Prevention Plan	\$15,621.50	0.50%
Mickie Service Company, Inc.	Tapping Sleeve Installation	\$83,575.00	2.65%
TOTAL		\$99,196.50	3.15%

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

MSM: [Signature] MB: [Signature]
 MSM:DWK:RKM:HH:MB:JL:itj
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- c:** Marty Stein
 Velma Laws
 Susan Bandy
 Michael Ho, P.E.
 Craig Foster
 File Number S-000035-00B1-3 (3.7)



PROJECT LOCATION
KEY MAP: 532 C,G
COUNCIL DISTRICT C



CITY OF HOUSTON
DEPARTMENT OF PUBLIC WORKS AND ENGINEERING

WATER LINE REPLACEMENT
IN THE UNIVERSITY AREA
WBS NO. S-000035-00B1-3

PROJECT LOCATION MAP

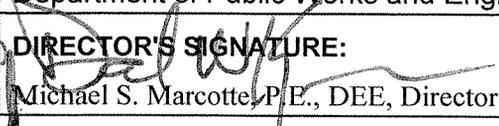
SCALE: NTS



3143 YELLOWSTONE BLVD
HOUSTON, TX 77054
TEL: (713) 747-2399 FAX: (713) 748-3748

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Ordinance amending Section 4620 of the City of Houston Building Code (Sign Code) to expand and revise the applications to establish a Retail and Entertainment District		Category #	Page 1 of 1	Agenda Item 6270
FROM (Department or other point of origin): Department of Public Works and Engineering		Origination Date 5-9-08	Agenda Date MAY 14 2008 MAY 28 2008	
DIRECTOR'S SIGNATURE:  Michael S. Marcotte, P.E., DEE, Director		Council District affected: 1		
For additional information contact: Andrew F. Icken Phone: (713) 837- 0510 Deputy Director		Date and identification of prior authorizing Council action:		

RECOMMENDATION: Adopt an ordinance amending Section 4620 of the Houston Building Code (Sign Code) to establish a Retail and Entertainment District in the downtown area.

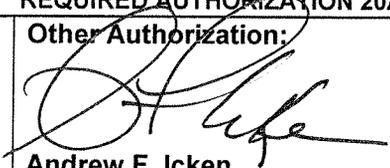
Amount and Source of Funding: N/A **F&A Budget:**

BACKGROUND:

In October 2008, the downtown area will open 360,000 additional square feet of shops, restaurants, and entertainment venues. This area, known as the Houston Pavilions, will complement and connect the existing facilities and attractions in the Theater, East Side Sports and Convention Districts. Illumination and informative signage have played a critical role in establishing connectivity in these districts. Because downtown was approved as a scenic district in 2002, the downtown area has greater restrictions on on-premise signage than most retail establishments in the city. In addition, the central business district has a height restriction of 42.5 feet for wall signs, which is different than in other parts of the city. In order to further provide direction, lighting and enhance the pedestrian experience downtown, the Downtown District has requested that the City incorporate a Retail and Entertainment District into 4620 of the Houston Sign Code. The revisions to Section 4620 will include:

- Expansion of the metes and bounds section to encompass Pavilions project in a new Retail/Entertainment District
- Allow height of wall sign to be no higher than retail space or 80 feet, whichever is less
- The size of a wall sign shall not exceed 50% of the total wall surface and the size of a ground or marquees shall not exceed 400 square feet, projecting signs shall not exceed 200 square feet
- Allow for direct illumination, similar to lighting at Rice Lofts, Toyota Center, Market Square Park and the Downtown Aquarium, provided that for wall signs, direct lighting shall not be used on more than 50% of the surface area of each sign, and the total square footage of direct lighting for wall signs shall not in the aggregate exceed 33 % of the of the total wall surface in the district;
- Direct illumination will only be allowed on retail space, not office or residential
- No direct lighting shall be used for ground or marquee signs in excess of 200 square feet in size
- Ground and marquee signs shall not exceed 400 square feet (consistent with current provisions of Section 4620) and projecting signs can be no more than 200 square feet (new provision)

The Department of Public Works and Engineering introduced these revisions to Section 4620 at the May 1 and 12, 2008 Quality of Life Committee Meetings. Comments and input were received and where appropriate have been incorporated into the proposed ordinance.

REQUIRED AUTHORIZATION 20AF108	
F&A Director:	Other Authorization:  Andrew F. Icken Deputy Director Planning and Development Services

70
MAY 14 2008

SECTION 4620--SPECIAL DISPLAY SIGNS AT CERTAIN FACILITIES

(a) **Definitions.** The following definitions shall apply to this section:

COUNTY COMPLEX shall mean a sports, convention, and entertainment complex of more than 300 acres of land owned by a county, with three or more buildings housing three or more venues that collectively attract more than 2,000,000 visitors per year.

COUNTY COMPLEX DISPLAY SIGN shall mean an on-premise sign at a county complex that displays automatically changing information, changes more often than once every five minutes, and advises viewers as to the name, time, sponsor or other information related to sports or other entertainment or convention events to be held at such county complex, provided that:

- (1) No change in illumination produces an apparent motion of the visual image, including, but not limited to, illusion of moving objects, moving patterns or bands of light, expanding or contracting shapes, rotation, scrolling, or any similar effect of animation;
- (2) No change of message or picture occurs more often than once every 3 seconds for those portions of a sign that convey date, time, and temperature information brief weather reports, or stock market quotations, more often than every 10 seconds for those portions of a sign that contain traffic or directional information, or more than once every 20 seconds for all other information on the sign;
- (3) No portion of the sign, as measured within any circular area of two feet in diameter, has a luminance greater than 200 foot-lamberts when all elements of the sign are fully and steadily illuminated; and
- (4) The authorized display sign shall not exceed 700 square feet in size and may be constructed as a stand-alone sign or as a contiguous component of a larger sign.

EAST SIDE SPORTS AND CONVENTION COMPLEX DISTRICT shall mean the area contained within the following metes and bounds description:

BEGINNING at the intersection of the center line of the right-of-way of Congress Avenue with the center line of the right-of-way of Hamilton Street,

Thence in a southwesterly direction along the center line of the right-of-way of Hamilton Street to its intersection with the center line of the right-of-way of Preston Avenue,

Thence in a southeasterly direction along the center line of the right-of-way of Preston Avenue to its intersection with the center line of the right-of-way of Bastrop Street,

Thence in a southwesterly direction along the center line of the right-of-way of Bastrop Street to its intersection with the center line of the right-of-way of Texas Avenue,

Thence in a northwesterly direction along the center line of the right-of-way of Texas Avenue to its intersection with the center line of the right-of-way of Hamilton Street,

Thence in a southwesterly direction along the center line of the right-of-way of Hamilton Street to its intersection with the center line of the right-of-way of Capitol Avenue,

Thence in a southeasterly direction along the center line of the right-of-way of Capitol Avenue to its intersection with the center line of the right-of-way of Chartres Street,

Thence in a southwesterly direction along the center line of the right-of-way of Chartres Street to its intersection with the center line of the right-of-way of Clay Avenue,

Thence in a northwesterly direction along the center line of the right-of-way of Clay Avenue to its intersection with the center line of the right-of-way of Jackson Street,

Thence in a southwesterly direction along the center line of the right-of-way of Jackson Street to its intersection with the center line of the right-of-way of Leeland Avenue,

Thence in a northwesterly direction along the center line of the right-of-way of Leeland Avenue to its intersection with the center line of the right-of-way of Labranch Street,

Thence in a northeasterly direction along the center line of the right-of-way of Labranch Street to its intersection with the center line of the right-of-way line of Polk Avenue,

Thence in a southeasterly direction along the center line of the right-of-way line of Polk Avenue to its intersection with the center line of the right-of-way of Crawford Street,

Thence in a northeasterly direction along the center line of the right-of-way of Crawford Street to its intersection with the center line of the right-of-way of Lamar Avenue,

Thence in a southeasterly direction along the center line of the right-of-way of Lamar Avenue to its intersection with the center line of the right-of-way of Avenida de las Americas,

Thence in a northeasterly direction along the center line of the right-of-way and then a projection of the center line of the right-of-way of Avenida de las Americas to its intersection with the center line of the right-of-way of Capitol Avenue,

Thence in a southeasterly direction along the center line of the right-of-way of Capitol Avenue to its intersection with the west right-of-way line of Hamilton Street,

Thence in a northeasterly direction along the west right-of-way line of Hamilton Street to its intersection with the center line of the right-of-way of Texas Avenue,

Thence in a northwesterly direction along the center line of the right-of-way of Texas Avenue to its intersection with the center line of the right-of-way of Crawford Street,

Thence in a northeasterly direction along the center line of the right-of-way of Crawford Street to its intersection with the center line of the right-of-way of Congress Avenue,

Thence in a southeasterly direction along the center line of the right-of-way of Congress Avenue to its intersection with the center line of the right-of-way of Hamilton Street to the Point of Beginning, including, without limitation, all air space above and all subsurface below said property and excluding Lots 1 through 5A of Block 164, of the City of Houston on the South Side of Buffalo Bayou.

NIT shall mean one candela per square meter (Cd/m²) of luminous intensity.

RETAIL AND ENTERTAINMENT DISTRICT shall mean the area contained within the following metes and bounds description:

BEGINNING at the intersection of the center line of the right-of-way of Main Street with the center line of the right-of-way of Dallas Avenue,

Thence in a southeasterly direction along the center line of the right-of-way of Dallas Avenue to its intersection with the center line of the right of way of Caroline Street.

Thence in a southwesterly direction along the center line of the right-of-way of Caroline Street to its intersection with the center line of the right of way of Polk Avenue.

Thence in a northwesterly direction along the center line of the right-of-way of Polk Avenue to its intersection with the center line of the right of way of Main Street.

Thence in a northeasterly direction along the center line of the right-of-way of Main Street to its intersection with the center line of the right of way of Dallas Street to the Point of Beginning, including, without limitation, all air space above and all subsurface below said property.

SPECIAL FACILITY shall mean an enclosed theater, sports, or convention/trade show venue, restaurant/entertainment venue, or retail venue, hotel or any combination thereof that is situated within the boundaries of the Theater District, the Retail and Entertainment District, or the East Side Sports and Convention Complex District upon land contained within the boundaries of any one or more of the districts as defined herein, including but not limited to land owned by a nonprofit organization or a governmental entity, provided that or a for-profit entity, provided that within the Theater District or the East Side Sports and Convention Complex District, the venue:

- (1) If a theater, seats at least 750 persons and is primarily used for live performances of a performing arts nature;
- (2) If a sports venue, seats at least 750 persons and is primarily used for professional sporting events;
- (3) If a restaurant/entertainment venue, includes one or more restaurants as well as one or more public amusement or educational features, such as carnival-type rides, zoological or horticultural exhibits or museum-type exhibits;
- (4) If either a restaurant/entertainment venue or a hotel, includes one or more ballrooms, special functions rooms, or banquet rooms that have a total combined seating capacity of 750 or more persons and are regularly made available for rent to the public with food catering for meetings, receptions, and other events; and

- (5) If a convention center complex, has over 1,500,000 gross square feet of space and is primarily used for convention/trade show functions.

A facility with a movable roof that closes shall be considered to be enclosed but parks and plazas that are not otherwise fully covered and enclosed shall not be.

SPECIAL FACILITY DISPLAY SIGN shall mean an on-premise sign that displays automatically changing information at a special facility that changes more often than once every five minutes and that displays only information regarding a performance or event at the special facility and associated sponsor information for the performance or event, provided that:

- (1) No change of displayed information may occur more often than once every 8 seconds. This requirement shall not preclude a display in the nature of a photograph or still video, provided that the display remains static between changes and changes at intervals of not less than 8 seconds;
- (2) The sign display remains static between changes and contains no blinking, rotating, moving, chasing, flashing, scrolling, glaring, strobe, scintillating, or spot lights or similar devices;
- (3) Any display of sponsor information shall be limited to identification of the sponsor by name or logo and shall be a part of a message text providing information about the sponsored performance or event; sponsorship information shall be integral to performance information and may not be displayed as a separate message. For purposes of the foregoing provision, a "logo" may be the sponsor's registered trademark or another symbol customarily used by the sponsor in its general advertising;
- (4) The sign shall be a ground sign, a marquee sign, or a wall sign;
 - a. Within the East Side Sports and Convention Complex District, the size of the sign if a wall sign shall not exceed 1000 square feet, and the size of the sign if a ground or marquee sign shall not exceed 250 square feet at convention center facility venues or 400 square feet at other types of venues;
 - b. Within the Theater District, the size of the sign if a ground or marquee sign shall not exceed 250 square feet, and the size of the sign if a wall sign shall not exceed 500 square feet;

- c. Within the Retail and Entertainment District, there shall be a single wall sign not to exceed 162 square feet in size;
- (5) The height of the sign shall not exceed the following, as applicable, when measured from the highest point on the sign to the grade level of the ambient ground surface:
- a. In the Theater District, wall signs may be up to 50 feet high;
 - b. In the East Side Sports and Convention Center Complex District, wall signs may be up to 50 feet high for convention center venues and up to 42½ feet high for other types of venues;
 - c. In the Theater District, ground or marquee signs may be up to 24 feet high;
 - d. In the East Side Sports and Convention Center Complex District, ground or marquee signs may be up to 24 feet high for convention center venues and up to 42½ feet high for other venues;
- (6) No portion of the sign, as measured within any circular area of two feet in diameter, shall have a luminance greater than 6000 nits when all elements of the sign are fully and steadily illuminated between the hours of sunrise and sundown, nor greater than 3500 nits when all elements of the sign are fully and steadily illuminated between the hours of sundown and sunrise; in addition to the foregoing brightness limitations, the sign shall be equipped with automatic brightness compensation features to adjust the brightness to compensate for sun angle and ambient light conditions and ensure that the sign is visible but not unnecessarily radiant;
- (7) No special facility display sign shall be placed so as to be visible from an elevation five feet above any travel lane of any freeway. This requirement shall not preclude visibility of the sign's cabinet or the sign's face, provided that the sign is at least 2000 feet distant or is at an oblique angle, in either case so that it is not practicably viewable and readable; and
- (8) In addition to providing information about its own performances and events, a live performing arts theater special facility's sign may also be utilized to provide information about live performing arts performances and events at another live performing arts theater situated in the same structure or contiguous complex of structures, including live performances and events at secondary theaters that may have fewer than 750 seats.

THEATER DISTRICT shall mean the area contained within the following metes and bounds description:

BEGINNING at a point at the intersection of the center line of the right-of-way of Interstate Highway 45 with the center line of the right-of-way of Franklin Avenue,

Thence in an easterly direction along the center line of the right-of-way of Franklin Avenue to its intersection with the center line of the southbound ramp to Interstate Highway 10, a continuation of Smith Street,

Thence in a southwesterly direction along the center line of the right-of-way of Smith Street to its intersection with the center line of the right-of-way of Prairie Avenue,

Thence in a southeasterly direction along the center line of the right-of-way of Prairie Avenue to its intersection with the center line of the right-of-way of Louisiana Street,

Thence in a southwesterly direction along the center line of the right-of-way of Louisiana Street to its intersection with the center line of the right-of-way of Texas Avenue,

Thence in a southeasterly direction along the center line of the right-of-way of Texas Avenue to its intersection with the center line of the right-of-way of Milam Street,

Thence in a southwesterly direction along the center line of the right-of-way of Milam Street to its intersection with the center line of the right-of-way of Capitol Avenue,

Thence in a northwesterly direction along the center line of the right-of-way of Capitol Avenue to its intersection with the center line of the right-of-way of Smith Street,

Thence in a southwesterly direction along the center line of the right-of-way of Smith Street to its intersection with the center line of the right-of-way of Walker Avenue,

Thence in a northwesterly direction along the center line and then a projection of the center line of Walker Avenue to its intersection with the center line of the right-of-way of Interstate Highway 45,

Thence in a northeasterly direction along the center line of the right-of-way of Interstate 45 to its intersection with the center line of the right-of-way of Franklin Avenue, the point of Beginning, including, without limitation, all air space above and all subsurface below said property.

(b) Notwithstanding any provision of this code governing spectacular signs or the use of motion picture machines to the contrary, county complex display signs and special facility display signs shall be authorized in the manner defined in this section. The number of county complex display signs authorized under this section shall not exceed three per county complex. The number of special facility display signs authorized under this section in the Retail and Entertainment District shall be limited to only one (1), which shall be a wall sign. Otherwise, the number of special facility display signs authorized under this section shall not exceed two per special facility, except that a convention center complex with over 1,500,000 gross square feet of space may have a maximum of eight signs to include not more than seven ground or marquee signs and one wall sign. A hotel that is associated with a convention center complex may have two special facility display signs in addition to those otherwise authorized for the convention center complex.

With respect to special facilities, the provisions of the foregoing paragraph are not intended to allow more than the number of signs authorized therein to be placed for or upon any structure or attached and contiguous complex of structures even if the structure or structures contain two or more venues that constitute special facilities.

Exception: Where the special facility venues do not share the same primary lobby or have contiguous lobbies and the primary public entrances to the primary lobbies of the venues are on different streets or different block faces of the same street, then each special facility venue may have the number of special facility display signs authorized in this subsection.

(c) The Sign Administrator shall have the right to revoke the permit for any county complex display sign or special facility display sign that is erected or utilized in any manner that is inconsistent with this section or any other provision of this code. Any such revocation shall be subject to the sign owner's rights under this code, including appeals to the General Appeals Board and City Council, as provided in Section 4604. Upon revocation of the permit for any sign governed by this section and conclusion of any appeals that may be timely initiated as authorized in Section 4604, or upon expiration of the permit if not timely renewed, the owner of the sign shall cause the sign to be removed from the county complex or special facility within 30 days. If the owner fails to timely remove the sign, the Sign Administrator shall have the right to enter upon the property upon which the sign is situated and remove the sign at the permit holder's sole risk and expense. The Sign Administrator and his contractors or agents shall exercise reasonable care, consistent with standard construction practices, in removing the sign, but shall not be responsible for any consequential damage to the sign or the special facility or county complex that is caused by the removal process. Each permit for a special facility sign or

county complex display sign shall be secured by a right of entry agreement executed by the owner of the property (if not the City or political subdivisions of the State of Texas such as counties) and any lessees and other persons having a right of possession, control, or use of the property upon which the sign will be situated. If the sign and the property upon which it is situated are not also under the ownership, operation, and control of the City or political subdivisions of the State of Texas such as counties, then the permit shall additionally be secured by a removal bond executed by the sign operator as principal and a corporate surety authorized to transact business in Texas. The amount of the bond shall be equal to one and one-half times the cost of removing the sign as estimated by the Sign Administrator and the penal condition of the bond shall be that the surety will cause the sign to be removed or reimburse the City for the expense thereof, at the City's option, if the sign is not timely removed by the principal as required by this subsection. All bonds and agreements required under this subsection shall be in a form approved by the City Attorney. Where the same person or persons hold permits for two or more signs, the agreement and bond may be combined.

(d) Save and except for the special facility display sign located in the Retail and Entertainment District, which shall be governed by the other provisions of this Section 4620, and save and except for signage on the office tower located in the Retail and Entertainment District, the following provisions shall apply to signs located in the Retail and Entertainment District:

- (1) The limitations of Section 4611(c)(3) shall not apply, provided:
 - a. For wall signs, direct lighting shall not be used to illuminate more than fifty-percent (50%) of the total surface area of any given wall, and the total square footage of wall signs illuminated by direct lighting shall not in the aggregate exceed thirty-three percent (33%) of the total outer wall surface in the district, excluding the outer wall surface of the office tower;
 - b. No direct lighting shall be used for ground or marquee signs in excess of 200 square feet in size.
- (2) The size of any wall sign shall not exceed 1000 square feet, the size of any ground or marquee sign shall not exceed 400 square feet, and the size any of projecting sign shall not exceed 200 square feet.
- (3) The maximum height above grade for wall signs and projecting signs for each respective business shall not exceed the maximum ceiling height of that portion of the building used for that business and approved for retail use under the City of Houston Building Code, or eighty (80) feet, whichever is lower.

City of Houston, Texas, Ordinance No. 2008-_____

AN ORDINANCE AMENDING SECTION 4620 OF THE CITY OF HOUSTON BUILDING CODE ("THE HOUSTON SIGN CODE"), TO EXPAND AND REVISE THE APPLICATION OF THE PROVISIONS THEREOF CURRENTLY APPLYING TO THE EAST SIDE SPORTS AND CONVENTION COMPLEX DISTRICT AND THE THEATER DISTRICT TO INCLUDE A RETAIL AND ENTERTAINMENT DISTRICT; CONTAINING OTHER PROVISIONS RELATING TO THE FOREGOING SUBJECT; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE; AND DECLARING AN EMERGENCY.

WHEREAS, the development of retail venues is a central element in the vision of the Houston Downtown Development Framework Plan prepared by the Houston Downtown Management District; and,

WHEREAS, illuminated and informative signage in the context of the concentrated Downtown Houston urban setting plays a critical role in establishing connectivity by providing direction and lighting for pedestrians and enhancing the pedestrian experience without adversely affecting traffic; and,

WHEREAS, the positive impact of such Downtown signage and associated lighting in a controlled and concentrated environment as authorized under Section 4620 of the Houston Sign Code is illustrated by the success of the Theater District and the adjacent East Side Sports and Convention Complex District; and,

WHEREAS, the Houston Downtown Management District has forwarded a letter to the Mayor recognizing the pending opening of the Houston Pavilions as Downtown Houston's third sizeable retail development encompassing one or more Downtown city blocks; and,

WHEREAS, the Houston Downtown Management District has in the same letter proposed amendment of Section 4620 of the Houston Sign Code to create a Retail and Entertainment District encompassing the new Houston Pavilions development implementing sign and sign illumination controls similar to those applicable to the existing adjacent Theater District and East Side Sports and Convention Complex District; **NOW, THEREFORE,**

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

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

Section 2. That Subsection (a) of Section 4620 of Chapter 46 of that volume of the City of Houston Construction Code known as the Building Code (the "Sign Code"), is hereby amended by adding, in the appropriate alphabetical order position, a definition of the term **RETAIL AND ENTERTAINMENT DISTRICT** to read as follows:

"RETAIL AND ENTERTAINMENT DISTRICT shall mean the area contained within the following metes and bounds description:

BEGINNING at the intersection of the center line of the right-of-way of Main Street with the center line of the right-of-way of Dallas Avenue,

Thence in a southeasterly direction along the center line of the right-of-way of Dallas Avenue to its intersection with the center line of the right of way of Caroline Street,

Thence in a southwesterly direction along the center line of the right-of-way of Caroline Street to its intersection with the center line of the right of way of Polk Avenue,

Thence in a northwesterly direction along the center line of the right-of-way of Polk Avenue to its intersection with the center line of the right of way of Main Street,

Thence in a northeasterly direction along the center line of the right-of-way of Main Street to its intersection with the center line of the right of way of Dallas Street to the Point of Beginning, including, without limitation, all air space above and all subsurface below said property."

Section 3. That Subsection (a) of Section 4620 of the Sign Code is hereby amended by revising the introductory paragraph of the definition of the term **SPECIAL FACILITY** to read as follows:

"SPECIAL FACILITY shall mean an enclosed theater, sports, or convention/trade show venue, restaurant/entertainment venue, retail venue, hotel or any combination thereof that is situated within the boundaries of the Theater District, the Retail and Entertainment District, or the East Side Sports and Convention Complex District upon land contained within the boundaries of any one or more of the districts as defined herein, including

but not limited to land owned by a nonprofit organization, a governmental entity, or a for-profit entity, provided that within the Theater District or the East Side Sports and Convention Complex District, the venue:"

Section 4. That item (4) of the definition of the term **SPECIAL FACILITY DISPLAY**

SIGN in the Sign Code is hereby amended to read as follows:

- "(4) The sign shall be a ground sign, a marquee sign, or a wall sign:
- a. Within the East Side Sports and Convention Complex District, the size of the sign if a wall sign shall not exceed 1000 square feet, and the size of the sign if a ground or marquee sign shall not exceed 250 square feet at convention center facility venues or 400 square feet at other types of venues;
 - b. Within the Theater District, the size of the sign if a ground or marquee sign shall not exceed 250 square feet, and the size of the sign if a wall sign shall not exceed 500 square feet;
 - c. Within the Retail and Entertainment District, there shall be a single wall sign not to exceed 162 square feet in size;"

Section 5. That Item (5) of the definition of the term **SPECIAL FACILITY DISPLAY**

SIGN in the Sign Code is hereby amended by adding a new Subitem e that reads as follows:

- "e. In the Retail and Entertainment District, the maximum height above grade for the single special facility display sign shall not exceed 42½ feet;"

Section 6. That the first paragraph of Subsection (b) of Section 4620 of the Sign

Code is hereby amended to read as follows:

"(b) Notwithstanding any provision of this code governing spectacular signs or the use of motion picture machines to the contrary, county complex display signs and special facility display signs shall be authorized in the manner defined in this section. The number of county complex display signs authorized under this section shall not exceed three per county complex. The number of special facility display signs authorized under this section in the Retail and Entertainment District shall be limited to only one (1), which shall

be a wall sign. Otherwise, the number of special facility display signs authorized under this section shall not exceed two per special facility, except that a convention center complex with over 1,500,000 gross square feet of space may have a maximum of eight signs to include not more than seven ground or marquee signs and one wall sign. A hotel that is associated with a convention center complex may have two special facility display signs in addition to those otherwise authorized for the convention center complex.”

Section 7. That a new Subsection (d) is hereby added to Section 4620 to read as follows:

“(d) Save and except for the special facility display sign located in the Retail and Entertainment District, which shall be governed by the other provisions of this Section 4620, and save and except for signage on the office tower located in the Retail and Entertainment District, the following provisions shall apply to signs located in the Retail and Entertainment District:

- (1) The limitations of Section 4611(c)(3) shall not apply, provided:
 - a. For wall signs, direct lighting shall not be used to illuminate more than fifty-percent (50%) of the total surface area of any given wall, and the total square footage of wall signs illuminated by direct lighting shall not in the aggregate exceed thirty-three percent (33%) of the total outer wall surface in the district, excluding the outer wall surface of the office tower;
 - b. No direct lighting shall be used for ground or marquee signs in excess of 200 square feet in size.
- (2) The size of any wall sign shall not exceed 1000 square feet, the size of any ground or marquee sign shall not exceed 400 square feet, and the size any of projecting sign shall not exceed 200 square feet.
- (3) The maximum height above grade for wall signs and projecting signs for each respective business shall not exceed the maximum ceiling height of that portion of the building used for that business and approved for retail use under the City of Houston Building Code, or eighty (80) feet, whichever is lower.”

Section 8. All provisions of the Sign Code and Ordinance No. 2007-1197 not inconsistent with the provisions herein shall apply to signs located in the Retail and Entertainment District.

Section 9. That, if any provision, section, subsection, sentence, clause, or phrase of this Ordinance, or the application of same to any person or set of circumstances, is for any reason held to be unconstitutional, void or invalid, the validity of the remaining portions of this Ordinance or their application to other persons or sets of circumstances shall not be affected thereby, it being the intent of the City Council in adopting this Ordinance that no portion hereof or provision or regulation contained herein shall become inoperative or fail by reason of any unconstitutionality, voidness or invalidity of any other portion hereof, and all provisions of this Ordinance are declared to be severable for that purpose.

Section 10. That there exists a public emergency requiring that this Ordinance be passed finally on the date of its introduction as requested in writing by the Mayor; therefore, this Ordinance shall be passed finally on such date and shall take effect immediately upon its passage and approval by the Mayor.

PASSED AND APPROVED this ___ day of _____, 2008.

Mayor of the City of Houston

Prepared by Legal Dept.
LWS:asw 05/09/2008
Requested by
L.D. No.



Senior Assistant City Attorney

#10
5/14/08



The Honorable James Rodriguez
Council Member District 1
City of Houston
P.O. Box 1562
Houston, Texas 77215-1562

Dear Council Member Rodriguez,

On behalf of Crescent Real Estate Equities, LLC, please allow me to express our opinion with regard to the request by the Houston Pavilions Project to seek revisions to the Houston Sign Code.

Crescent Real Estate would like to offer the following letter of support. While we are not completely familiar with specifics of the requested variance, Crescent supports modifications that would allow:

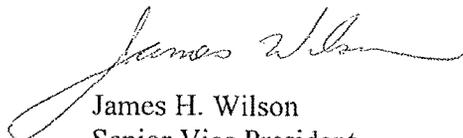
1. Reasonable increases in the allowable maximum height for on-site premises signs commensurate with retail building elevations.
2. A "Special Facility Display" sign with reasonable increases in message change frequency more often than every five minutes for performances at venues in the complex.
3. Allowance for direct illumination for on premise signs that is common in many other places in downtown and grandfathered when the scenic district was approved in 2002 including Bayou Place and the Post Rice Lofts.

Without having detailed knowledge of the exact requested changes, we favor consideration of modifications of this nature. As the owner of the Shops at Houston Center, Crescent has long struggled with being able to communicate the nature of retail availability to CBD visitors. We believe the Pavilions will have similar difficulties in communicating their offering unless modifications are allowed.

We believe these modifications should be considered and would welcome future dialogue with regard to Crescent's needs of the same nature. It is our believe that judicious flexibility in these Ordinances can help downtown retail including the Houston Pavilions and at the same time assist in furthering an already improved district that has been greatly enhanced by the excitement of the recently opening of the Discovery Green Park. Downtown business and the George R. Brown Convention Center will benefit from a healthy retail sector.

We hope consideration will be given to the requested modifications as a positive influence to this area of the CBD.

Sincerely,

A handwritten signature in cursive script that reads "James H. Wilson". The signature is written in black ink and is positioned above the printed name.

James H. Wilson
Senior Vice President
Property Management

JHW/kw



Public Relations and Special Events

Macy's South Regional Office
1110 Main St., 6th Floor
Houston, TX 77002

~~#10~~
5/14/08

May 7, 2008

James Rodriguez
Councilmember, District I
City of Houston
Post Office Box 1562
Houston, Texas 77251-1562

Dear Councilmember Rodriguez:

On behalf of Macy's, a long-time downtown stakeholder, please accept this *letter of support* for the proposed revisions to the Houston Sign Code for the Houston Pavilions project.

We cannot express the importance of this project in relation to the growth and continued success of Macy's downtown. The addition of 360,000 square feet of shops, restaurants and entertainment venues will, finally, complete Main Street Square and position the area as downtown Houston's much needed and anticipated retail destination. Located in the heart of downtown, this area will also serve to connect the booming east side of downtown that includes our sports venues, convention center and the new Discovery Green Park to the already established Theater and Skyline Districts.

Signage, both exterior and interior, is a critical component for all retailers. It communicates the retailers' name and brand, but more importantly, sets the tone of the customer's retail experience. The signage being proposed for House of Blues, Lucky Strike Lanes and others is not only appropriate for those retailers, but will also create streetscape excitement and vitality.

In regards to the sign code modifications, visibility of signage is important to guide visitors and customers to the Pavilions from various points, particularly points located along the convention corridor. With this being said, since we are located in an urban environment, height restrictions may need to be reviewed and modified when necessary.

Signage that includes direct illumination is now attractively incorporated into contemporary signage in retail and entertainment projects across the country. Giving retailers the ability to express their brand using direct illumination can only enhance the excitement of a project and the surrounding environment, especially if the project is upholding best of class standards for architecture and signage.

Concerning Special Facility Display Signs, our comment is only that it is being used in the Theater District and other areas of downtown, so why not apply it to this mixed-use entertainment venue?

We look forward to the opening of the Houston Pavilions and are confident that the synergy created between the Pavilions and Macy's will be dynamic. A strong retail "core" will add an element to the downtown Houston experience that has long been missing.

As always, we appreciate everything you are doing for downtown. Please don't hesitate to contact me with any questions.

Best regards,

A handwritten signature in black ink, appearing to read "Ed Smith". The signature is stylized and cursive.

Ed Smith
Regional Vice President,
PR, Special Events, Community Affairs & Visitor Services
Macy's
(713) 405-6716
ed.smith@macys.com

cc: Houston Downtown Management District

May 7, 2008

James Rodriguez
Council Member, District I
City of Houston
Post Office Box 1562
Houston, Texas 77251-1562

Dear Council Member Rodriguez:

The Greater Houston Convention and Visitors Bureau (GHCVB) is the primary sales and marketing arm of the city of Houston and Harris County. The mission of the GHCVB is to improve the economy of Greater Houston by attracting conventions, tourists, film projects and international government officials to the area through sales and marketing efforts.

Today's industry is more competitive than ever and the GHCVB is working diligently to position Houston as a top-tier marketplace for tradeshow, meetings and conventions *and* also as a tourist destination. Downtown is a critical component of our positioning strategy with over 1 million annual visitors to the George R. Brown Convention Center and convenient access via METRORail to Reliant Center.

When visitors come into a city, particularly for a convention or tradeshow, they are without transportation so it is very important that there is a variety of things to do and places to go within walking distance. While our sports venues and Theater District have been a wonderful amenity for our visitors, a critical mass of shopping, dining and entertainment has been missing—a void that will be filled by the Houston Pavilions project.

Three blocks of concrete are being transformed into a visitor's paradise with something for everyone. No longer will the downtown Houston conventioneer or visitor wander the streets looking for something to do, particularly during the daytime hours. The project will create excitement and vitality from a visual standpoint with sidewalk cafes, retail windows, innovative skywalks and eye-popping signage.

A priority for the Downtown District, one that we support entirely, is the connecting of downtown experiences and destinations. This is the first step—connecting 14 blocks, what we are calling the "convention corridor"—through development, landscaping and signage. We want someone to be able to travel by sight from destination to destination. It is important to have signage for visitors unfamiliar with the city to find their destination, as well as do it as comfortably as possible which may mean bigger signs. If signage is not visible from down the street because of the existing downtown environment then modifications may need to be made. We want to stress that our desire is not to create

Greater Houston Convention and Visitors Bureau
901 Bagby, Suite 100, Houston, Texas 77002 • 1.800.4HOUSTON • tel 713.437.5200 • fax 713.227.6336
www.VisitHoustonTexas.com

Host City: NCAA Men's Final Four 2011
Houston • Dallas • Chicago • Washington, DC • Mexico City • Hanover, Germany • Tokyo, Japan

Council Member James Rodriguez
May 7, 2008
Page 2

another "Times Square" but an area that is hustling and bustling with constant activity but at the same time is appropriately designed for our urban landscape.

We feel that this development, along with the new Discovery Green Park, will serve as a catalyst for additional development in the downtown area—development that, without a doubt, will not only better serve those that live and work downtown but people from all over the world that visit this great city. Both projects have created tremendous buzz in our industry and we are already seeing the benefits.

On behalf of GHCVB please accept this *letter of support* for the proposed revisions to the Houston Sign Code for the Houston Pavilions project. We hope that they will be strongly considered by you and City Council.

As always, we appreciate everything you are doing for the City of Houston. Please do not hesitate to contact me with any questions.

Cordially,



Greg D. Ortale
President and CEO
Greater Houston Convention and Visitors Bureau

cc: Houston Downtown Management District

#10
5/14/08

HOUSTON DOWNTOWN MANAGEMENT DISTRICT
300 Fanning, Suite 1070 Houston, Texas 77002
Phone: 713.050.3022 Fax: 713.050.1483

March 12, 2008

Mr. Andrew F. Icken
Deputy Director
City of Houston Public Works and Engineering
611 Walker, 18th Floor
Houston, Texas 77002

Dear Andy:

As you know, the Houston Pavilions will open in October 2008 bringing 360,000 additional square feet of shops, restaurants, and entertainment venues to Downtown Houston; further complementing and connecting the existing retailers and attractions in the Theater District and the East Side Sports District.

As per the vision of the Houston Downtown Development Framework Plan, the cultivation of retail in Downtown Houston is essential in creating a successfully diverse urban center and a sustainable community. Just as within the Theater District and the East Side Sports and Convention Center Complex District as provided for in Section 4620 of the Houston Sign Code, illuminated and informative signage plays a critical role in establishing connectivity by providing direction, lighting, and enhancing the pedestrian experience. It is for this purpose that the Houston Downtown Management District (HDMD) requests the incorporation of a Retail/Entertainment District into Section 4620 of the Houston Sign Code.

We propose boundaries for the SPECIAL RETAIL/ENTERTAINMENT DISTRICT to be contained within the following metes and bounds description:

BEGINNING at the intersection of the center line of the right-of-way of Main Street with the center line of the right-of-way of Dallas Avenue,

Thence in a southeasterly direction along the center line of the right-of-way of Dallas Avenue to its intersection with the center line of the right of way of Austin Street,

Thence in a southeasterly direction along the center line of the right-of-way of Austin Street to its intersection with the center line of the right of way of Polk Avenue,

Thence in a northwesterly direction along the center line of the right-of-way of Polk Avenue to its intersection with the center line of the right of way of Main Street,

Thence in a northwesterly direction along the center line of the right-of-way of Main Street to its intersection with the center line of the right of way of Dallas Street to the

Point of Beginning, including, without limitation, all air space above and all subsurface below said property.

We recommend increasing the maximum height limit for wall and projecting signs in the Special Retail/Entertainment District, from 42 ½ feet, to no higher than the ceiling height of publicly accessible commercial space within the building, or the roof line of the building, if all floors are publicly accessible commercial space.

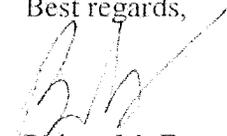
We recommend the allowance of a “Special Facility Display Sign” as described in Section 4620 in the Special Retail/Entertainment District, which permits on-premise signage that displays automatically changing information more often than once every five minutes regarding a performance or event at the facility.

Further, we recommend the allowance of direct illumination within the Special Retail/Entertainment District. Bayou Place, Post Rice Lofts, Downtown Aquarium, Toyota Center, and Market Square Park are just a few locations in Downtown Houston where direct illumination improves the vibrancy of the area and contributes to the success of the establishments.

The Houston Pavilions has been designed to be a pedestrian friendly project; a central courtyard and people-friendly streetscapes will allow for alfresco dining and window-shopping. Additionally, HDMD will soon begin a significant street improvement project along Dallas Avenue, which will also enhance the pedestrian experience by widening sidewalks, improving lighting, and planting trees, making Dallas Avenue a key pedestrian corridor. The incorporation of the Retail/Entertainment District into Section 4620 of the Houston Sign Code, encompassing the recommendations made in this letter, is needed to ensure the success of the Houston Pavilions as a vibrant icon for Downtown Houston.

We look forward to working closely with the City to expedite the incorporation of the Special Retail/Entertainment District into Section 4620 of the Houston Sign Code.

Best regards,



Robert M. Eury
Executive Director

cc: William E. Denton, Houston Pavilions, LLP

Attachment

Central Houston

Central Houston, Inc.
909 Fannin, Suite 1050
Houston, Texas 77010
(713) 650-1420
FAX (713) 650-1154

Chair
Douglas L. Foshee

President
Robert M. Eury

Board of Directors

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Jack S. Blanton
Alan R. Buckwalter, III
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Geoff Leung

Secretary
Mary B. Gibbs

Treasurer
Michael O. Walker

May 12, 2008



Council Member Sue Lovell
Chair, Quality of Life Committee
City of Houston
P.O. Box 1562
Houston, Texas 77251

Dear Council Member Lovell:

On behalf of the Executive Committee of Central Houston, I want to communicate to you and your Council colleagues our strong support for the proposed amendments to the Houston Sign Code to allow more effective signage for the Houston Pavilions. It is extremely important to increase the success factors for this key part of the Dallas Street "convention corridor." Well-designed, state of the art signage is one such factor.

We understand in discussions at recent Quality of Life Committee meetings references have been made to the intent in 2002 to create the Downtown Scenic District. At the time stakeholders through Central Houston felt strongly about restricting more billboards on downtown's perimeter freeways. However, at that time stakeholders recognized that further changes to the code would be required to better address downtown's retail signage. With the Pavilions proposal, we are pleased that there is an opportunity to begin to address this matter. We would be quite willing to work on future code modifications to make it more effectively address contemporary signage needs.

Sincerely,


Douglas L. Foshee
Chair

Me: Mayor and Council Members

Jefferson, Pat - CSC

From: Stein, Marty - MYR
Sent: Monday, May 12, 2008 4:33 PM
To: Aizpurua, Monica - CNL; Appel, Madeleine - CTR; Brown, Chris - CNL; Douglass, Tim - CNL; Evans, Janice - CTR; Flores, Veronica - CNL; Garces, Graciana - CNL; Greenspan, Jerome - CNL; Haller, Karen - CNL; Hernandez, Benjamin - CNL; Jefferson, Pat - CSC; Jones, Previn - CNL; Layton, Linda - CNL; Leach, Ryan - CNL; Mattox, Damon - CNL; Moreno, Karina - CNL; Newport, Jonathan - CNL; Nobles, Shannan - CNL; Sauter, Rhonda - CNL; Weesner, Sherry - CNL; Yancy, Amy - CNL
Cc: Norman, Gary - PWE; Brewer, Nancy - PWE; 'carolyn.feibel@chron.com'; Crinejo, Marta - MYR; Kelly, Karen - MYR; Ortega, Stella - MYR
Subject: Agenda Backup #10 visual of Lucky Strike and House of Blues Signage
Attachments: example of house of blues.JPG; example of lucky strike.JPG

Attached find "mock ups" of House of Blues and Lucky Strike.

Marty Stein
 City Council Agenda Director
 Office of Mayor Bill White
 901 Bagby
 Houston, TX 77002
 office: 832-393-1095
 fax: 713-247-2018

If you would like to receive periodic emails from Mayor Bill White and the City of Houston on topics of interest to you or your neighborhood, please go to www.houstontx.gov <<http://www.houstontx.gov>> and register with CitizensNet.

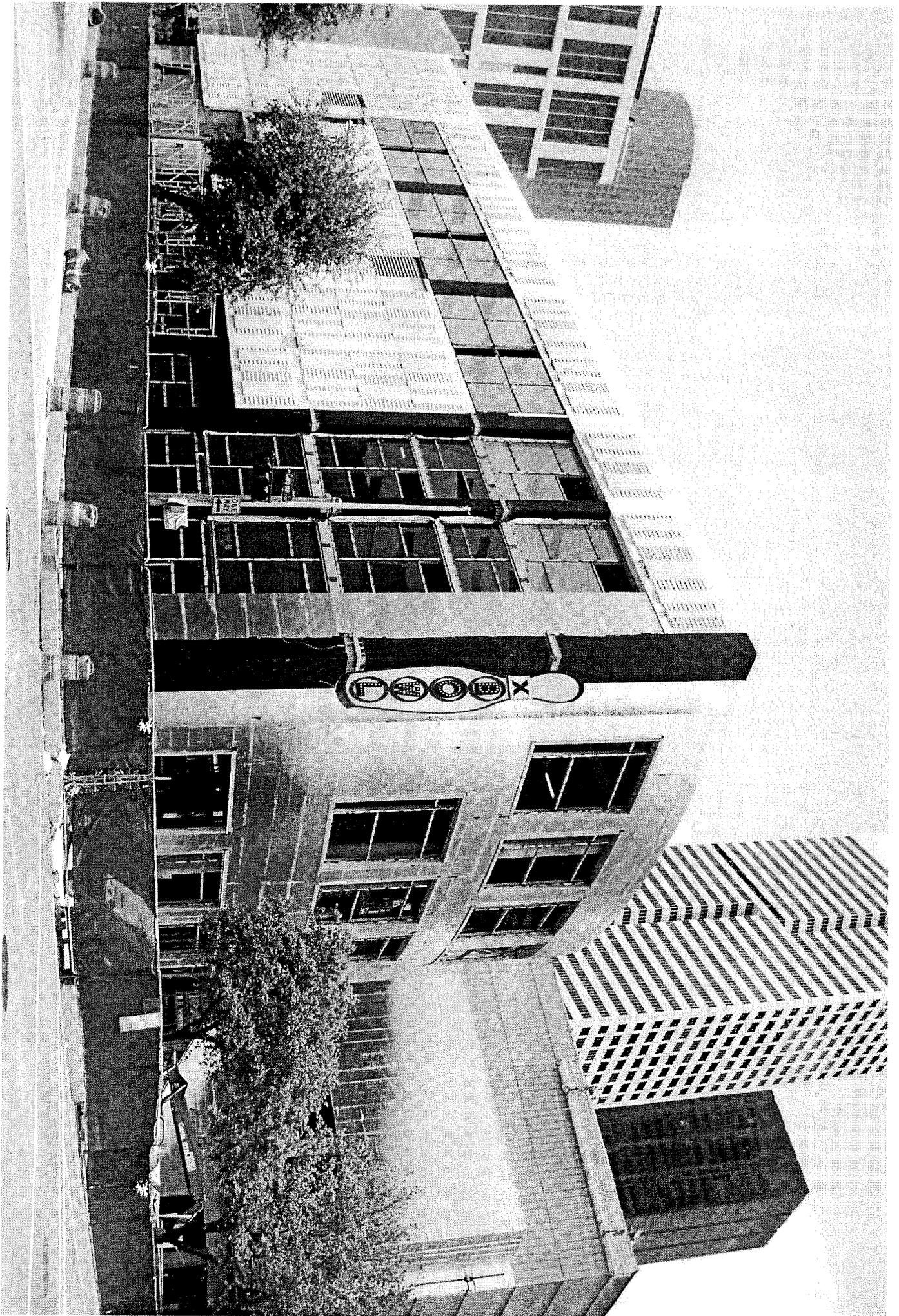
-----Original Message-----

From: Brewer, Nancy - PWE
Sent: Monday, May 12, 2008 4:24 PM
To: Stein, Marty - MYR; Icken, Andy - PWE
Cc: McMillian, Susan - PWE
Subject: visual of Lucky Strike and House of Blues Signage

Here are the first 2 examples - we will have more shortly.

Nancy
 Nancy Brewer Flores
 Planning and Development Services
 Public Works and Engineering
 (713) 837-0322





REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA #

SUBJECT:

Contract for legal services with Feldman & Rogers, L.L.P. for legal representation in the defense of a lawsuit filed against the City of Houston, the Houston Police Dept. and Harold Hurtt in *Shelby Stewart, et al. v. City of Houston, et al.*

Category #

Page 1 of

1

Agenda Item#

63 19

FROM: (Department or other point of origin):

Legal Department

Origination Date

4/25/08

Agenda Date

~~MAY 14 2008~~

MAY 28 2008

DIRECTOR'S SIGNATURE:

Arturo G. Michel, City Attorney

Council Districts affected:

ALL

For additional information contact: Constance Acosta
Phone: (832) 393-6305

Date and identification of prior authorizing Council Action: None

RECOMMENDATION: (Summary)

That Council approve an ordinance authorizing a contract for professional legal services with Feldman & Rogers, L.L.P. in connection with the lawsuit filed against the City of Houston, the Houston Police Department and Chief Harold Hurtt in the case of *Shelby Stewart, et al. v. City of Houston, et al.*

Amount of Funding:
\$150,000.00 maximum; initial allocation for \$75,000.00

F & A Budget:

SOURCE OF FUNDING: General Fund Grant Fund Enterprise Fund **Property & Casualty Fund (1004)**

SPECIFIC EXPLANATION:

The City and Chief Hurtt have been sued by four (4) African American officers under Title VII. The plaintiffs allege that HPD's grooming policy requiring that officers be beardless disparately impacts African American officers because they claim shaving causes adverse skin reactions.

Feldman & Rogers, L.L.P. is a recognized and highly experienced litigation firm. Named partner David Feldman is himself a very experienced and respected civil rights defense attorney whose clients include various governmental entities. David M. Feldman, as well as his co-counsel, Clay T. Grover, are experienced labor and employment attorneys. They bring considerable experience to this appeal defense.

The contract is for a maximum amount of \$150,000.00 with an initial allocation of \$75,000.00.

REQUIRED AUTHORIZATION

Finance Director:

SUBJECT: Award Construction Contract The Gonzalez Group, LP Forestry Complex Relocation WBS No. F-504A17-0001-4	Page 1 of 2 64	Agenda Item 27
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FROM (Department or other point of origin): General Services Department	Origination Date 5-8-08	Agenda Date MAY 14 2008 MAY 28 2008
-----------------------------------------------------------------------------------	-----------------------------------	-------------------------------------------------------------

DIRECTOR'S SIGNATURE:  Issa Z. Dadoush, P.E.	Council District affected: A
-----------------------------------------------------------------------------------------------------------------------------------------	----------------------------------------

For additional information contact: Jacquelyn L. Nisby  Phone: 713-247-1814	Date and identification of prior authorizing Council action:
------------------------------------------------------------------------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------

RECOMMENDATION: Award construction contract and appropriate funds for the project.

Amount and Source of Funding: \$ 2,214,735.00 - Parks Consolidated Construction Fund (4502)	Finance Budget: <i>MWS</i> 
-------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------

SPECIFIC EXPLANATION: The General Services Department (GSD) recommends that City Council award a construction contract to The Gonzalez Group, LP on the proposal amount of \$2,013,801.00 to provide construction services for the Forestry Complex Relocation for the Houston Parks and Recreation Department (HPARD).

PROJECT LOCATION: 12025 Sowden Rd. (454D)

PROJECT DESCRIPTION: The scope of work includes renovation of the former Public Works and Engineering maintenance facility to house both HPARD's Forestry Division and the Langwood Maintenance Facility. The construction project will convert an existing warehouse facility into new offices, meeting rooms, restroom/shower/locker facilities for employees and storage facilities for maintenance equipment. The site renovations will include a new fueling station, parking lot improvements, maintenance shops, garages for maintenance vehicles, painting existing structures, site lighting and security fencing.

The contract duration for this project is 240 days. Parsons-3D/I is the design consultant and construction manager for the project.

PROPOSALS: On December 7 and December 14, 2007, GSD advertised a Request for Competitive Sealed Proposals containing selection criteria that ranked the respondents on price, experience, references, sub-contractors and schedule. The Competitive Sealed Proposals were due on January 24, 2008, and five firms responded. GSD evaluated the respondents and The Gonzales Group, LP received the most points and offers the best value for the City based on the advertised criteria.

REQUIRED AUTHORIZATION		CUIC ID # 25PARK21
General Services Department:  Phil Golembiewski, P.E. Chief of Design & Construction Division	Houston Parks and Recreation Department: <i>MDT</i>  Joe Turner Director	

Date	SUBJECT: Award Construction Contract The Gonzalez Group, LP Forestry Complex Relocation WBS No. F-504A17-0001-4	Originator's Initials CP	Page 2 of 2
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PROPOSALS CONT: The five proposals were ranked as follows:

Proposer

1. The Gonzalez Group, LP
2. Times Construction, Inc.
3. Carrera Construction, Inc.
4. Resicom, Inc.
5. Apache Services, Inc.

AWARD: It is recommended that City Council award the construction contract to The Gonzalez Group, LP and appropriate funds for the project, including additional appropriations of \$14,657.43 for engineering testing services under the existing contract with Raba-Kistner Consultants, Inc. and \$50,345.00 for construction management services under the existing contract with Parsons-3D/I.

FUNDING SUMMARY:

\$ 2,013,801.00	Construction Contract Services
\$ <u>100,690.05</u>	5% Contingency
\$ 2,114,491.05	Total Contract Services
\$ 35,241.52	Civic Art (1.75%)
\$ 14,657.43	Engineering Testing
\$ <u>50,345.00</u>	Construction Management Services
\$ 2,214,735.00	Total Funding

CONSTRUCTION GOALS: The contract was advertised with a MBE goal of 15%, SBE goal of 5% and WBE goal of 5%. The contractor was unable to secure sufficient subcontractors to achieve the goals and submitted a Good Faith Efforts Package to Affirmative Action. In accordance with the attached correspondence, Affirmative Action reviewed the package and determined that the contractor made a Good Faith Effort to meet the established goals and revised the participation goals to a MBE goal of 8.5%, SBE goal of 2.55% and WBE goal of 1.2%. The contractor has submitted the following certified firms to achieve the goals:

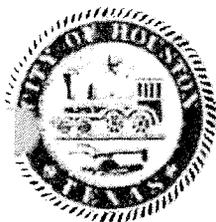
<u>FIRM (MBE):</u>	<u>SCOPE</u>	<u>AMOUNT</u>	<u>% of CONTRACT</u>
Ameritek Design, Inc.	Millwork	\$16,924.00	.84%
S & S Masonry	Masonry	\$34,500.00	1.71%
Action Gypsum	Drywall	\$29,000.00	1.44%
Energy Electric	Electrical	<u>\$91,000.00</u>	<u>4.51%</u>
TOTAL		\$171,424.00	8.50%

<u>FIRM (SBE):</u>	<u>SCOPE</u>	<u>AMOUNT</u>	<u>% of CONTRACT</u>
Distrib Aire	Mechanical	\$18,800.00	.93%
Symco Painter International	Painting	\$29,086.00	1.44%
Environmental Allies	Stormwater Pollution Prevention Plan	<u>\$ 3,690.00</u>	<u>.18%</u>
TOTAL		\$51,576.00	2.55%

<u>FIRM (WBE):</u>	<u>SCOPE</u>	<u>AMOUNT</u>	<u>% of CONTRACT</u>
Teague Industrial Sales & Services	Plumbing	\$20,000.00	1.00%
A-1 Hydromulch	Sodding	<u>\$ 3,970.00</u>	<u>.20%</u>
TOTAL		\$23,970.00	1.20%

IZD:PJG:JLN:LJ:CFP:bo

c: Marty Stein, Jacquelyn L. Nisby, Mark Ross, Joseph Kurian, Gabriel Mussio, Webb Mitchell, Dan Pederson, Lisa Johnson, File 813



CITY OF HOUSTON

Office of the Mayor

Interoffice

Correspondence
Affirmative Action and
Contract Compliance
Division

To: Clifford Perry
Project Manager
General Services Department

From: Robert Gallegos
Deputy Assistant Director

cc: Velma Laws, Director
Affirmative Action & Contract Compliance

Date: April 24, 2008

Lisa Johnson
General Services Department

Subject: **Forestry Complex Relocation**
WBS Number F-504A17-0001-4

Our office reviewed and evaluated the latest information from The Gonzalez Group regarding their Good Faith Efforts as it relates to the project listed above.

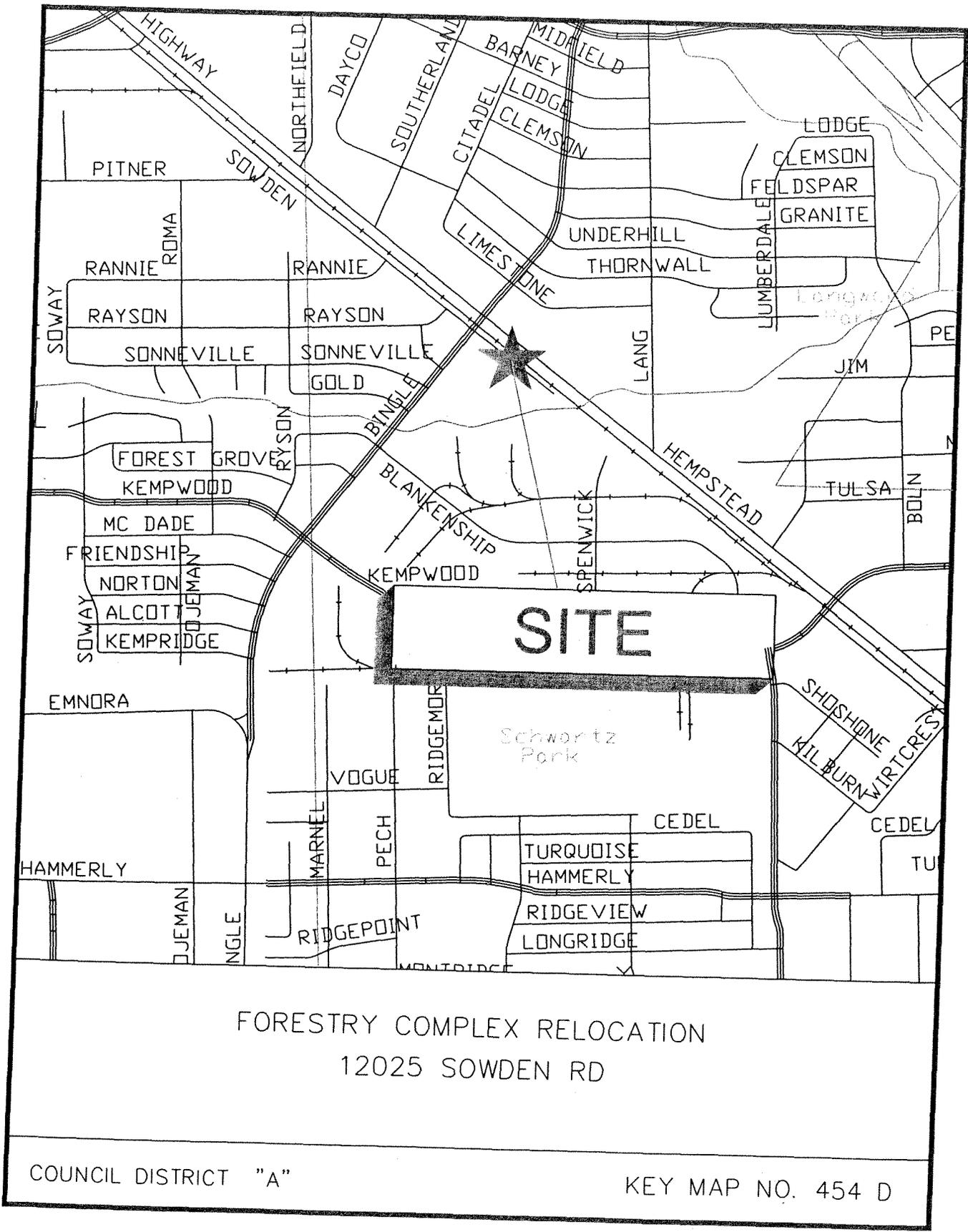
After reviewing the original Good Faith Efforts package and additional documentation submitted by The Gonzalez Group regarding this project, we find their Good Faith Efforts are sufficient to approve at this time. This project has a face value of \$2,500,000 and has the following S/M/W/BE goals: Minority 15%, Women 5% and Small Business 5%. The Gonzalez Group initially submitted only 4%.

- Our office conducted a face-to-face meeting with The Gonzalez Group. We also requested additional information, recommended that the larger contracts be divided into smaller portions thereby allowing small and M/W/BEs to bid on the smaller contracts.
- After meeting with them, The Gonzalez Group submitted a list of 321 S/M/W/BE firms and they invited these firms to turn in their bids.
- Another document reflects the actual Invitation to Bid (ITBs) with 16 companies answering YES, they wanted to bid on this project and 6 companies answering NO, they wouldn't bid on this project.
- The Gonzalez Group submitted a list of proposed subcontractors and suppliers (Form 00600-1). Their list shows 8.5% MBEs, 1.2% WBEs and 2.55% SBEs. These percentages reflect a vast improvement over their previous Good Faith Efforts (which showed only a 4% S/M/W/BE participation).

Based on our face-to-face meeting and efforts taken by The Gonzalez Group to elevate their S/M/W/BE participation from 4% to 12.25% overall participation, we recommend approval of their Good Faith Efforts.

The following are the MBE/SBE/WBEs submitted for the project:

MBE - Ameritek Design Inc.	Millwork	\$16,924
MBE - S & S Masonry	Masonry	\$ 34,500
MBE - Action Gypsum	Drywall	\$ 29,000
MBE - Energy Electric	Electrical	\$ 91,000
WBE - Teague Industrial Sales & Service	Plumbing	\$ 20,000
WBE- A-1 Hydromulch	Sodding	\$ 3,970



FORESTRY COMPLEX RELOCATION
 12025 SOWDEN RD

COUNCIL DISTRICT "A"

KEY MAP NO. 454 D

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Approving an Ordinance for a five-year Agreement between the City of Houston and CH2M Hill, Inc., for Water System Operations Engineering Support.
WBS No. S-000522-0009-3

Page
1 of 2

Agenda Item #
6530

FROM (Department or other point of origin):

Origination Date

Agenda Date

Department of Public Works and Engineering

5/8/09

~~MAY 14 2008~~
MAY 28 2008

DIRECTOR'S SIGNATURE

Council District affected:

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

All

For additional information contact:

Date and identification of prior authorizing Council action

Leo M. Weinberg, P.E. Phone: (713) 837-0566

RECOMMENDATION: (Summary)

It is recommended that City Council pass an Ordinance approving a professional services contract with CH2M Hill, Inc., and allocate funds.

Amount of Funding:

The total cost for this project is \$3,000,000 to be allocated as follows: \$300,000 for FY '08 and \$2,700,000 for the next four (4) fiscal years.

F & A Budget:

PLR 4/3/08

SOURCE OF FUNDING:

General Fund

Grant Fund

Enterprise Fund

Other (Specify)

Water and Sewer System Operating Fund (8300)

DESCRIPTION/SCOPE:

Under this agreement, CH2M Hill, Inc. will provide engineering services to develop optimally efficient operational procedures utilizing the City's existing supervisory control and data acquisition (SCADA) system. The SCADA improvements will facilitate integrated and controllable operations of the City's surface water treatment plants, major re-pump stations, and groundwater treatment plants. The services include, but are not limited to, the following:

- Design and implementation of a SCADA system training center for plant operation and maintenance staff, plant operator training, and updates to operation and maintenance manuals to include new operational strategies;
- Provide SCADA and engineering support in development of an early contaminant warning system for the existing potable water distribution system and further SCADA system improvements to utilize existing and future real-time monitoring data for pressure, flow, chlorine residual, and, possibly, other water quality parameters in the citywide distribution system; and
- Develop real-time decision support system for control of surface water treatment plants, major re-pump stations, and groundwater water treatment plants.

LOCATION:

The project will be performed at various surface water treatment plants, re-pump stations, and groundwater treatment plants. The project is located in Key Map Grids 377W, 409N, 412S, 450L, 452V, 454X, 489B, 489P, 491Y, 493L, 496U, 528H, 571P, 575E, and 577M.

REQUIRED AUTHORIZATION

CUIC ID #20DHB61

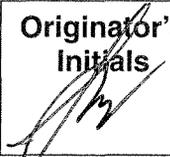
F & A Director

Other Authorization:

Other Authorization:

Jeff Taylor
Jeff Taylor, Deputy Director
Public Utilities Division

Dannelle H. Belhateche
Dannelle H. Belhateche, P.E.
Senior Assistant Director

Date:	SUBJECT: Approving an Ordinance for a five-year Agreement between the City of Houston and CH2M Hill, Inc., for Water System Operations Engineering Support. WBS No. S-000522-0009-3	Originator's Initials 	Page 2 of 2
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SCOPE OF CONTRACT AND FEE: Under this Contract, the Basic Services and Additional Services will be defined depending on the extent of services required for each Work Order. The Basic Services and Additional Services will be paid either as lump sum or based on the cost of time and materials with a not-to-exceed agreed upon amount.

The term of this contract is five years. The total cost for this project is \$3,000,000 to be allocated as follows: \$300,000 for FY '08 and \$2,700,000 for the next four (4) fiscal years.

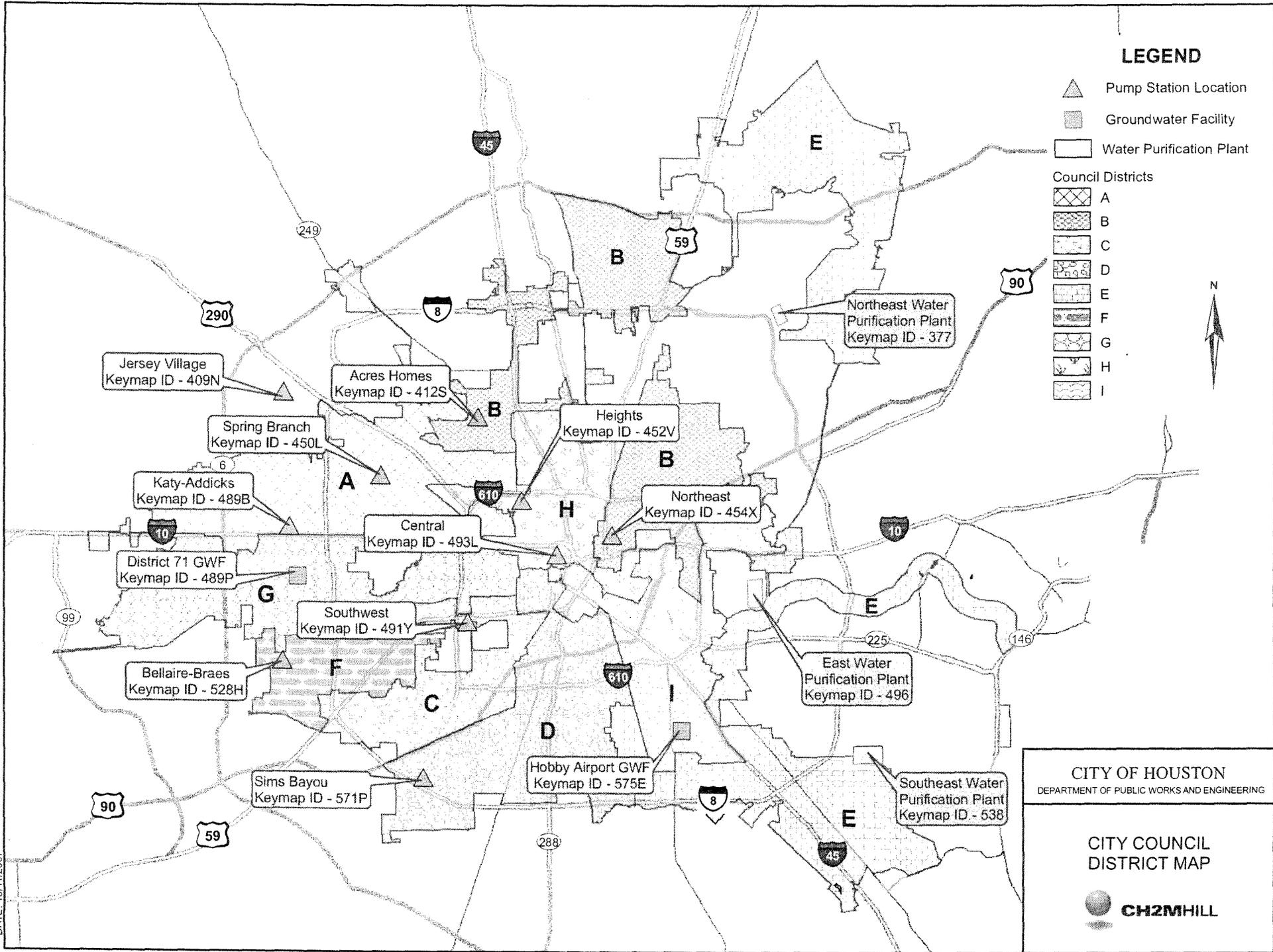
M/WBE PARTICIPATION: The M/WBE goal for the project is set at 24%. The Contractor has proposed the following firms to achieve this goal:

<u>Name of Company</u>	<u>Description of Work</u>	<u>Amount</u>	<u>% of Contract</u>
1. Infrastructure Associates, Inc.	Electrical and Instrumentation Engineering Services	\$ 300,000.00	10%
2. Kalluri Group, Inc.	Data Gathering, SCADA O&M Manual Preparation, Process Review	\$ 420,000.00	14%
TOTALS		\$ 720,000.00	24%

cc: Michael S. Marcotte, P.E., DEE
 Jeff Taylor
 Dannelle H. Belhateche, P.E.
 Marty Stein
 Waynette Chan
 Gary Norman

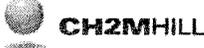
LEGEND

-  Pump Station Location
 -  Groundwater Facility
 -  Water Purification Plant
- Council Districts
-  A
 -  B
 -  C
 -  D
 -  E
 -  F
 -  G
 -  H
 -  I



CITY OF HOUSTON
DEPARTMENT OF PUBLIC WORKS AND ENGINEERING

CITY COUNCIL DISTRICT MAP



DATE: 10/11/2007

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Contract Award for FY08 Water Distribution System Rehabilitation and Renewal, WBS No. S-000035-0V12-4		Category	Page 1 of 2 Agenda Item #6633										
FROM (Department or other point of origin): Department of Public Works and Engineering		Origination Date 5-8-08	Agenda Date MAY 14 2008 MAY 28 2008										
DIRECTOR'S SIGNATURE: <i>Michael S. Marcotte</i> Michael S. Marcotte, P.E., DEE Director		Council District affected: All											
For additional information contact: Jeff Taylor Deputy Director Phone: (713) 837-0448		Date and identification of prior authorizing Council action: N/A											
RECOMMENDATION: (Summary) Accept low bid, award construction Contract, and appropriate funds.													
Amount and Source of Funding: \$ 1,397,504.50 Water and Sewer System Consolidated Construction Fund No. 8500		F&A Budget: <i>MWS</i> <i>McKell</i> <i>McKell</i>											
SPECIFIC EXPLANATION: This project will provide for the replacement of water mains and ancillary work.													
DESCRIPTION/SCOPE: Work shall include the repair of main water lines and service lines. The main lines range in diameter up to 16 inches and the water service lines range in size from 3/4-inch to 2-inches in diameter. The contract duration for this project is 365 calendar days. This is an on-call contract with projects assigned on an as-needed basis.													
LOCATION: The project area is generally bounded by the City Limits.													
BIDS: Four (4) bids were received for this project on 01/17/08 as follows:													
<table border="0"> <thead> <tr> <th>Bidder</th> <th>Bid Amount</th> </tr> </thead> <tbody> <tr> <td>1. Metro City Construction, LP</td> <td>\$ 1,264,290.00</td> </tr> <tr> <td>2. Reiscom, Inc.</td> <td>\$ 1,479,210.00</td> </tr> <tr> <td>3. Troy Construction, LLP.</td> <td>\$ 1,661,892.00</td> </tr> <tr> <td>4. D. L. Elliott Enterprises, Inc.</td> <td>\$ 2,016,510.00</td> </tr> </tbody> </table>		Bidder	Bid Amount	1. Metro City Construction, LP	\$ 1,264,290.00	2. Reiscom, Inc.	\$ 1,479,210.00	3. Troy Construction, LLP.	\$ 1,661,892.00	4. D. L. Elliott Enterprises, Inc.	\$ 2,016,510.00		
Bidder	Bid Amount												
1. Metro City Construction, LP	\$ 1,264,290.00												
2. Reiscom, Inc.	\$ 1,479,210.00												
3. Troy Construction, LLP.	\$ 1,661,892.00												
4. D. L. Elliott Enterprises, Inc.	\$ 2,016,510.00												
REQUIRED AUTHORIZATION			CUIC#20AJM193										
F&A Director:	Other Authorization: <i>Deanna Miller</i> 03/05/08	Other Authorization: <i>Jeff Taylor</i> Deputy Director, Public Works & Engineering											

Date	Subject Contract Award for FY08 Water Distribution System Rehabilitation and Renewal, WBS No. S-000035-0V12-4	Originator's Initials	Page <u>2</u> of <u>2</u>
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AWARD: It is recommended that this construction Contract be awarded to Metro City Construction, L.P. with a low bid of \$1,264,290.00.

PROJECT COST: The total cost of this project is \$1,397,504.50 to be appropriated as follows:

	<u>FY08</u>
• Bid Amount	\$1,264,290.00
• Contingencies	\$63,214.50
• Engineering Testing Services	\$ 70,000.00

Aviles Engineering Corporation will provide Engineering Testing Services, under a previously approved contract.

M/WDBE PARTICIPATION: The low bidder has submitted the following proposed MWBE/SBE participation plan to satisfy the fourteen percent (14%) MBE goal, five percent (5%) WBE goal, and a three percent (3%) SBE goal for this project:

<u>Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
D.G.I. Contracting (MBE)	Underground utility repair	\$ 177,500.00	14.00 %
El Dorado Paving Company, Inc. (WBE)	Asphalt Paving	\$ 75,858.00	6.00 %
D. Solis Trucking Company, Inc. (SBE)	Hauling of Dirt	\$ 38,000.00	3.00 %
		TOTAL \$ 291,358.00	23.00 %

Ames
MSM:JT:AJM:JS:TC:tc

cc: Marty Stein
Mark Loethen, P.E.
Velma Laws
Craig Foster
Waynette Chan
Gary Norman
Michael Ho, P.E.
Carol Ellinger, P.E.
File No. WA 10855-04



~~36~~ 67
~~MAY 14 2008~~ MAY 28 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 R J Construction Company, Inc., for Drainage Improvements at Grade Separations, WBS No. M-000241-0002-4, be adopted, and the final contract amount of \$2,034,808.20 is hereby approved by the City Council and the work be accepted and final payment is hereby authorized.

Seconded by Council Member Garcia

Council Member Noriega absent

Council Member Green absent on personal business

On 5/7/08 the above motion was tagged by Council Members Adams, Jones and Rodriguez.

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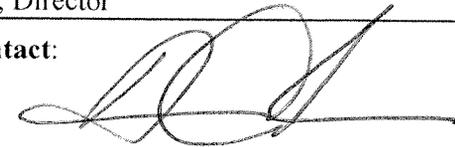
TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Accept Work for Drainage Improvements at Grade Separations, WBS No. M-000241-0002-4.	Category #1, 7	Page 1 of 2	Agenda Item 368
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FROM (Department or other point of origin): Department of Public Works and Engineering	Origination Date 5/1/08	Agenda Date MAY 14 2008 MAY 07 2008 MAY 28 2008
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DIRECTOR'S SIGNATURE:  Michael S. Marcotte, P.E., DEE., Director	Council District affected: D,H,I	MAY 28 2008
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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. # 2005-1369 dated:12/14/2005
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RECOMMENDATION: (Summary) Pass a motion to approve the final Contract Amount of \$2,034,808.20 or 5.36% under the original Contract Amount, accept the Work and authorize final payment.

Amount and Source of Funding: No additional funding required. Total Original appropriation of \$2,431,500.00 from the Drainage Improvements Commercial Paper Series F, Fund No. 49R.	F&A Budget:
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SPECIFIC EXPLANATION:

PROJECT NOTICE/JUSTIFICATION: This project was part of the FY 2006 Stormwater Capital Improvement Program (CIP). This project provided for the upgrade and rehabilitation of Four (4) stormwater pump stations.

DESCRIPTION/SCOPE: This project consisted of upgrading four stormwater pump stations including: mechanical, electrical, new pumps, and safety warning lights. Infrastructure Associates, Inc. designed the project with 365 calendar days allowed for construction. The project was awarded to R J Construction Company, Inc. with an original Contract Amount of \$2,150,000.00.

LOCATION: The four (4) stormwater pump stations are as follows:

<u>Locations</u>	<u>Key Map</u>	<u>Council District</u>
1. Allen Parkway Pump Station No. 1	493J	D
2. Allen Parkway Pump Station No. 2	492M	D
3. Jensen Drive Pump Station No. 2	454N	H
4. Lawndale Underpass Pump Station	535H	I

CONTRACT COMPLETION AND COST: The Contractor, R J Construction Company, Inc. has completed the work under subject Contract. The project was completed within the Contract Time with additional 90 days approved by Change Order No. 3. The final cost of the project, including overrun and underrun of estimated bid quantities and previously approved Change Order No. 1, 2, 3, and 4 is \$2,034,808.20, a decrease of \$115,191.80 or 5.36% under the original Contract Amount.

REQUIRED AUTHORIZATION 20HA18

F&A Director:	Other Authorization:	Other Authorization:  Daniel W. Krueger, P.E., Deputy Director Engineering and Construction Division
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Date	SUBJECT: Accept Work for Drainage Improvements at Grade Separations, WBS No. M-000241-0002-4.	Originator's Initials	Page 2 of 2
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The decreased cost is a result of difference between planned and measured quantities. This decrease is primarily due to Change Order No. 4 – Delete Storm Sewer Work. The Storm Sewer work was deleted in order to accommodate scheduled special events held in the area. The work was reassigned to another contract and is currently under design.

M/WBE PARTICIPATION: The M/WBE goal for this project was 17.00%. According to Affirmative Action and Contract Compliance Division, the participation was .99%. Contractor's M/WBE performance evaluation was rated unsatisfactory.



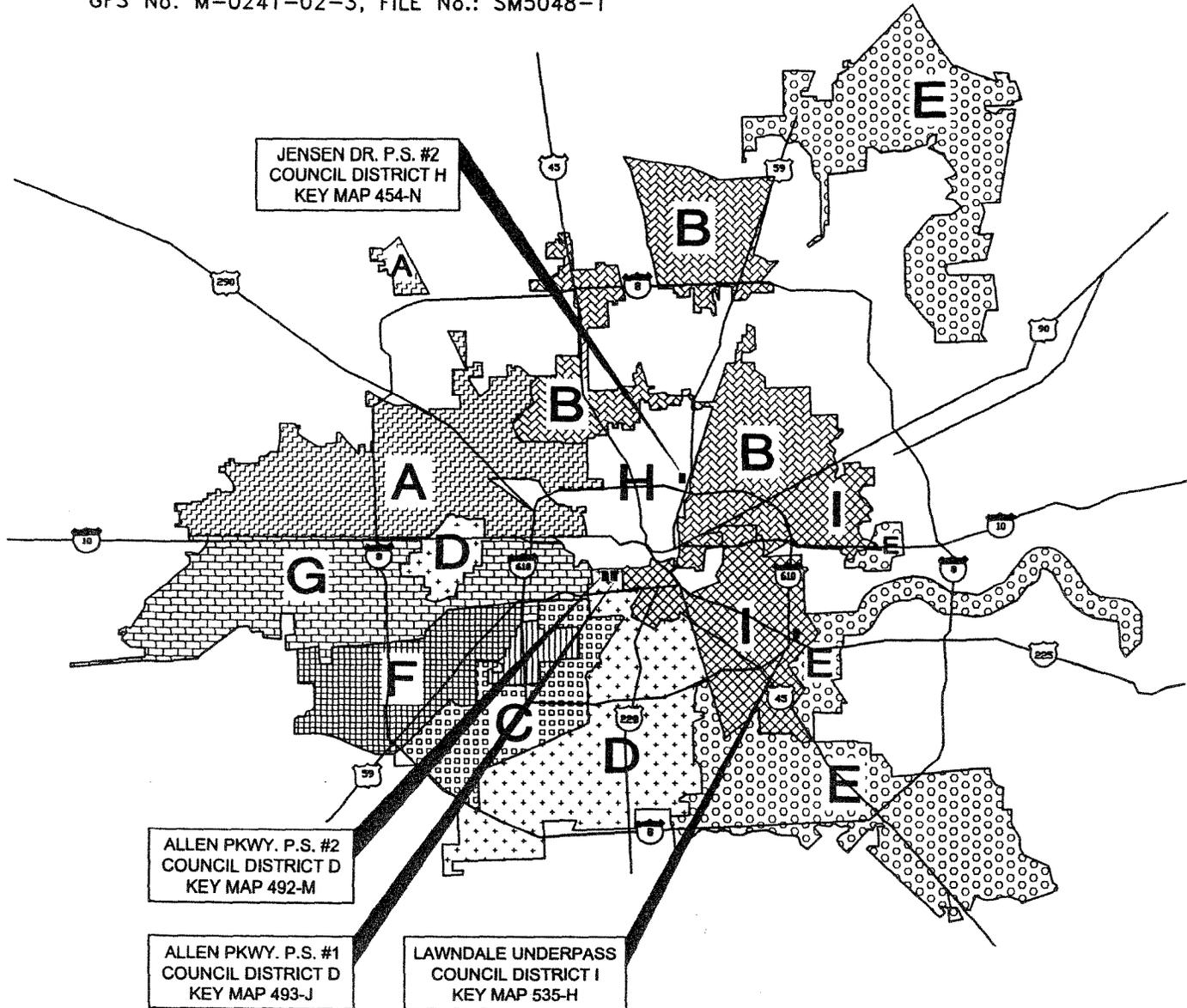
MSM:JTL:CS:GW:ha

S:\E&C Construction\Facilities\Projects\M-0241-02-3 Drainage\RCA\RCA - Closeout.doc

c: Michael Ho, P.E Velma Laws Craig Foster Waynette Chan Marty Stein File No.: SM5048-1/21.0

DEPARTMENT OF PUBLIC WORKS & ENGINEERING
 ENGINEERING & CONSTRUCTION DIVISION

GFS No. M-0241-02-3, FILE No.: SM5048-1



JENSEN DR. P.S. #2
 COUNCIL DISTRICT H
 KEY MAP 454-N

ALLEN PKWY. P.S. #2
 COUNCIL DISTRICT D
 KEY MAP 492-M

ALLEN PKWY. P.S. #1
 COUNCIL DISTRICT D
 KEY MAP 493-J

LAWNDALE UNDERPASS
 COUNCIL DISTRICT I
 KEY MAP 535-H

EXHIBIT: 2
COUNCIL DISTRICT MAP
DRAINAGE IMPROVEMENTS AT GRADE SEPARATIONS PROJECT LOCATIONS MAP <small>(GFS No. M-0241-02-3; FILE No.: SM5048-1)</small>
 Infrastructure Associates
INFRASTRUCTURE ASSOCIATES, INC. 6117 RICHMOND AVENUE, SUITE 100 HOUSTON, TEXAS 77057 (713) 622-0120 PH (713) 622-0557 FAX www.infra-assoc.com



CONSTRUCTION COMPANY, INC.

September 4, 2007

Mr. Joseph Kurian
Divisional Manager Contract Compliance Section
Affirmative Action and Contract Compliance Division
City of Houston
611 Walker, 7th Floor
Houston, Texas 77002

Attn: Ms. Jean Abercrombie
Contract Compliance Officer

Re: Drainage Improvements at Grade Separations
Project No. M-0241-02-3; File No. SM5048-01

Ms. Abercrombie:

R J Construction Company, Inc. has made a good faith effort to meet the 17.00% MWDBE participation goal established for this project. We have executed a subcontract/purchase order agreement with the MWDBE contractors included on the original list submitted with the post-bid documents. We have used all of the listed contractors although to a lesser degree than anticipated.

Despite our efforts we were unable to achieve the established goal of 17% participation. There were circumstances beyond our control that have prevented us from doing so. The City of Houston decided to delete a major portion of work. Portions of this work was subcontracted to our MWDBE contractors. Specifically, the City of Houston Traffic and Transportation Division would not allow the necessary road closures and detours required to facilitate the proposed drainage improvement work along portions of Allen Parkway. Therefore the upgrades to the existing 15" & 18" storm sewers, inlets and paving at the Montrose underpass could not be completed. Please reference the attached letter dated 12-05-06 from the City.

This decision affected the following MWDBE subcontractors.

1) Mobley Concrete Construction

The City of Houston has elected to defer a major portion of our contracted work and "perform it under a new contract" (see attached letter). The removal and replacement of the storm sewers, inlets and paving was subcontracted to Mobley Concrete Construction. The total cost of the deleted work is \$292,325.00.

Page two
Affirmative Action and Compliance

2) Two – Way Barricade Co.

We used this contractor for work when needed for flagmen and/or traffic control at the Jensen Drive and Lawndale locations of the project. They were to provide the traffic control, flagmen and road detours for the three month duration of the work at the Montrose underpass on Allen Parkway. Two – Way Barricade's scope of work was significantly diminished by the City's decision to delete the drainage improvements along Allen Parkway. The total amount of deleted work is about \$47,000.00.

3) Central Texas Hauling

The major portion of the dump truck services needed for the project was deleted along with the proposed improvements along Allen Parkway. This resulted in an overall deduct of about \$9,500.00.

Please feel free to contact me should you have any questions.

Thank you,



Robert D. Joseph
President

Attachment

Summary of MWDBE Activities

Project Description/#: Drainage Improvements at Grade Separations. M-000241-0002-4 #4600004725

Prime Contractor: R. J. Construction Company, Inc..	MWDBE Goal at award of contract: 17%	
Amount of Contract: 2,150,000.80	Change Orders: \$(135,286.35)	Final Contract Amount : \$2,034,808.80
Amount of MWDBE goal with change order: \$342,501.32		MWDBE actual participation: .99%

Original MWDBEs listed on RCA & Letter of Intent	MWDBEs Used:	List of original MWDBE, that were not used:
Central Texas Hauling	Central Texas Hauling	
Medcalf Fabrication, Inc.	Medcalf Fabrication, Inc.	
Mickie Service Company, Inc.	Mickie Service Company, Inc.	
Mobley, L. Concrete Construction	Mobley, L. Concrete Construction	
Two-Way Barricade Equipment Sales & Rentals, Inc.	Two-Way Barricade Equipment Sales & Rentals, Inc.	

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 Ernest Kelly of PWE, the bulk of the change order (\$135,285.35) was comprised of work that would have been allotted to MWDBE firms. However, even taking into account the deleted work, Prime still fell short of 17% goal, achieving only .99%. Per a letter by Robert Joseph, dated 09/04/07, the majority of work to be performed by the subcontractors was to be in the Allen Parkway & Montrose area, the section of the contract removed by the PWE. However, there was sufficient work on the rest of the contract for MWDBE firms and the CCO believes the prime could have met at least 50% of the goal.

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

Approved by:



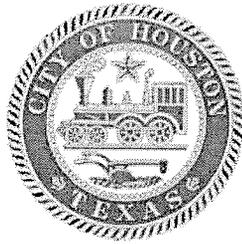
 Jean Abercrombie
 Contract Compliance Officer



 Joseph Kurian, Division Manager
 Contract Compliance Section

December 17, 2007

 Date



Council Committee on Minority/Women Business Enterprise and Small Contractor Development and Contract Compliance

Council Member Adrian Garcia
CHAIR
District H

James Rodriguez – Vice Chair
District I

Jarvis Johnson
District B

Jolanda Jones
At-Large Position 5

Wanda Adams
District D

COMMITTEE RECOMMENDATIONS

April 28, 2008

Motion passed to send the below listed Requests for Council Action Items to City Council with recommendation for approval with satisfactory rating:

- 5 4/30/08 a. Review of MWBE performance on an RCA to Accept Work for Chimney Rock
agenda Paving project by **South Coast Construction**.
- 8 4/30/08 b. Review of MWBE performance on an RCA to Accept Work for Water Well
agenda Rehabilitation by **Alsay, Incorporated**.

Motion passed to send the below listed Requests for Council Action Items to City Council with recommendation for approval with unsatisfactory rating:

- c. Review of MWBE performance on an RCA to Accept Work for upgrading Stormwater Pump Stations by **RJ Construction Company, Inc.**
- d. Review of MWBE performance on an RCA to Accept Work for Sanitary Sewer Rehabilitation by **Allco, Inc.**

Council Members James Rodriguez, Jarvis Johnson, and Wanda Adams were present.

~~37~~ 68

~~MAY 14 2008~~

MAY 28 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 Allco, Inc., for Sanitary Sewer Rehabilitation by Sliplining and Pipe Bursting Methods, WBS No. R-000266-0099-4, be adopted, and the final contract amount of \$3,247,170.41 is hereby approved by the City Council and the work be accepted and final payment is hereby authorized.

Seconded by Council Member Garcia

Council Member Noriega absent

Council Member Green absent on personal business

On 05/07/2008 the above motion was tagged by Council Members Jones and Rodriguez.

mla

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Accept Work for Sanitary Sewer Rehabilitation by Sliplining and Pipe Bursting Methods WBS# R-000266-0099-4		Page 1 of 1	Agenda Item # <u>379</u>
FROM (Department or other point of origin): Department of Public Works and Engineering		Origination Date 4/9/08	Agenda Date MAY 28 2008 MAY 07 2008 MAY 14 2008
DIRECTOR'S SIGNATURE: <i>Michael S. Marcotte</i> Michael S. Marcotte, P.E., DEE, Director		Council District affected: A, B, C, D, E, F, G, H and I	
For additional information contact: Joseph G. Majdalani, P.E. Sr. Assistant Director Phone: (713) 641-9182		Date and identification of prior authorizing Council action: Ordinance No. 2002-274 dated, 04/10/2002	
RECOMMENDATION: (Summary) Pass a motion to approve the final contract amount of \$3,247,170.41, which is 4.88% over the original contract amount, accept the work, and authorize final payment.			
Amount and Source of Funding: No additional funding required. Original appropriation of \$3,585,400.00 for construction and contingencies from Water and Sewer System Consolidated Construction Fund No. 755.			F&A Budget:
SPECIFIC EXPLANATION: PROJECT NOTICE/JUSTIFICATION: Under this project, the contractor provided sanitary sewer rehabilitation by sliplining and pipe bursting methods to deteriorated sewer collection systems throughout the City. DESCRIPTION/SCOPE: This project consisted of sanitary sewer rehabilitation by sliplining and pipe bursting methods. The project was awarded to Allco, Inc. with an original contract amount of \$3,096,000.00. The Notice to Proceed date was 08/05/2002 and the project had 730 calendar days for completion. LOCATION: The project was located at various locations within Council Districts A, B, C, D, E, F, G, H and I. CONTRACT COMPLETION AND COST: The contractor, Allco, Inc., has completed the work under the contract. The contract was completed within the required time. The final cost of the project is \$3,247,170.41, an increase of \$151,170.41 or 4.88% over the original contract amount. More pipe bursting was needed than anticipated. MWDBE PARTICIPATION: The MWDBE goal for this project was 19%. According to the Affirmative Action and Contract Compliance Division, the actual participation was 8.66%. The contractor was awarded an "Unsatisfactory" rating from Affirmative Action. <i>JM De Fos</i> MSM:JT:JGM:RK:FOS:mf Attachments			
c: Velma Laws Michael Ho, P.E. Craig Foster			
Project File 4257-25		REQUIRED AUTHORIZATION	
F&A Director:		Other Authorization: <i>Jeff Taylor</i> Jeff Taylor, Deputy Director Public Utilities Division	
		CUIC ID# 20JGM215	

WORK ORDER	KEY MAP	SUBDIVISION	BASIN	CD
4257-25		COUNCIL DISTRICTS		
4	Missing	Missing		
30	411J	Woodland Trails North	WO135	A
24	413Q	Melrose Park	II038	B
26	454C	North Shadydale	FB011	B
36	532S	Westwood	SW213	C
6	573B	Reedwoods	AS092	D
7	534X	Edgewood	SB102	D
8	574A	Inwood Terrace	SB104	D
9	574A	Edgewood Terrace Sec 2	SB104	D
3	534X	Belfort park	SB102	E
5	534X	F.R. Martin	SB102	E
10	616D	Carsdale Sec 3	SM003	E
11	616D	Carsdale Sec 3	SM003	E
12	616D	Carsdale Sec 3	SM003	E
13	616D	Carsdale Sec 3	SM003	E
14	616D	Carsdale Sec 3	SM003	E
18	534V	Andover Place Sec 2 & 3	SB093	E
19	534V	Andover Place Sec 2 & 3	SB093	E
27	530Q	Sharpstown	KB307	F
28	530C	Sharpstown Country Club Estates	SW084	F
31	529G	Imperial Point R/P	BW230	F
33	530M	Sharpstown	SW079	F
37	529K	Bellaire West	BW232	F
38	529G	Brays Village East	BW237	F
39	531A	Westmoreland Farms	SW235	F
34	490V	Sharpstown	WD106	G
35	490Z	Briar Meadow	WD109	G
15	493H	A.C. Allen Subdivision	LL111	H
16	493H	A.C. Allen Subdivision	LL111	H
23	413P	F.R. Martin	II038	H
1	495Y	Meadowcreek Village	CP001	I
2	495Y	Meadowcreek Village	CP001	I
17	535P	Park Place	SB025	I
20	494S	Brady Place	SB141	I
21	494S	Brady Place Subdivision	SB141	I
22	494S	Brady Place Subdivision	SB141	I
25	535R	Meadowbrook	SB059	I
29	494T	Jackson Court	SB153	I
32	493V	Pierce Court	SB158	I

Summary of MWDBE Activities

Project Description/#: Wastewater #4257-25 - Sanitary sewer rehabilitation by slip lining and pipe bursting methods. R-000266-0099-4. #C4600004577

Prime Contractor: Allco, Inc.

MWDBE Goal at award of contract: **19%**

Amount of Contract: **\$3,096,000.00**

Change Orders: **\$154,800.00**

Final Contract Amount : **\$3,250,800.00**

Amount of MWDBE goal with change order:

\$617,652.00

MWDBE actual participation: **8.66%**

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

MWDBEs Used:

**List of original MWDBE, that
were not used:**

Cassel Excavating

Cassel Excavating

Megasand Enterprises, Inc.

Megasand Enterprises, Inc.

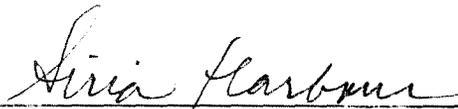
If goal was not achieved, list the amount and percentage of shortage. Briefly state the reason given by prime why goal was not achieved and why the original MWDBEs listed in the RCA were not used:

Amount of shortage is \$336,081.36 or 10.34%, CCO called Clyde Rice, Vice President and Contract Manager for Allco, in order to get an explanation as to why goal was not achieved. I spoke to his assistant Marty Reeden, who stated that Mr. Rice was out of town in a business trip. Requested explanation in writing from Ms. Reeden. Explanation was not provided. Therefore, the explanation on the goal's under utilization rating is not known.

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

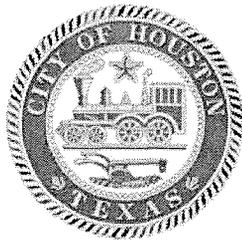
CCO was unable to contact either company to obtain reason as to why there were not used to the full amount originally projected. These two companies are no longer certified with the City of Houston as a minority business.

Approved by:


Siria Harbour
Contract Compliance Officer


Joseph Kurian, Division Manager
Contract Compliance Section

September 7, 2007
Date



Council Committee on Minority/Women Business Enterprise and Small Contractor Development and Contract Compliance

Council Member Adrian Garcia
CHAIR
District H

James Rodriguez – Vice Chair
District I

Jarvis Johnson
District B

Jolanda Jones
At-Large Postion 5

Wanda Adams
District D

COMMITTEE RECOMMENDATIONS

April 28, 2008

Motion passed to send the below listed Requests for Council Action Items to City Council with recomendation for approval with satisfactory rating:

- F5 4/30/08 a. Review of MWBE performance on an RCA to Accept Work for Chimney Rock Paving project by **South Coast Construction**.
agenda
- 8 4/30/08 b. Review of MWBE performance on an RCA to Accept Work for Water Well Rehabilitation by **Alsay, Incorporated**.
agenda

Motion passed to send the below listed Requests for Council Action Items to City Council with recommendation for approval with unsatisfactory rating:

- c. Review of MWBE performance on an RCA to Accept Work for upgrading Stormwater Pump Stations by **RJ Construction Company, Inc.**
- d. Review of MWBE performance on an RCA to Accept Work for Sanitary Sewer Rehabilitation by **Allco, Inc.**

Council Members James Rodriguez, Jarvis Johnson, and Wanda Adams were present.

SUBJECT An Ordinance approving a contract between the City of Houston and ACORN HOUSING CORPORATION, INC. to fund \$155,000 for counseling services to assist at-risk income households from going into foreclosure.		Category # 69	Page 1 of 1	Agenda Item # 34 39
FROM (Department or other point of origin): Richard S. Celli, Housing and Community Development Department		Origination Date 5/1/08	Agenda Date (Proposed) MAY 07 2008 MAY 14 2008 MAY 28 2008	
DIRECTOR'S SIGNATURE: <i>Richard S. Celli</i>		Council District affected: Council District "ALL"		
For additional information contact: Rosalinda Cabezuela Phone: 713-868-8463		Date and identification of prior authorizing		

RECOMMENDATION: (Summary)
The Housing and Community Development Department recommends City Council's approval of an Ordinance approving a contract between the City of Houston and ACORN HOUSING CORPORATION, INC. for \$155,000 to provide foreclosure preventative counseling to at-risk homeowners.

SOURCE OF FUNDING	<input type="checkbox"/> General Fund	<input type="checkbox"/> Grant Fund	Finance Department Budget: <i>Michael Mitchell</i>
<input type="checkbox"/> Enterprise Fund	<input checked="" type="checkbox"/> CDBG \$155,000		

SPECIFIC EXPLANATION:

The City of Houston Housing and Community Development Department (HCDD) have selected ACORN HOUSING CORP., INC. to carry out a foreclosure preventative program. This contract will allow ACORN HOUSING CORP., INC., 2600 South Loop West, Suite 270, Houston, Texas, 77054, to actively recruit participation of at-risk homeowners and engage them in negotiations with skilled delinquency counselors to negotiate an affordable mortgage resolution with the mortgage servicer. With increased capacity, ACORN Housing Corp. would be able to service hundreds of homeowners a month, to work out fair loan arrangements and avoid foreclosures. ACORN Housing Corp. would receive referrals through the recruitment efforts sponsored by the City and loan servicers, its own referrals networks, the HUD hotline, and the Predatory Lending Hotline.

ACORN Housing Corp., Inc. needs funding support to dedicate trained, community organizers to outreach to borrowers in the target communities, and provide them with timely, accurate, and culturally appropriate information about this opportunity to resolve their problem loans. ACORN Housing Corp., Inc. will need support to expand its counseling program so that it can act as an effective interface between the borrowers and the servicers, and ensure that borrowers receive modifications that result in truly affordable long-term loans. The amount of funding under the contract is \$155,000. The funding will cover the expenses of salaries, counseling services, personnel and operational expenses. Due to the foreclosure crisis prevalent in the housing market HCDD believes funding this project will be an excellent opportunity to assist homeowners maintain their residence and at the same time re-invest in the community.

City Council approval is recommended.

RC:GV/BS

c: City Secretary
Legal Department
Mayor's Office
Finance and Administration

REQUIRED AUTHORIZATION

Finance Department Director:	Other Authorization:	Other Authorization:
Finance Department 011.C.REV. 1/92		