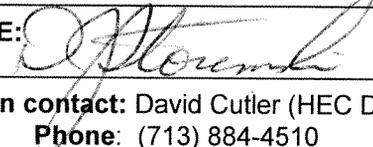
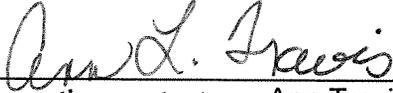


<b>SUBJECT:</b> Greater Harris County 9-1-1 emergency Network, Fiscal Year 2009		<b>Category</b>	<b>Page</b> 1	<b>Agenda Item #</b> /
<b>FROM:</b> Dennis Storemski, Mayor's Office of Public Safety and Homeland Security		<b>Origination Date:</b> 11/20/08	<b>Agenda Date:</b> DEC - 8 2008	
<b>DIRECTOR'S SIGNATURE:</b> 		<b>Council District affected:</b> All		
<b>For additional information contact:</b> David Cutler (HEC Director) Phone: (713) 884-4510		<b>Date and Identification of prior authorizing Council action:</b>		
<b>RECOMMENDATION: (Summary)</b> Approval of the Greater Harris County 9-1-1 Emergency Network budget for fiscal year 2009 (January 1, 2009 – December 31, 2009)				
<b>Amount of Funding:</b> N/A		<b>FIN Budget:</b>		
<b>SOURCE OF FUNDING:</b>				
<p>The Houston Emergency Center is requesting City Council approval of the Greater Harris County 9-1-1 Emergency Network annual budget of \$72,078,000.00 for fiscal year 2009 (January 1, 2009 – December 31, 2009). This is an increase of \$15.9 million over their FY2008 budget.</p> <p>The Network is the governmental agency that administers the 9-1-1 system, providing coordination and other collateral support for participating jurisdictions within Harris and Fort Bend counties. Through the 9-1-1 system, emergency calls from citizens are referred to the appropriate emergency response agency – whether police, fire or EMS – or to other appropriate agencies like crisis hotline, poison control, or emergency management operations. Currently, there are 40 answering points within the region served by the Greater Harris County 9-1-1 Emergency Network.</p> <p>Due to its intergovernmental functions and pursuant to state law, the Greater Harris County 9-1-1 Emergency Network annual budget must be approved by its Board of Managers, Harris County Commissioners Court, and the Houston City Council.</p> <p>A copy of the budget was delivered to each City Council Member during the month of October 2008. Additionally, a copy of the budget is available for review in the City Secretary's Office, and copies are available from the Finance &amp; Administration Department.</p>				
<b>REQUIRED AUTHORIZATION</b>				
<b>FIN Director:</b>		<b>Other Authorization:</b>		<b>Other Authorization:</b>

MS

SL

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

<b>SUBJECT:</b> Annual Membership Renewal in the Texas Municipal League		<b>Category #</b>	<b>Page 1 of</b>	<b>Agenda Item #</b> <i>2</i>
<b>FROM (Department or other point of origin):</b> Ann Travis, Director Mayor's Office of Government Affairs		<b>Origination Date</b> 11-20-08	<b>Agenda Date</b> DEC - 8 2008	
<b>DIRECTOR'S SIGNATURE:</b> <i>MS</i> 		<b>Council District affected:</b> All		
<b>For additional information contact:</b> Ann Travis Phone: 832-393-0835		<b>Date and identification of prior authorizing Council action:</b> 11/28/07 2007-1175		
<b>RECOMMENDATION: (Summary)</b> Renewal of membership in the Texas Municipal League				
<b>Amount of Funding:</b> \$74,424.00		<b>Finance Budget:</b>		
<b>SOURCE OF FUNDING:</b> <input checked="" type="checkbox"/> General Fund <input type="checkbox"/> Grant Fund <input type="checkbox"/> Enterprise Fund				
<input type="checkbox"/> Other (Specify)				
<b>SPECIFIC EXPLANATION:</b>				
<p>Texas Municipal League (TML) has a membership in excess of 1,090 cities and exists solely to provide services to Texas cities. TML is an effective grassroots organization for Texas municipalities, both large and small, with regard to advocating positions on pending legislation to members of both the Texas Legislature and Congress. The organization employs full-time attorneys who are available to provide advice and information on municipal legal matters. TML sponsors conferences and educational events and publishes informational materials to keep members apprised of current issues affecting municipal government.</p> <p>During the last legislative session, TML continued its role as advocate for cities. Over 6,000 bills were filed with over 1,200 of those directly impacting cities in Texas. TML reads and analyzes each bill and meets with the big cities each week during session to coordinate testimony and strategize with a focus on defeating legislation that would erode municipal authority and local control or that would otherwise be detrimental to cities. For example, TML's leadership was instrumental in defending against negative billboard legislation and sovereign immunity legislation involving police and fire employees.</p> <p>Throughout the interim, TML has monitored and advised cities on all interim committees and issues. TML also serves as an invaluable link between the City of Houston and other cities. During Hurricane Ike, TML was instrumental in putting Texas cities in touch with Houston officials to offer assistance.</p> <p>On the federal level, TML alerts cities to important governmental actions. TML has actively monitored and advised cities on issues such as federalized collective bargaining and energy block grants.</p> <p>In the past year, several Council Members have served on various task forces including Intergovernmental Relations, Utilities, Eminent Domain, and Municipal Revenue and Taxation. The City also had Council representation at the Board of Directors meetings.</p> <p>Membership dues reflect an increase of \$1866 over last year and are based on population. Membership renewal with the Texas Municipal League is recommended.</p>				

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

<b>SUBJECT:</b> Accept Work for Kirby Dr. Storm (Seg.1) – Dorrington to Brays Bayou (SWMP), WBS No. M-000771-0001-4.	<b>Category</b> #1, 7	<b>Page</b> 1 of 2	<b>Agenda Item #</b> <i>3</i>
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<b>FROM (Department or other point of origin):</b> Department of Public Works and Engineering	<b>Origination Date</b> 11-19-08	<b>Agenda Date</b> DEC - 3 2008
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<b>DIRECTOR'S SIGNATURE:</b> <i>Michael S. Marcotte</i> 11.3.08 Michael S. Marcotte, P.E., DEE., Director	<b>Council Districts affected:</b> D <i>oll</i> <i>he</i>
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<b>For additional information contact:</b> J. Timothy Lincoln, P.E. Senior Assistant Director <i>[Signature]</i> Phone: (713) 837-7074	<b>Date and Identification of prior authorizing Council Action:</b> Ord. #2004-683 dated 06/23/04 <i>he</i>
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**RECOMMENDATION:** (Summary) Pass a motion to approve the final Contract Amount of \$13,149,515.84 or 2.30% over the original Contract Amount, accept the Work, and authorize final payment.

<b>Amount and Source of Funding:</b> No additional funding required. Total Original appropriation of \$14,868,215.84 for construction and contingencies; with \$3,229,665.84 from the Storm Sewer Consolidated Construction Fund No. 436, \$589,550.00 from Water and Sewer System Consolidated Construction Fund No. 755, and \$11,049,000.00 from Drainage Improvements Commercial Paper Series F, Fund No. 49R to be reimbursed by the Federal Emergency Management Agency (FEMA).	<b>Finance Department:</b>
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**SPECIFIC EXPLANATION:**

**PROJECT NOTICE/JUSTIFICATION:** This project was part of the Storm Drainage Capital Improvements Plan (CIP) and was designed to provide improvements within the Harris Gully watershed by reducing the flood potential to the Texas Medical Center, Rice University, Hermann Park and surrounding areas.

**DESCRIPTION/SCOPE:** This project consisted of the installation of approximately 2,600 linear feet of dual 12'X 12' reinforced concrete box culverts on Kirby Drive from Brays Bayou to Dorrington Street. Turner Collie & Braden, Inc. designed the project with 630 calendar days allowed for construction. The project was awarded to Texas Sterling Construction, L.P. with an original Contract Amount of \$12,853,470.84

**LOCATION:** The project area is generally bounded by Holcombe Boulevard on the north, North Braeswood Drive on the south, Green Briar Drive on the east, and the Buffalo Speedway on the west. The project is located in Key Map grids 532L and G.

**CONTRACT COMPLETION AND COST:** The Texas Sterling Construction, L.P., has completed the work under subject Contract. The project was completed within the Contract Time with additional 204 days approved by Change Order No. 4. The final cost of the project, including overrun and underrun of estimated bid quantities and previously approved Change Orders No. 1 thru 4 is \$13,149,515.84, an increase of \$296,045.00 or 2.30% over the original Contract Amount.

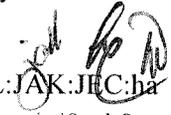
The increased cost is a result of the differences between planned and measured quantities and previously approved Change Orders No. 1 thru 4. This increase is primarily due to overrun in Bid Item No.46 – Roadway Excavation, Bid Item No. 54 – 10-inch reinforced concrete pavements, Bid item No. 122 – 24-inch diameter by 24-inch diameter tapping sleeves and valves with box, and Extra Unit Price Items, which were necessary to complete the work.

*NDT*

<b>REQUIRED AUTHORIZATION</b>		<b>CUIC ID # 20HA37</b>
<b>Finance Department:</b>	<b>Other Authorization:</b>	<b>Other Authorization:</b>

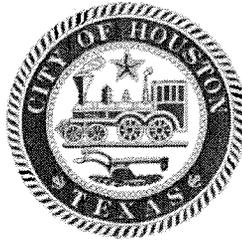
<b>Date:</b>	<b>SUBJECT:</b> Accept Work for Kirby Dr. Storm (Seg.1) – Dorrington to Brays Bayou (SWMP), WBS No. M-000771-0001-4.	<b>Originator's Initials</b> 	<b>Page 2 of 2</b>
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**M/WBE PARTICIPATION:** The M/WBE goal for this project was 17%. According to the Affirmative Action and Contract Compliance Division, the actual participation was 14.13%. Contractor's M/WBE performance evaluation was rated satisfactory.

  
MSM:JTL:JAK:JIC:ba

S:\E&C Construction\South Sector\PROJECT FOLDER\M-0771-01-3 (Kirby)\CLOSEOUT\RCA\RCA - Closeout.doc

cc: Velma Laws Craig Foster Waynette Chan Marty Stein File SM5044-01-/21.0.



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## **Council Committee on Minority/Women Business Enterprise and Small Contractor Development and Contract Compliance**

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**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

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## **COMMITTEE RECOMMENDATION & REPORT**

**November 20, 2008**

Motion passed to send the below listed Requests for Council Action Items to City Council with recommendation for approval with satisfactory rating:

- a. Review of MWBE performance on an RCA to Accept Work for Kirby Drive (Seg. 1) project by **Texas Sterling Construction, L.P.**
- b. Review of MWBE goal on an RCA to receive a formal bid for equipment, road machinery and replacements parts and repair services for various departments by **Hi-Way Equipment Company, L.L.C.**
- c. Review of MWBE performance on an RCA to amend ordinance for Security System Maintenance for General Services Department by **Security Integrators & Consulting, Inc.**
- d. Review of MWBE performance on an RCA to amend contract for lumber for various city departments by **Big Z Lumber Company.**
- e. Review of MWBE performance on an RCA to accept formal bid sewer cleaning equipments and maintenance parts for Public Works by **Texas Underground, Inc.**

Other committee business, but non-request for council action / agenda items:

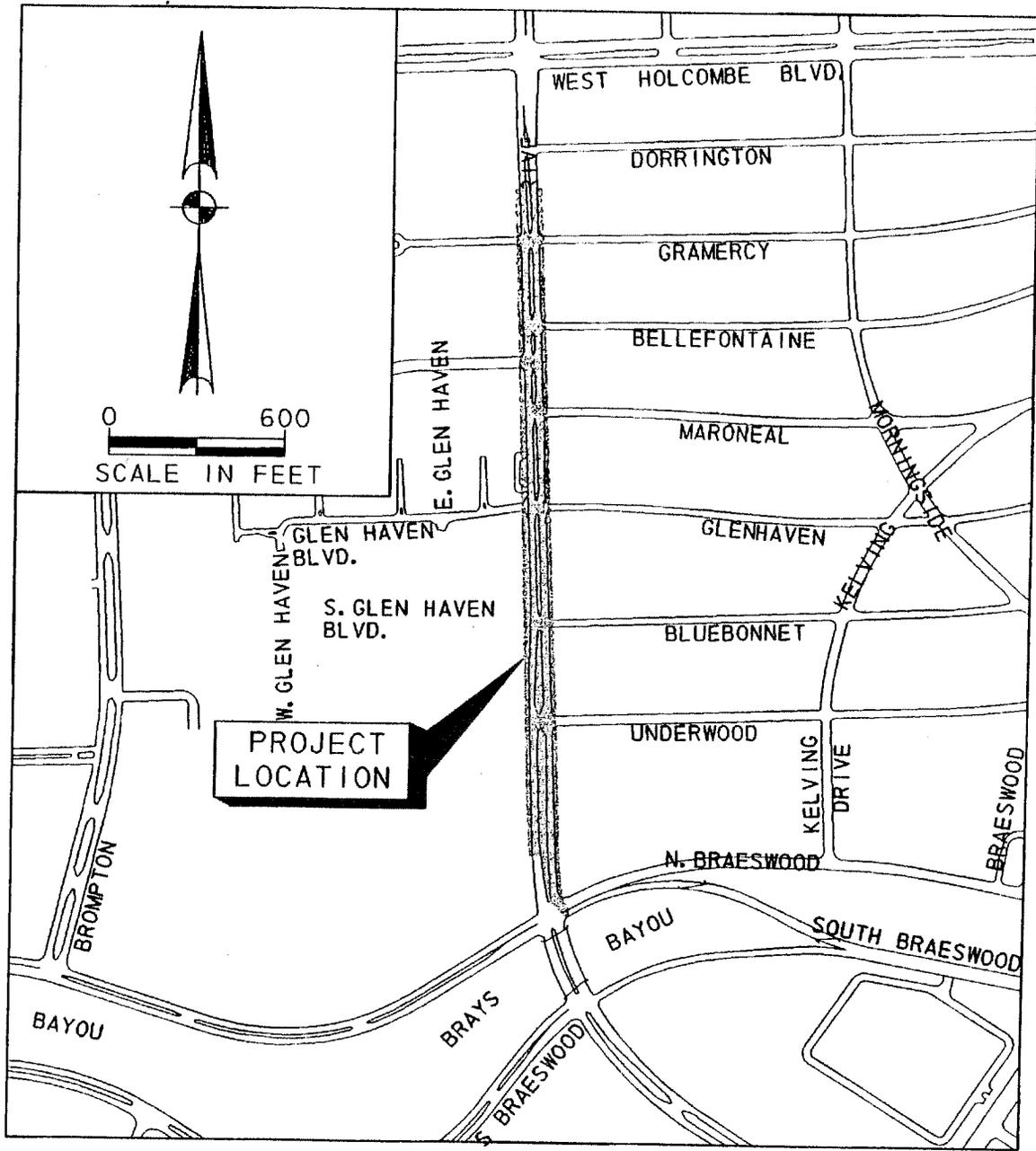
1. Review Proposed New Prevailing Wage Scale.
2. Presentation on Public Works Small Business Development Program –  
Tony Henshaw

Committee Members James Rodriguez and Jolanda Jones present. Council Member Melissa Noriega was also in attendance.



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Adrian Garcia  
Chair



## VICINITY MAP

KEY MAP NO 532 L & G  
 GIMS MAP NO: 5254b & 5255d

# CONTRACT COMPLIANCE SECTION

## MWDBE Participation Report Justification for Satisfactory Rating

Project Closed Date	July 11, 2007
Project # or Description	Kirby Drive Storm Sewer: Brays Bayou to Dorrington, Segment 1. M-000771-0001-4.#4600004663
Prime Contractor	Texas Sterling Construction, L. P.
Final Contract Amount	\$13,149,515.84
MWDBE Goal	17%
Goal Achieved	14.13%
Rating	Satisfactory

**REVISED ON JUNE 5, 2008**

### Summary of MWDBE Evaluation

#### RCA MWDBE's

Earth Material Services, LLC  
El Dorado Paving Company, Inc.  
Paradigm Outdoor Supply, LLC  
Two-Way Barricade Equipment Sales & Rentals, Inc.

#### MWDBE Used

Earth Material Services, LLC  
El Dorado Paving Company, Inc.  
Paradigm Outdoor Supply, LLC  
Two-Way Barricade Equipment Sales & Rentals, Inc.

#### Explanation from Prime

Jeffrey Manning, V. President for Texas Sterling Construction, L. P., stated that the current MWDBE participation is \$2,947,785.16. This is 22.41% of the total contracts completed to date. They met the goal originally because the pipe supplier Paradigm Outdoor Supply over ran by 8.415% that increased their percentage to 16.83%, which is \$1,114,942.80 over the original contract amount. They were only allowed to use 8.50% for a supplier so that reduced the goal to 14.13%. They were unable to meet the MWDBE goal for this project because of items that under-ran. 1. El Dorado Paving Company original total contract amount was \$175,716.00 but due to items 52, 57 & 85 it under-ran by 0.77%. 2. Earth Material Services were under utilized due to a closer dumpsite in the area. 3. This reduced the percentage by 2.70

#### Explanation from Subcontractor

N/A

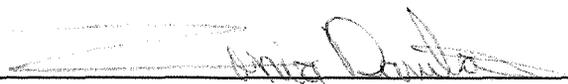
#### CCO Comments

N/A

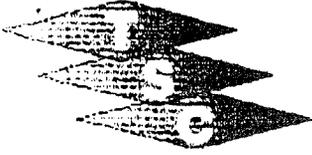
#### Affirmative Action Comments

A **Satisfactory** rating for MWDBE participation was given to Texas Sterling Construction due to the following reasons:

1. Jeff Chekwu, the City Project Manager confirmed, items #52, 57, and 85 under-run portions of work which has affected the MWDBE work causing the shortage as explained by Jeff Manning.
2. The Prime contractor had no control of the City's decision to reduce or delete some of the work originally stipulated on their contract.

  
Zonia Davila, Senior  
Contract Compliance Officer

**Note:** This form is used only when the Contractor failed to reach the MWDBE goal but you still give a Satisfactory rating.



# TEXAS STERLING

## CONSTRUCTION, L.P.

July 11, 2007

City of Houston  
611 Walker, 20<sup>th</sup> Floor  
Houston, Texas 77002

Attention: Velma Law  
Director of Affirmative Action Division

Re: Kirby Drive Storm Sewer from Brays Bayou to  
Dorrington, Segment One  
M-0771-01-3  
Deviation Letter

Dear Ms. Law,

Texas Sterling Construction Co.'s current MWDBE participation on the Kirby Drive Storm Sewer project is \$2,947,785.16. This is 22.48% of the total contract completed to date. We met our goal originally because our pipe supplier Paradigm Outdoor Supply over ran by 8.415% that increased there percentage to 16.83% which is \$1,114,942.80 over the original contract amount. We are only allowed to use 8.50% for a supplier so that reduced our goal to 14.13%. We were unable to meet the MWDBE goal for this project because of items that under-ran. El Dorado Paving Company original total contract amount was \$175,716.00 but due to items 52, 57 & 85 it under-ran by 0.77%. Earth Material Services were under utilized due to a closer dump site in the area. That reduced the percentage by 2.70%.

If you have any questions or need any additional information. I can be reached at 281-821-9091.

Sincerely,

Jeffrey Manning  
Vice President  
Texas Sterling Construction Co.

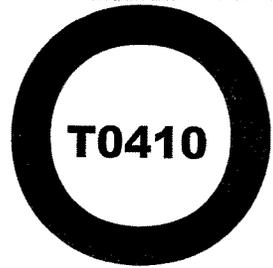
TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

<b>SUBJECT:</b> Accept Work for Sanitary Sewer Rehabilitation by Sliplining and Pipe Bursting Methods WBS# R-000266-00D8-4		<b>Page</b> 1 of 1	<b>Agenda Item #</b>  4
<b>FROM (Department or other point of origin):</b> Department of Public Works and Engineering		<b>Origination Date</b> 11-19-08	<b>Agenda Date</b> DEC - 8 2008
<b>DIRECTOR'S SIGNATURE:</b> <i>Michael S. Marcotte</i> Michael S. Marcotte, P.E., D.WRE, BCEE, Director		<b>Council District affected:</b> A, B, G, H and I	
<b>For additional information contact:</b> Joseph G. Majdalani, P.E. <i>Joseph G. Majdalani</i> Sr. Assistant Director <b>Phone:</b> (713) 641-9182		<b>Date and identification of prior authorizing Council action:</b> Ordinance No. 2004-1108, dated 11/03/2004	
<b>RECOMMENDATION: (Summary)</b> Pass a motion to approve the final contract amount of \$4,122,219.93, which is 4.03% over the original contract amount, accept the work, and authorize final payment.			
<b>Amount and Source of Funding:</b> No additional funding required. Original appropriation of \$4,299,058.00 for construction and contingencies from Water and Sewer System Consolidated Construction Fund No. 755.		<i>PX. 11/7/08</i>	
<b>SPECIFIC EXPLANATION:</b>			
<b>PROJECT NOTICE/JUSTIFICATION:</b> Under this project, the contractor provided sanitary sewer rehabilitation by sliplining and pipe bursting methods to deteriorated sewer collection systems throughout the City.			
<b>DESCRIPTION/SCOPE:</b> This project consisted of sanitary sewer rehabilitation by sliplining and pipe bursting methods. The project was awarded to Reliance Construction Services, L.P. with an original contract amount of \$3,962,670.68. The Notice to Proceed date was 05/30/2005 and the project had 730 calendar days for completion.			
<b>LOCATION:</b> The project was located at various locations within Council Districts A, B, G, H and I.			
<b>CONTRACT COMPLETION AND COST:</b> The contractor, Reliance Construction Services, L.P., has completed the work under the contract. The contract was completed within the time allowed. The final cost of the project is \$4,122,219.93, an increase of \$159,549.25 or 4.03% over the original contract amount. More pipe bursting was needed than anticipated.			
<b>MWDBE PARTICIPATION:</b> The MWDBE goal for this project was 17%. According to the Affirmative Action and Contract Compliance Division, the actual participation was 21.92%. The contractor was awarded an "Outstanding" rating from Affirmative Action.			
<i>JM</i> MSM:JC:JGM:RK:JI:mf Attachments			
c: Velma Laws Reid Mrsny, P.E. Craig Foster			
<b>Project File 4257-61</b>		<b>REQUIRED AUTHORIZATION</b>	
<b>Finance Department</b>		<b>Other Authorization:</b>	
		<b>Other Authorization:</b> <i>Jun Chang</i> Jun Chang, P.E., Interim Deputy Director Public Utilities Division	
		MPT	

4257-61		Sanitary Sewer Rehabilitation by Sliplining &		
		Pipebursting Methods		
WBS No. R-000266-00D8-3		Reliance Construction services		
<b>WORK ORDER</b>	<b>KEY MAP</b>	<b>Subdivision</b>	<b>BASIN</b>	<b>CD</b>
1	451J	LANGWOOD SEC. 2	NW171	A
3	451 X	CLAY ESTATES	IA009	A
6	451 T	PINE TERRACE SEC. 1	IA013	A
8	450V	TIMBER CREEK	IA019	A
12	411 T	BAYOU BEND	NW161	A
9	415 S	NORTHWOOD MANOR	FB025	B
10	415 S	HOUSTON SUBURBAN HEIGHTS	FB026	B
11	451 B	FOREST WEST	NW138	B
14	494A	ALLRIGHT	II108	B
5	488 S	BRIAR VILLAGE SEC. 4	WR228	G
2	453 W	HOUSTON HEIGHTS	II250	H
4	412 Z	WILDROSE GARDEN SEC. 1	II076	H
7	452 H	DONOVAN TERRACE	II073	H
13	535Y	MEADOWBROOK FREEWAY	SB037	I





4257-61 7

QUAD: NW

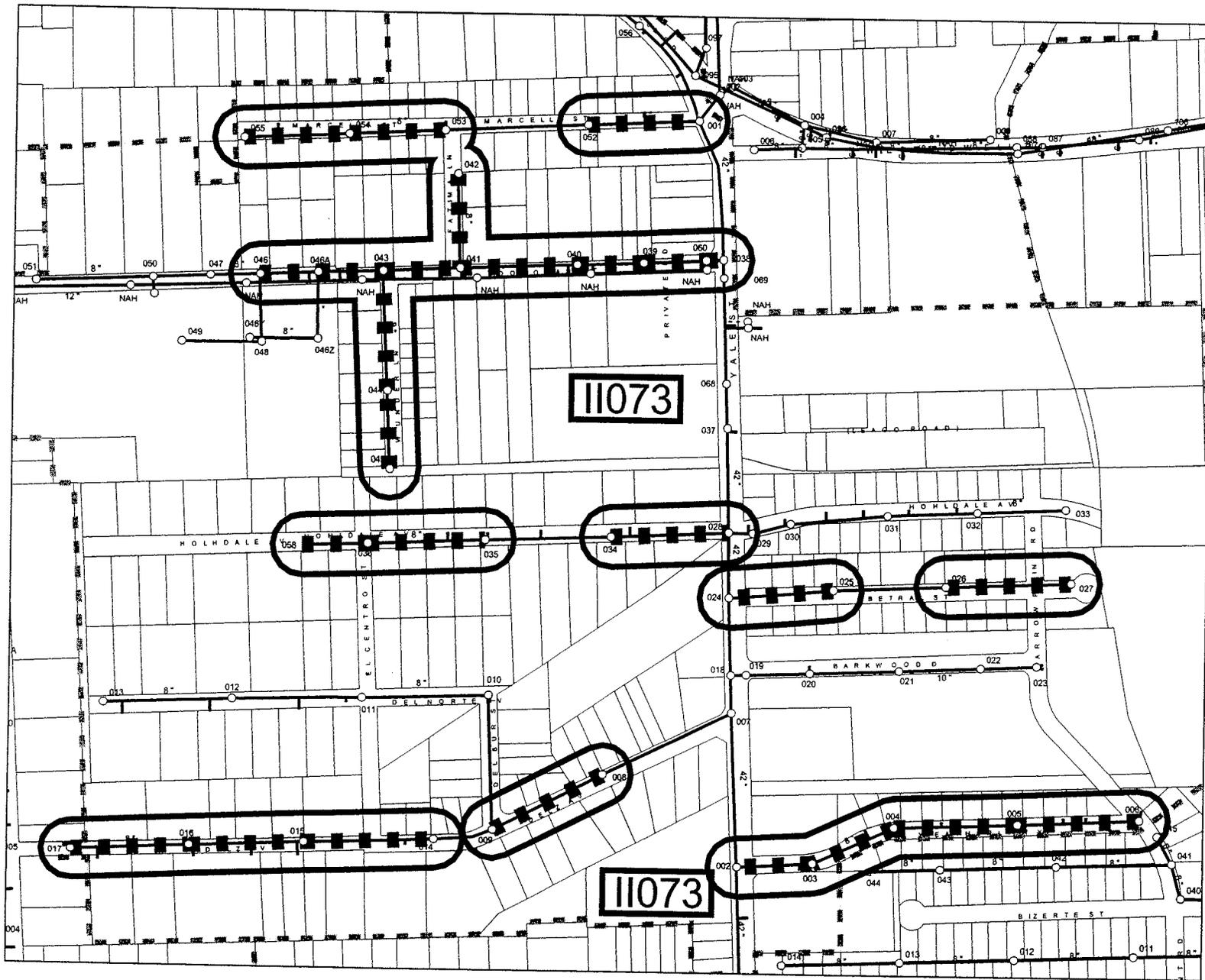
C.D.: H

KEY MAP: 452H

SWR. MAP: L5360,  
L5361

DONOVAN TERRACE

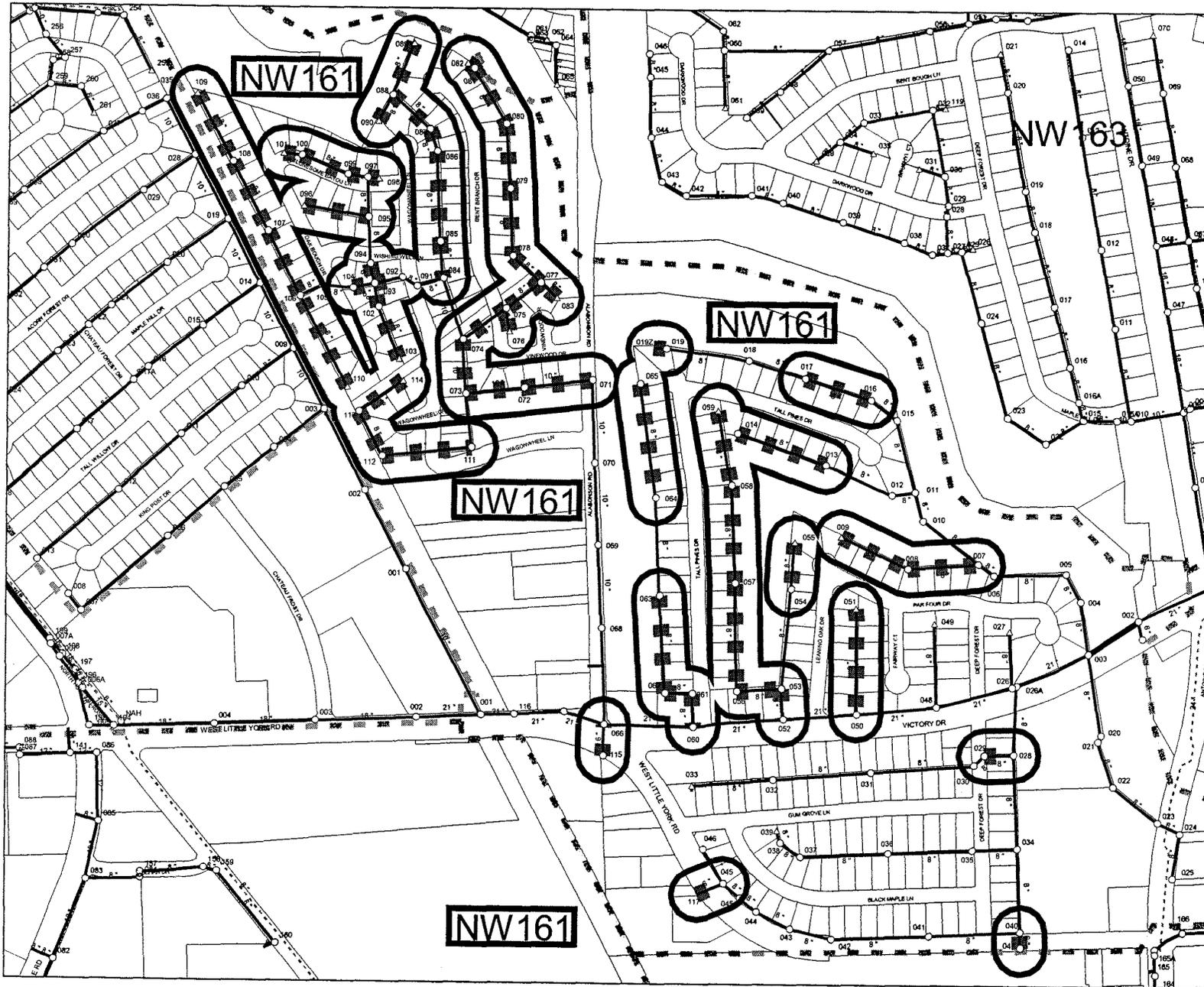
TSG File: C-( ) - ( )



- Customer Complaint
- Neighborhood Analysis
- Pump Station Review
- Critical Sewers
- Inflow Correction
- Point Repair
- Sanitary Sewer Overflow

GIS BY: B. JAMES





4257-61 12  
 QUAD: NW  
 C.D.: A  
 KEY MAP: 411T, 411X  
 SWR. MAP: L5161,  
 L5162

BAYOU BEND

TSG File: C-( ) - ( )

- Customer Complaint
- Neighborhood Analysis
- Pump Station Review
- Critical Sewers
- Inflow Correction
- Point Repair
- Sanitary Sewer Overflow

GIS BY: J. BALOW



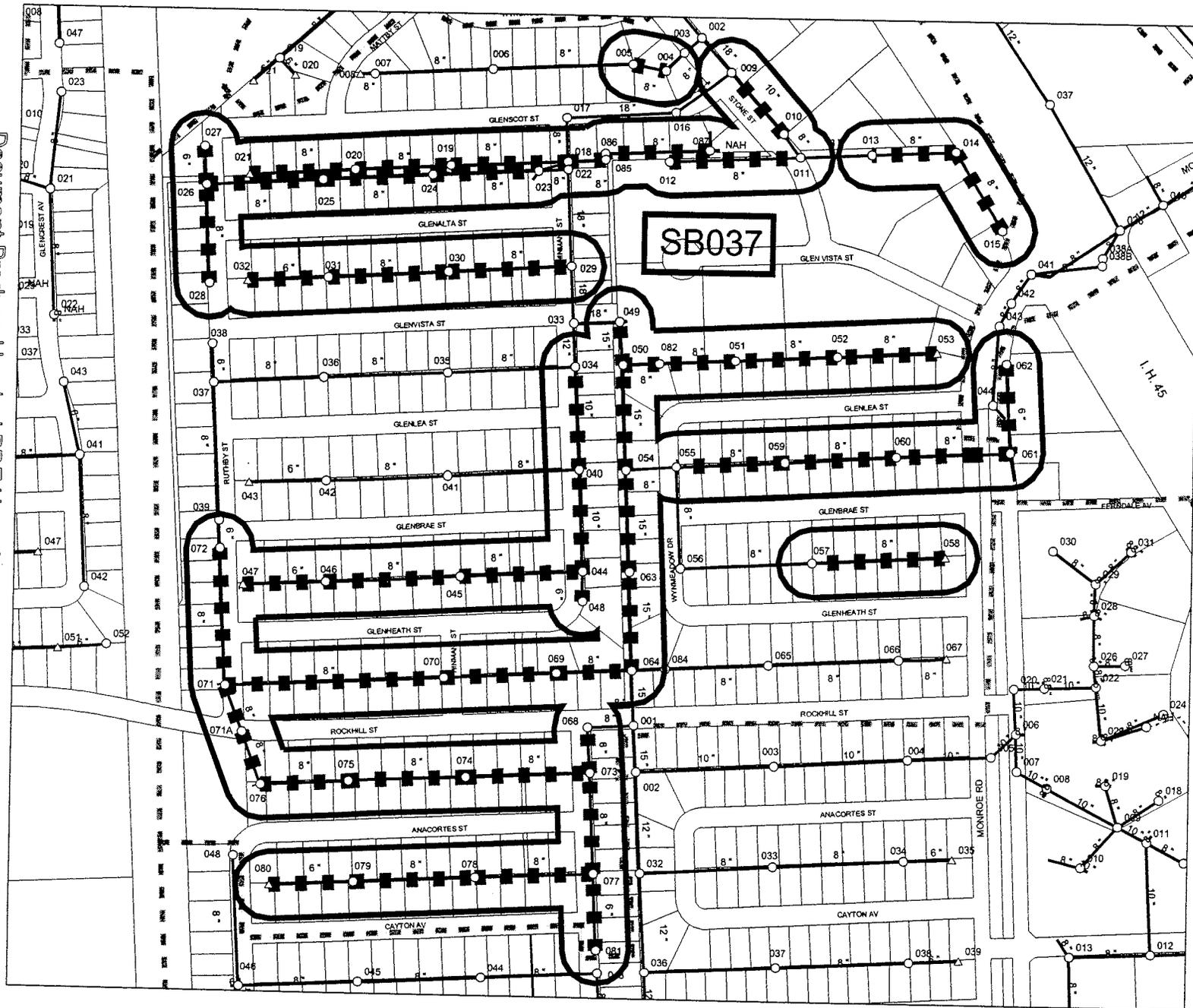
4257-61 13  
QUAD: SE  
C.D.: I  
KEY MAP: 535Y  
SWR. MAP: L5653  
MEADOWBROOK  
FREEWAY

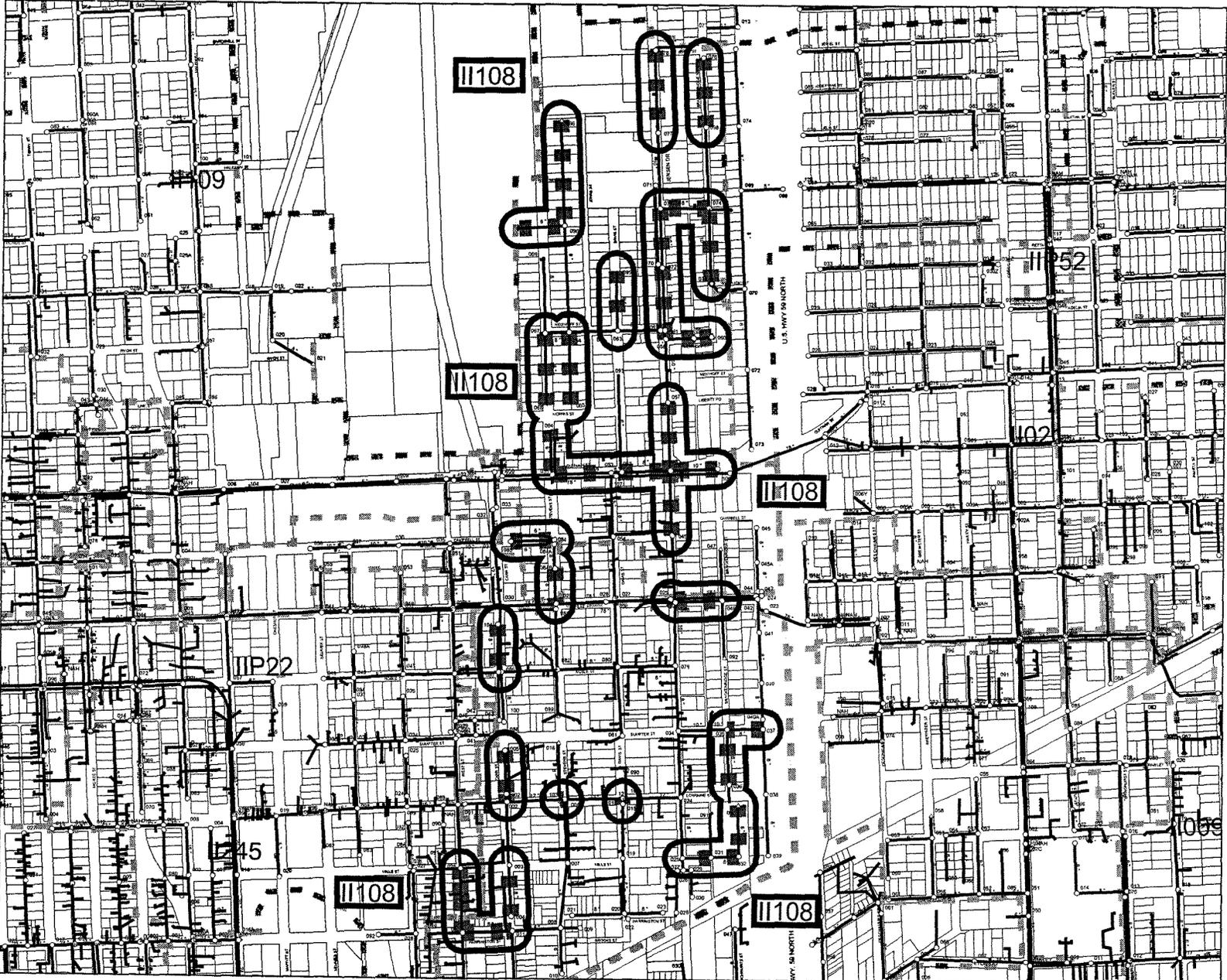
TSG File: C-( ) - ( )

- Customer Complaint
- Neighborhood Analysis
- Pump Station Review
- Critical Sewers
- Inflow Correction
- Point Repair
- Sanitary Sewer Overflow

GIS BY: Y. LANDRY

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4257-61 14  
QUAD: NE  
C.D.: B  
KEY MAP: 494A  
SWR. MAP: L5458

ALLRIGHT

TSG File: C-( ) - ( )

- Customer Complaint
- Neighborhood Analysis
- Pump Station Review
- Critical Sewers
- Inflow Correction
- Point Repair
- Sanitary Sewer Overflow

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

<b>SUBJECT:</b> Request for the abandonment and sale of two 10-foot-wide water line easements, located within the Willowbrook Mall plat. <b>Parcels SY9-020A and SY9-020B</b>	<b>Page</b> <u>1</u> of <u>1</u>	<b>Agenda Item #</b> <u>5</u>
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<b>FROM (Department or other point of origin):</b> Department of Public Works and Engineering	<b>Origination Date</b> 11-19-08	<b>Agenda Date</b> DEC - 3 2008
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<b>DIRECTOR'S SIGNATURE:</b>  Michael S. Marcotte, P.E., D.WRE, BCEE, Director	<b>Council District affected:</b> A 	<b>Key Map:</b> 370J
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<b>For additional information contact:</b>  Nancy P. Collins <b>Phone:</b> (713) 837-0881 Senior Assistant Director-Real Estate	<b>Date and identification of prior authorizing Council Action:</b>
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**RECOMMENDATION: (Summary)** It is recommended City Council approve a Motion authorizing the abandonment and sale of two 10-foot-wide water line easements, located within the Willowbrook Mall plat. **Parcels SY9-020A and SY9-020B**

<b>Amount and Source of Funding:</b> Not Applicable
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**SPECIFIC EXPLANATION:**

Trisha Frederick, E.I.T. of Edminster, Hinshaw, Russ and Associates, 10555 Westoffice Drive, Houston, Texas 77042, on behalf of Willowbrook Mall Anchor Acquisition (TX), LLC and Willbrook Mall (TX) LLC requested the abandonment and sale of two 10-foot-wide water line easements, located within the Willowbrook Mall plat. Willowbrook Mall Anchor Acquisition, the property owner, plans to build a sporting goods store on the site.

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

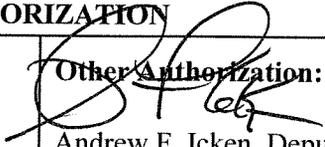
1. The City abandon and sell two 10-foot-wide water line easements, located within the Willowbrook Mall plat;
2. The applicant be required to furnish the Department of Public Works and Engineering with a durable, reproducible (Mylar) survey plat and field notes of the affected property;
3. The Legal Department be authorized to prepare the necessary transaction documents; and
4. In as much as the value of the City's property interest is not expected to exceed \$50,000.00, that the value be established by a City staff appraiser or an independent appraiser appointed by the Director of Public Works and Engineering

MSM: NPC:tj

c: Phil Boriskie  
Jun Chang, P.E.  
Marlene Gafrick  
Daniel Menendez, P.E.  
Arturo G. Michel  
Marty Stein

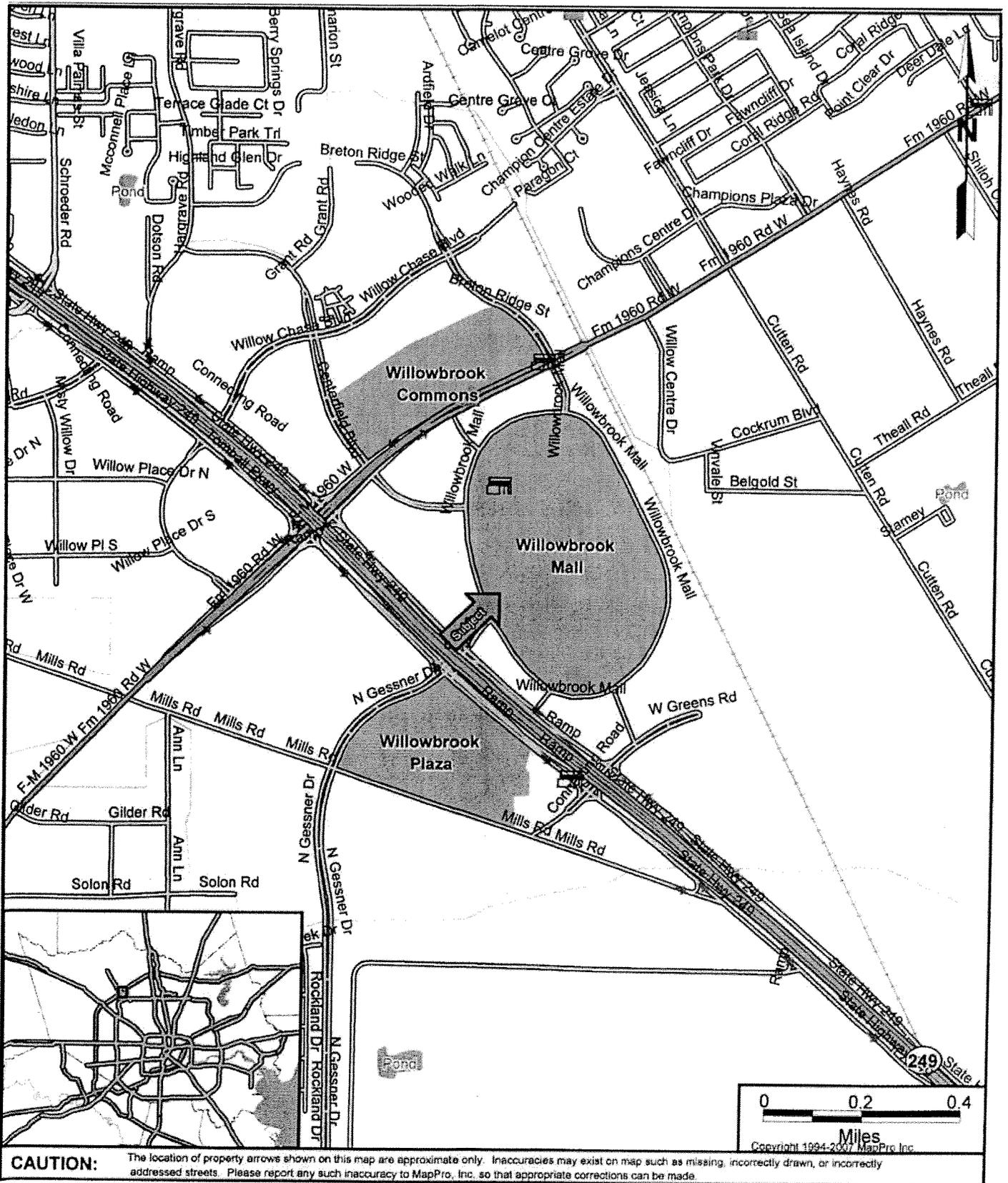
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REQUIRED AUTHORIZATION

<b>Finance Department:</b>	<b>Other Authorization:</b>	<b>Other Authorization:</b>  Andrew F. Icken, Deputy Director Planning and Development Services Division
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# Location Map

**Subject:** Abandonment and sale of two 10-foot-wide water line easements, located within the Willowbrook Mall plat. **Parcels SY9-020A and SY9-020B**





2

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 7997

Subject: Approve the Purchase of Fire Protection Ensembles for the Houston Fire Department L22994

Category # 4 & 5

Page 1 of 1

Agenda Item

6

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

Origination Date November 18, 2008

Agenda Date DEC - 8 2008

DIRECTOR'S SIGNATURE *Calvin D Wells*

Council District(s) affected All

For additional information contact: Karen Dupont Phone: (713) 859-4934 Ray DuRousseau Phone: (832) 393-8726

Date and Identification of prior authorizing Council Action:

RECOMMENDATION: (Summary) Approve the purchase of fire protection ensembles for the Fire Department through the Interlocal Agreement for Cooperative Purchasing with the City of Memphis, Tennessee in an amount not to exceed \$450,000.00.

Estimated Spending Authority: \$450,000.00

Finance Budget

FY09 - \$408,798.00 - General Fund (Fund 1000) FY10 - \$ 41,202.00 - General Fund (Fund 1000)

SPECIFIC EXPLANATION: The City Purchasing Agent recommends that City Council approve the purchase of fire protection ensembles for the Fire Department through the Interlocal Agreement for Cooperative Purchasing between the City of Houston and the City of Memphis, Tennessee in an amount not to exceed \$450,000.00 and that authorization be given to issue purchase orders on an as-needed basis to the City of Memphis' contractor, Morning Pride Manufacturing d/b/a Total Fire Group, L.L.C. The City of Memphis entered into the contract with Total Fire Group, L.L.C. on July 28, 2005 for an initial one-year term. The contract is automatically renewed each year unless the City of Memphis gives notice to the contractor 60 days prior to the end of each subsequent year of the contract for years two through ten.

The Department intends to purchase, on an as-needed basis, fire protection ensembles such as helmets, boots, gloves, and hood and accessories. These fire protective ensembles will be used to protect firefighters from extreme heat during fire suppression. The equipment, which is "breathable", keeps firefighters from overheating, and is made with non-permeable materials to resist chemicals and bio-hazardous materials.

Buyer: Gloria Jordan-King

28

REQUIRED AUTHORIZATION

Finance Department:

Other Authorization:

Other Authorization:

8

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 8079

Subject: Amend Council Motion 2005-1003, Passed October 19, 2005, for Chemical, Aqua Ammonia for the Public Works & Engineering Department S12-S20823-A1

Category # 4

Page 1 of 1

Agenda Item

7

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

Origination Date October 27, 2008

Agenda Date DEC - 3 2008

DIRECTOR'S SIGNATURE *Calvin D. Wells*

Council District(s) affected All

For additional information contact: David Guernsey Phone: (713) 238-5241 Ray DuRousseau Phone: (832) 393-8726

Date and Identification of prior authorizing Council Action: CM 2005-1003; passed 10/19/2005

RECOMMENDATION: (Summary) Amend Council Motion 2005-1003, passed October 19, 2005, to increase the award amount for aqua ammonia chemicals for the Public Works & Engineering Department from \$865,350.89 to \$1,081,688.61.

Spending Authority Increased By: \$216,337.72

Finance Budget *[Signature]*

\$216,337.72 - Water & Sewer System Operating Fund (8300)

SPECIFIC EXPLANATION:

The City Purchasing Agent recommends that City Council amend Council Motion 2005-1003 to increase the spending authority for aqua ammonia chemicals awarded to Southern Ionics, Incorporated from \$865,350.89 to \$1,081,688.61. The additional spending authority is required to continue daily operations of the Department's Drinking Water Operations Branch.

This award was approved by Council Motion 2005-1003 for a 36-month period, with two one-year options to extend, in an amount not to exceed \$865,350.89. Expenditures as of October 7, 2008 totaled \$861,766.00.

This award consists of approximately 3,289,182 dry pounds of aqua ammonia utilized to prevent the formation of carcinogenic compounds during the potable drinking water treatment process. Aqua ammonia is used to maintain compliance with the Environmental Protection Agency and the Texas Commission on Environmental Quality potable water treatment.

This solicitation was advertised with an 11% goal for M/WBE participation and Southern Ionics, Incorporated is currently exceeding the goal.

Buyer: Martin L. King

REQUIRED AUTHORIZATION

Finance Department:

Other Authorization:

Other Authorization: *[Signature]*

65CDW 8079

MO

*[Handwritten initials]*

*[Handwritten initials]*

**REQUEST FOR COUNCIL ACTION**

**TO:** Mayor via City Secretary

**RCA# 8088**

**Subject:** Purchase of Office Furniture from State of Texas Procurement and Support Services Contract for Various Department S45-Q23077-S

Category #  
1 & 4

Page 1 of 2

Agenda Item

**8+8A**

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

**Origination Date**  
October 30, 2008

**Agenda Date**  
DEC - 3 2008

**DIRECTOR'S SIGNATURE**  
*Calvin D. Wells*

**Council District(s) affected**  
A, B, C, D, E, G, H, I

**For additional information contact:**  
David Guernsey Phone: (713) 238-5241  
Ray DuRousseau Phone: (832) 393-8726

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

**RECOMMENDATION: (Summary)**  
Approve an ordinance authorizing the appropriation of \$109,797.40 out of the Equipment Acquisition Consolidated Fund (Fund 1800) and approve the purchase of office furniture in the total amount of \$551,255.51 from the State of Texas Procurement and Support Services Contract for various departments.

Award Amount: \$551,255.51

**Finance Budget**

See Page 2 of 2 for Funding Information

**SPECIFIC EXPLANATION:**

The City Purchasing Agent recommends that City Council approve an ordinance authorizing the appropriation of \$109,797.40 out of the Equipment Acquisition Consolidated Fund (Fund 1800). It is further recommended that City Council approve the purchase of office furniture in the total amount of \$551,255.51 from the State of Texas Procurement and Support Services Contract through the State of Texas Cooperative Purchasing Program for various departments and that authorization be given to issue purchase orders to the State contract suppliers listed below. This office furniture will be used to furnish various offices in the Houston Airport System and General Services, Fire, Health & Human Services, Mayor's Office, Municipal Courts Administration, Parks and Recreation, and Public Works & Engineering Departments, as detailed in the attached Furniture Distribution Summary.

**Contract Resource Group, LLC:** Approve the purchase of system furniture components, conference tables, chairs and file cabinets in the amount of \$314,879.64.

**Mity-Lite, Inc.:** Approve the purchase of folding tables, chairs, carts and dollies in the amount of \$121,454.49.

**J Tyler Services, Inc.:** Approve the purchase of system furniture components, tables, credenzas, chairs and file cabinets in the amount of \$114,921.38.

This purchase consists of furniture to replace existing furniture that is worn and beyond economical repair, as well as provides furnishings to support existing and new budgeted positions. The furniture will come with the manufacturer's standard warranty and the life expectancy is 10 to 15 years. The old furniture will be sent to the Property Disposal Management Office for disposition.

Sections 271.081 through 281.083 of the Texas Local Government Code provide the legal authority for local governments to participate in the State of Texas Purchasing Program.

**REQUIRED AUTHORIZATION**

Finance Department:

Other Authorization:

Other Authorization: *[Signature]*

*65CDW 8088*

*11/9/08*

**MOT**

*8+8A*

Date: 10/30/2008	Subject: Purchase of Office Furniture from State of Texas Procurement and Support Services Contract for Various Department S45-Q23077-S	Originator's Initials SY	Page 2 of 2
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**Funding Detail**

<b><u>DEPARTMENT</u></b>	<b><u>FUND</u></b>	<b><u>AMOUNT</u></b>
General Services	General Fund (1000)	\$880.41
Houston Airport System	HAS-Revenue Fund (8001)	\$60,742.71
Houston Fire Department	General Fund (1000)	\$24,900.39
Health Department	General Fund (1000)	\$30,637.44
Health Department	Special Waste Transportation & Inspection (2423)	\$11,657.09
Health Department	Federal Government - Grant Funded (5000)	\$4,672.15
Health Department	Federal State Local - Pass Through Fund (5030)	\$98,505.40
Mayor's Office	Cable Television Fund (2401)	\$11,564.89
Municipal Courts Adm.	General Fund (1000)	\$10,348.45
Parks & Recreation	Equipment Acquisition Consolidated Fund (1800)	\$109,797.40
Public Works & Engineering	General Fund (1000)	\$10,745.56
Public Works & Engineering	CIP Salary Recovery (1001) Ordinance No. 2008-0568 Passed 6/18/2008	\$15,882.41
Public Works & Engineering	Building Inspection Fund (2301)	\$9,755.50
Public Works & Engineering	PWE-W & S System Operating Fund (8300)	\$151,165.70
	<b>Total</b>	<b>\$551,255.51</b>

Attachment: Furniture Distribution Summary

Buyer: Sandy Yen

**Attachment A**  
**Furniture Distribution Summary**  
**for**  
**RCA # 8088**

NAME	RX NO.	QT	UN	DESCRIPTION	NEW/ REPLACE	ADDRESS
GSD	10059294	1	EA	CHAIR, HON MODEL 2091	NEW / REPLACEMENT	611 Walker, 3rd Fl Annex
		1	EA	CHAIR, HON MODEL 7808		
		1	EA	CHAIR, HON MODEL 7604		
HAS	10059175	2	EA	Chair, Allsteel, SUM-SHW.4.0.BLK\$(C).TS3	REPLACEMENT	18600 Lee Road
HAS	10059097	2	EA	Bookcase, Hon, S30ABC.S	NEW	18600 Lee Road
		2	EA	Top, Lam., Hon 511596.J		
HAS	10059130	1	EA	High Back Swivel Chair	REPLACEMENT	18600 Lee Road
HAS	10059351	1	EA	Desk, Hon 10773.ZZ	REPLACEMENT	18600 Lee Road
HAS	10059553	1	EA	Desk, Hon, 10786L.MM	NEW	18600 Lee Road
		1	EA	Bridge, Hon, 10760.MM		
		1	EA	Credenza, Hon, 10745R.MM		
HAS	10059560	1	EA	Credenza, Hon PA271D.V.9.HHH	REPLACEMENT	18600 Lee Road
		1	EA	Desk, Hon PA075D.V.9.HHH		
HAS	10059769	1	EA	Bookshelf, Hon, 115524.A.X.JP	NEW	18600 Lee Road
HAS	10059809	1	EA	Desk, Hon 10571.JJ	NEW / REPLACEMENT	18600 Lee Road
		1	EA	Keyboard, HKB200.P		
		1	EA	Credenza, Hon 10566.J		
		2	EA	Chair, Hon 4008\$(3).BQ26.T		
		1	EA	File, Hon 9184R.V		
		1	EA	Chair, Hon FWCM.HMM\$(3).BQ42.T		
		1	EA	Desk, Hon 10571.JJ		
		1	EA	Keyboard, Hon HKB200.P		
		2	EA	File, Hon 10563.JJ		
		1	EA	Credenza, Hon 10566.JJ		
		6	EA	Chair, Hon 4008\$(3).BQ26.T		
		3	EA	Chair, Hon FWCM.HMM\$(		
		2	EA	Chair, Hon 4008\$(3).BQ26.T		
		1	EA	Chair, Hon FWCM.H.MM\$(3).BQ42.T		
		4	EA	Cabinet, Hon SC2472.L		
		4	EA	Chair, Hon 7705.@(2).BK62.T		
		10	EA	Chair, Hon 5701.GA62.T		
		10	EA	Arms, Hon 5795.T		
HAS	10060021	1	EA	Sofa, Hon,PAS03\$(4).EC10.T.BX	REPLACEMENT	18600 Lee Road
		2	EA	Table, Hon, 80180.H		
HAS	10060689	9	EA	Chair, Hon FWCM.H.MM\$(FC2).FG10.T	NEW / REPLACEMENT	18600 Lee Road
		8	EA	Chair, Hon FWCM.S.MM\$(FC2).FG10T		
HAS	10060707	4	EA	Chair, Hon, F3.FWCM.H.MM\$(3).NT10.T	REPLACEMENT	18600 Lee Road
		2	EA	Chair, Hon, 5003.Z\$(3).NT10		
		1	EA	Desk, Hon, 10593.NN		
		1	EA	Credenza, Hon, 10543.NN		
HAS	10060951	1	EA	Chair, Hon , FWCM.H.MM\$(3).NT10.T	REPLACEMENT	18600 Lee Road
HAS	10062043	1	EA	Bookcase, Hon, P/N 10754.Z	NEW	18600 Lee Road
HAS	10063550	1	EA	Pedestal, Hon 18720R	REPLACEMENT	18600 Lee Road
		1	EA	Stack-on, Hon 38241N		
		1	EA	Doors, Hon 38246		
		1	EA	Tasklight , Hon H870942.X		
		1	EA	Keyboard, Hon HKB800.P		
		1	EA	Panel, Hon N8220CPH		
		1	EA	Desk, Hon N8921HP		
		1	EA	Desk, Hon N8922HP		
		1	EA	Tackboard, Hon T48\$(3)		
		1	AU	Design Services		

**Attachment A**  
**Furniture Distribution Summary**  
**for**  
**RCA # 8088**

NAME	RX NO.	QT	UN	DESCRIPTION	NEW/ REPLACE	ADDRESS
HAS	10059420	1	EA	Desk, Hon/Bevis 10787R	NEW	18600 Lee Road
		1	EA	Bridge, Hon/Bevis 10770		
		1	EA	Credenza, Hon/Bevis 10748L		
		1	EA	File, Hon/Bevis 107690		
		1	EA	Bookcase, Hon/Bevis 10755		
		1	EA	Keyboard , Hon/Bevis 840000		
		2	EA	Chair, Hon/Bevis 5060		
HAS	10059421	1	EA	Desk, Hon/Bevis , 10788L.FF	REPLACEMENT	18600 Lee Road
		1	EA	Bridge, Hon/Bevis , 10770.FF		
		1	EA	Credenza, Hon/Bevis , 10707R.FF		
		1	EA	File, Hon/Bevis 107690.F		
		1	EA	Bookcase, Hon/Bevis 10754.F		
		1	EA	Keyboard, Hon/Bevis 840000.P		
HAS	10059611	4	EA	Chair, Hon/ Bevis #3506	REPLACEMENT	18600 Lee Road
		6	EA	Chair, Hon/Bevis #3506		
HAS	10059179	3	EA	Chair, Allsteel, SUM-HW.2.0.BLK\$(C).TS3	REPLACEMENT	18600 Lee Road
HAS	10060131	1	EA	Chair, Allsteel, A19-HWB.2.P80\$(B).AS190	NEW	18600 Lee Road
HAS	10058084	12	EA	Table, Allsteel, GSS2448C.LT5B.PR3.E5.C0	REPLACEMENT	7700 Airport Blvd.
		24	EA	Chair, Allsteel, GET-1.0.PR3.N\$(A).HOP11		
HAS	10058222	12	EA	Chair, Allsteel, GET-1.0.PR3.N\$(A).HOP11	REPLACEMENT	18600 Lee Road
HAS	10059561	11	EA	Chair, Allsteel, A19-HWB.2.P80\$(B).AS1.9	NEW	18600 Lee Road
		1	EA	Cabinet, Allsteel, TE60FNNS\$(COREP3).P02.		
		1	EA	Bookcase, Allsteel, EBC60\$(CORE).P02		
		3	EA	Rail, Allsteel, EAS\$(COREP1).P02		
		4	EA	Holder, Allsteel, EAFS\$(COREPNT).P02		
		2	EA	Holder, Allsteel, EADH\$(COREPNT).P02		
		1	EA	Lateral, Allsteel, ELF836NI\$(CORE).P02.S		
HAS	10060229	4	EA	Chairs, Allsteel, TR-SMWP.4.1.U.P71\$(B).	REPLACEMENT	18600 Lee Road
HAS	10060292	1	EA	Chair, Allsteel A19-HWB.2.P80\$(B).AS1911	REPLACEMENT	18600 Lee Road
HAS	10060685	3	EA	Chair, Allsteel TR-SMWP.4.1.U.P71\$(A).H	NEW	18600 Lee Road
HAS	10060764	1	EA	Chair, Allsteel, SUM-MW.2.0.BLK\$(B).LS	REPLACEMENT	18600 Lee Road
		1	EA	Chair, Allsteel, A19-HWB.2.P80\$(B).AS190		
HFD	10056504	1	EA	CHAIR-HON-MODEL#115897R	NEW	1205 Dart Street, Bldg 1, Rm 237 & 235
		1	EA	LEFT RETURN-HON-MODEL#115906L		
		1	EA	STACK-ON STORAGE-HON-MODEL#115327		
		1	EA	CHAIR-HON-MODEL#2191		
		1	EA	CHAIR-HON-MODEL#7828		
		2	EA	CHAIR-HON-MODEL#6008		
HFD	10057664	3	EA	CHAIR-HON-MODEL#2191	REPLACEMENT	7825 Harrisburg, 2nd floor
HFD	10058922	4	EA	CHAIR-HON-MODEL#6008	REPLACEMENT	1205 Dart Street, Rm 229
HFD	10059067	8	EA	CHAIR-HON-MODEL# 2191	NEW / REPLACEMENT	500 Jefferson, 15th Fl.
		2	EA	CHAIR-HON-MODEL#2073		
		1	EA	DESK-HON-MODEL#94271		
		2	EA	CREDENA-MODEL#94243		
		1	EA	STACK-ON STORAGE-HON-MOD#94234		
		2	EA	LATERIAL FILE-HON-MODEL#94223		
		1	EA	BOOKCASE-HON-MODEL#94210		
		1	EA	CABINET-HON-MODEL#94291		
		1	EA	KEYBOARD-HON-MODEL#E4022		
		1	EA	DESK-HON-MODEL#115897R		
		1	EA	RETURN,LEFT-HON-MODEL#115906L		
		1	EA	STACK-ON STORAGE-HON-MODEL#115327		

**Attachment A  
Furniture Distribution Summary  
for  
RCA # 8088**

NAME	RX NO.	QT	UN	DESCRIPTION	NEW/ REPLACE	ADDRESS
HFD	10059152	1	EA	CHAIR-HON-MODEL#2091	NEW	500 Jefferson
		2	EA	CRT TABLE-HON-MODEL#AM3060		
HFD	10059168	1	EA	CABINET-HON-MODEL#94291	NEW	2931 W. 12th Street
		1	EA	BOOKCASE-HON-MODEL#92754		
		1	EA	CHAIR-HON-MODEL#5001		
HFD	10059169	2	EA	CHAIR-HON-MODEL#6008	NEW	1205 Dart Street, Rm 113
HFD	10059190	2	EA	END TABLE-HON-MODEL#80193	REPLACEMENT	500 Jefferson, 15th Fl.
		10	EA	CHAIR-HON-MODEL#4071		
		1	EA	FILE CABINET-HON-MODEL#115102		
		1	EA	SOFA-HON-MODEL#VL873		
HFD	10059395	2	EA	CHAIR-HON-MODEL#6213	REPLACEMENT	1205 Dart St. Rm 206 & Rm
HFD	10059753	5	EA	CHAIR-HON-MODEL#2092	REPLACEMENT	8030 Braniff
HFD	10059759	33	EA	CHAIR-HON-MODEL#2093	REPLACEMENT	2931 W. 12th Street
HFD	10060286	2	EA	CHAIR-HON-MODEL#2191	NEW / REPLACEMENT	1205 Dart
		1	EA	BOOKCASE-HON-MODEL#105534		
HLTH	10059882	40	EA	table, Mity-Lite, RT1872SGY22	REPLACEMENT	800 Stadium Dr. 2nd Floor
		100	EA	chair, Mity-Lite, CSQUOTE		
		1	EA	tree cart, Mity-Lite, CRTCHSSTBLK2		
		1	EA	shipping & handling, Mity-Lite		
		1	EA	1/2 tree cart, Mity-Lite, CRTCSShTBLK2		
HLTH	10059640	2	EA	Trooper Work Chair, Allsteel,TR-MWK	NEW	6719 W. Montgomery
		2	EA	Lateral Top, Allsteel, AFNLFTP-3618L		
		2	EA	Lateral Pull Essentials, ELF836NB		
		4	EA	Lock, Allsteel, LKF23C		
		1	EA	Mobile Pull, Allsteel, PM187-2338		
		1	EA	Mobile Pull, Allsteel, PM187-2338		
		6	EA	Counter Top, Allsteel, 851500		
		2	EA	Connector, Allsteel, 801032P		
		2	EA	Connector, Allsteel, 801043P		
		1	EA	Connector, Allsteel, 801143P		
		1	EA	Panel, Allsteel, 801832P		
		1	EA	Panel, Allsteel, 801843P		
		1	EA	Corner Cove, Allsteel, 83122ERM		
		1	EA	Worksurface, Allsteel, 832448M		
		1	EA	Worksurface, Allsteel, 832472M		
		3	EA	Power Harness, Allsteel, 871236		
		1	EA	Power Harness, Allsteel, 871248		
		2	EA	Receptacle Circuit, Allsteel, 871501		
		2	EA	Receptacle Circuit, Allsteel, 871502		
		2	EA	Receptacle Isolated Circuit, 871504		
		1	EA	Power Cable, Allsteel, 879072		
		2	EA	Panel, Allsteel, 893236P		
		1	EA	Panel, Allsteel, 893248P		
		1	EA	Panel, Allsteel, 894324P		
		2	EA	Panel, Allsteel, 894336P		
		2	EA	Keyboard Platform, Allsteel, AKMT		
		3	EA	Bracket, Allsteel, CCB24L		
		2	EA	Bracket, Allsteel, CCB24R		
		2	EA	Panel, Allsteel, CEP2429P		
		1	EA	Variable, Allsteel, CVH11P		
		1	EA	Countertop, Allsteel, 851524M-M29145		
		1	EA	Countertop, Allsteel, 85363M-M29150		

**Attachment A  
Furniture Distribution Summary  
for  
RCA # 8088**

NAME	RX NO.	QT	UN	DESCRIPTION	NEW/ REPLACE	ADDRESS
HLTH	10059640 continued	2	EA	Lock Core, Allsteel, LKF23C	NEW	6719 W. Montgomery
		1	EA	Worksurface, Allsteel, 832436M		
		1	EA	Worksurface, Allsteel, 8324442M		
		1	EA	Worksurface, Allsteel, 833624RM		
		1	EA	Tackboard, Allsteel, 861836		
		1	EA	Tackboard, Allsteel, 861842		
		1	EA	Tasklight Ballast, Allsteel, 870830		
		1	EA	Tasklight Ballast, Allsteel, 870842		
		1	EA	Desk, Allsteel, CDL29		
		1	EA	Cab, Allsteel, CE36FNN		
		1	EA	Cab, Allsteel, CE42FNN		
		2	EA	Panel Support, Allsteel, CEP2429F		
		3	EA	Panel, Allsteel, CS364		
		1	EA	Panel, Allsteel, CS424		
		4	EA	Support Legs, Allsteel, CSL2429F		
		4	EA	Wall track, Allsteel, TWTS		
		1	EA	Work Chair, Allsteel, TR-MWK		
		2	EA	Lock Core, Allsteel, LK23C		
		2	EA	Connector, Allsteel, 801043P		
		2	EA	Panel, Allsteel, 801843P		
		1	EA	Worksurface, Allsteel, 832466M		
		1	EA	Worksurface, Allsteel, 832472M		
		1	EA	Worksurface, Allsteel, 833624RM		
		1	EA	Tackboard, Allsteel, 861830		
		1	EA	Tackboard, Allsteel, 861836		
		2	EA	Tasklight, Allsteel, 870830		
		3	EA	Power Harness, Allsteel, 871236		
		1	EA	Receptacle Circuit, Allsteel, 871501		
		1	EA	Receptacle Circuit, Allsteel, 871502		
		1	EA	Duplex Recep.Circuit, Allsteel, 871504		
		1	EA	Power Cable, Allsteel, 879072		
		3	EA	Acoustical Panel, Allsteel, 894336P		
		1	EA	Keyboard Platform, Allsteel, AKMT		
		2	EA	Bracket, Allsteel, CCB24L		
		1	EA	Bracket, Allsteel, CCB24R		
		1	EA	Cabinet, Allsteel, CE30FNN		
		1	EA	Cabinet, Allsteel, CE36FNN		
		1	EA	Panel Support, Allsteel, CEP1129F		
		1	EA	Panel Support, Allsteel, CEP2429F		
		1	EA	Panel, Allsteel, CEP2429P		
		1	EA	Modesty Panel, Allsteel, CS364		
		1	EA	Modesty Panel, Allsteel, CS664		
		2	EA	Support Legs, Allsteel, CSL2429F		
		3	EA	Wall Track, Allsteel, TWTS		
		2	EA	Chair, Allsteel, 44003		
		2	EA	Chair, Allsteel, 44003		
		1	EA	Work Chair, Allsteel, TR-MWK		
		1	EA	Cabinet, Allsteel, ELF536NB		
		4	EA	Lock Core, Allsteel, LKF23C		
		1	EA	Mobile Ped, Allsteel, PM187-203B		
		1	EA	Flat Bracket, Allsteel, 831124		
		1	EA	Worksurface, Allsteel, 832430M		

**Attachment A  
Furniture Distribution Summary  
for  
RCA # 8088**

NAME	RX NO.	QT	UN	DESCRIPTION	NEW/ REPLACE	ADDRESS
HLTH	10059640 continued	1	EA	Worksurface, Allsteel, 832448M	NEW	6719 W. Montgomery
		1	EA	Worksurface, Allsteel, 832460M		
		1	EA	Worksurface, Allsteel, 832466M		
		1	EA	Worksurface, Allsteel, 833624RM		
		1	EA	Tackboard, Allsteel, 861860		
		1	EA	Tasklight, Allsteel, 870860		
		1	EA	Keyboard Platform, Allsteel, AKMT		
		1	EA	Corner Desk, Allsteel, CDL29		
		1	EA	Cabinet, Allsteel, CE60FNN		
		1	EA	Freestanding Support, Allsteel, CEP1129F		
		3	EA	Freestanding Support, Allsteel, CEP2429F		
		1	EA	Modesty Panel, Allsteel, CS309		
		1	EA	Modesty Panel, Allsteel, CS364		
		1	EA	Modesty Panel, Allsteel, CS484		
		1	EA	Modesty Panel, Allsteel, CS604		
		1	EA	Modesty Panel, Allsteel, CS664		
		1	EA	Modesty Panel, Allsteel, CSCMP3629		
		6	EA	Support Legs, Allsteel, CSL2429F		
		2	EA	Wall Track, Allsteel, TWTS		
HLTH	10059641	1	EA	Chair, Allsteel TR-MWK		
		2	EA	Chair, Allsteel TR-MWK		
		1	EA	Chair, Allsteel TR-MWK		
		2	EA	Chair, Allsteel TR-MWK		
		1	EA	Lateral Top, Allsteel AFNLFTP-3618L		
		1	EA	Lateral Top, Allsteel AFNLFTP-7218L		
		4	EA	Essentials Lateral, Allsteel ELF830NB		
		1	EA	Essentials Lateral, Allsteel ELF836NB		
		2	EA	Cabinet, Allsteel ESC336B		
		1	EA	Cabinet, Allsteel ESC536B		
		3	EA	Replacement Kit, Allsteel, LKF23C		
		4	EA	Replacement Kit, Allsteel LKF23C		
		3	EA	Replacement Kit, Allsteel LKF23C		
		9	EA	Replacement Kit, Allsteel LKF23C		
		1	EA	Mobile Ped, Allsteel PM187-203B		
		2	EA	Mobil Ped, Allsteel PM187-203B		
		2	EA	Mobile Ped, Allsteel PM187-203B		
		1	EA	Mobile Ped, Allsteel PM187-233B		
		1	EA	Connector Kit, Allsteel 801032P		
		2	EA	Connector Kit, Allsteel 801043P		
		1	EA	Connector Kit, Allsteel 801132P		
		1	EA	Connector Kit, Allsteel 801143P		
		1	EA	Connector Kit, Allsteel 801182P		
		1	EA	Hanger Kit, Allsteel 801550		
		2	EA	Hanger Kit, Allsteel 801550		
		1	EA	Hanger Kit, Allsteel 801550		
		3	EA	Hanger Kit, Allsteel 801550		
		1	EA	Panel Mount, Allsteel 801569P		
		1	EA	Panel Mount, Allsteel 801582P		
		2	EA	Panel End, Allsteel 801832P		
		1	EA	Panel End, Allsteel 801869P		
		1	EA	Panel End, Allsteel 801882P		
		1	EA	Worksurface, Allsteel 831099		

**Attachment A**  
**Furniture Distribution Summary**  
**for**  
**RCA # 8088**

NAME	RX NO.	QT	UN	DESCRIPTION	NEW/ REPLACE	ADDRESS
HLTH	10059641 continued	1	EA	Worksurface, Allsteel 832424M	NEW	11430 IH 10 E
		2	EA	Worksurface, Allsteel 832430M		
		1	EA	Worksurface, Allsteel 832430M		
		1	EA	Worksurface, Allsteel 832436M		
		1	EA	Worksurface, Allsteel 832448M		
		1	EA	Worksurface, Allsteel 832448M		
		1	EA	Worksurface, Allsteel 832448M		
		2	EA	Worksurface, Allsteel 832466M		
		2	EA	Worksurface, Allsteel 833042M		
		2	EA	Worksurface, Allsteel 833048M		
		1	EA	Worksurface, Allsteel 833066M		
		1	EA	Worksurface, Allsteel 833624RM		
		2	EA	Worksurface, Allsteel 833624RM		
		4	EA	Brackets, Allsteel 851500		
		2	EA	Tackboard, Allsteel 851336		
		1	EA	Tackboard, Allsteel 861930		
		1	EA	Tackboard, Allsteel 861836		
		2	EA	Tackboard, Allsteel 861836		
		1	EA	Tackboard, Allsteel 861848		
		2	EA	Tasklight, Allsteel 870824		
		1	EA	Tasklight, Allsteel 870824		
		1	EA	Tasklight, Allsteel 870830		
		2	EA	Tasklight, Allsteel 870830		
		1	EA	Tasklight, Allsteel 870842		
		2	EA	Pass-Thru Cable, Allsteel 871030		
		1	EA	Pass-Thru Cable, Allsteel 871036		
		1	EA	Power Harness, Allsteel 871224		
		1	EA	Power Harness, Allsteel 871236		
		1	EA	Power Harness, Allsteel 871248		
		1	EA	Circuit, Allsteel 871501		
		1	EA	Circuit, Allsteel 871502		
		2	EA	Circuit, Allsteel 871504		
		1	EA	Cable, Allsteel 879072		
		1	EA	Panel, Allsteel 893224P		
		1	EA	Panel, Allsteel 893230P		
		1	EA	Panel, Allsteel 893236P		
		1	EA	Panel, Allsteel 893248P		
		1	EA	Panel, Allsteel 894330P		
		1	EA	Panel, Allsteel 894336P		
		1	EA	Panel, Allsteel 896918P		
		1	EA	Panel, Allsteel 896942P		
		1	EA	Panel, Allsteel 898224P		
		2	EA	Panel, Allsteel 898236P		
		1	EA	Panel Door, Allsteel 898299P		
		1	EA	Lever, Allsteel 899910		
		1	EA	Connector Key, Allsteel 901169P		
		1	EA	Keyboard Platform, Allsteel AKMT		
		2	EA	Keyboard Platform, Allsteel AKMT		
		1	EA	Keyboard Platform, Allsteel AKMT		
		2	EA	Keyboard Platform, Allsteel AKMT		
		3	EA	Bracket, Allsteel CCB24L		
		3	EA	Bracket, Allsteel CCB24R		



**Attachment A  
Furniture Distribution Summary  
for  
RCA # 8088**

NAME	RX NO.	QT	UN	DESCRIPTION	NEW/ REPLACE	ADDRESS
HLTH	10059675 continued	1	EA	Mobile Ped, ALLSTEEL, PM188202B	NEW	1809 North Main
		1	EA	Mobile Ped, ALLSTEEL, PM188202B		
		1	EA	Mobile Ped, ALLSTEEL, PM188-202B		
		3	EA	Connector Kit, ALLSTEEL, 801032P		
		2	EA	Connector Kit, ALLSTEEL, 801043P		
		6	EA	Connector Kit , ALLSTEEL, 801069P		
		2	EA	Connector Kit, ALLSTEEL, 801069P		
		2	EA	Connector Kit , ALLSTEEL, 801069P		
		2	EA	Connector Kit, ALLSTEEL, 801132P		
		1	EA	Connector Kit, ALLSTEEL, 801143P		
		3	EA	Connector Kit, ALLSTEEL, 801169P		
		1	EA	Connector Kit, ALLSTEEL, 801169P		
		1	EA	Connector Kit , ALLSTEEL, 801269P		
		2	EA	Connector Kit, ALLSTEEL, 801269P		
		1	EA	Wall Hanger Kit, ALLSTEEL, 801550		
		1	EA	Wall Hanger Kit, ALLSTEEL, 801550		
		4	EA	Wall Kit, ALLSTEEL, 801569P		
		1	EA	Panel, ALLSTEEL, 801832P		
		3	EA	PANEL, ALLSTEEL, 801869P		
		6	EA	Panel , ALLSTEEL, 801869P		
		1	EA	Panel , ALLSTEEL, 801869P		
		1	EA	Worksurface Kit , ALLSTEEL, 831099		
		1	EA	Corner Cove, ALLSTEEL, 83122ELM		
		1	EA	Corner Cove, ALLSTEEL, 83222ERM		
		1	EA	Corner Cove, ALLSTEEL, 83222ERM		
		4	EA	Worksurface, ALLSTEEL, 832430M		
		1	EA	Worksurface , ALLSTEEL, 832448M		
		1	EA	Worksurface, ALLSTEEL, 832448M		
		1	EA	Worksurface , ALLSTEEL, 832448M		
		3	EA	Worksurface , ALLSTEEL, 832460M		
		2	EA	Worksurface, ALLSTEEL, 832466M		
		1	EA	Worksurface, ALLSTEEL, 832472M		
		3	EA	Worksurface, ALLSTEEL, 833060M		
		2	EA	Worksurface, ALLSTEEL, 833624RM		
		2	EA	Worksurface, ALLSTEEL, 833624RM		
		1	EA	Hutch, ALLSTEEL, 861648		
		1	EA	Tackboard , ALLSTEEL, 861848		
		1	EA	Tackboard , ALLSTEEL, 861848		
		1	EA	Tackboard , ALLSTEEL, 862048		
		2	EA	Tasklight , ALLSTEEL, 870824		
		1	EA	Tasklight , ALLSTEEL, 870824		
		1	EA	Tasklight , ALLSTEEL, 870830		
		1	EA	Tasklight , ALLSTEEL, 870842		
		1	EA	Tasklight , ALLSTEEL, 870842		
		1	EA	Tasklight , ALLSTEEL, 870842		
		2	EA	Cable,, ALLSTEEL, 871036		
		2	EA	Power Harness, ALLSTEEL, 871230		
		2	EA	Power Harness, ALLSTEEL, 871236		
		4	EA	Power Harness , ALLSTEEL, 871236		
		2	EA	Receptacle Circuit , ALLSTEEL, 871501		
		3	EA	Receptacle Circuit, ALLSTEEL, 871501		
		2	EA	Receptacle Circuit , ALLSTEEL, 871502		

**Attachment A**  
**Furniture Distribution Summary**  
for  
**RCA # 8088**

NAME	RX NO.	QT	UN	DESCRIPTION	NEW/ REPLACE	ADDRESS
HLTH	10059675 continued	2	EA	Receptacle Circuit , ALLSTEEL, 871502	NEW	1809 North Main
		2	EA	Isolated Circuit, ALLSTEEL, 871504		
		2	EA	Isolated Circuit , ALLSTEEL, 871504		
		1	EA	Cable, ALLSTEEL, 879072		
		1	EA	Cable, ALLSTEEL, 879072		
		1	EA	Panel, ALLSTEEL, 893224P		
		1	EA	Panel , ALLSTEEL, 893230P		
		4	EA	Panel , ALLSTEEL, 893236P		
		3	EA	Panel , ALLSTEEL, 894336P		
		5	EA	Panel, ALLSTEEL, 896924P		
		1	EA	Panel, ALLSTEEL, 896924P		
		8	EA	Panel, ALLSTEEL, 896930P		
		1	EA	Panel, ALLSTEEL, 896930P		
		4	EA	Panel, ALLSTEEL, 896936P		
		1	EA	Panel, ALLSTEEL, 896936P		
		3	EA	Panel , ALLSTEEL, 896948P		
		2	EA	Panel , ALLSTEEL, 896969P		
		2	EA	Keyboard , ALLSTEEL, AKMT		
		1	EA	Keyboard, ALLSTEEL, AKMT		
		1	EA	Keyboard , ALLSTEEL, AKMT		
		1	EA	Keyboard , ALLSTEEL, AKMT		
		2	EA	Keyboard , ALLSTEEL, AKMT		
		4	EA	Bracket , ALLSTEEL, CCB24L		
		2	EA	Bracket, ALLSTEEL, CCB24L		
		4	EA	Bracket , ALLSTEEL, CCB24L		
		5	EA	Bracket , ALLSTEEL, CCB24R		
		1	EA	Bracket, ALLSTEEL, CCB24R		
		4	EA	Bracket , ALLSTEEL, CCB24R		
		1	EA	Desk Leg, ALLSTEEL, CDL29		
		1	EA	Desk Leg, ALLSTEEL, CDL29		
		1	EA	Desk Leg , ALLSTEEL, CDL29		
		1	EA	Panel Attachment Kit , ALLSTEEL, CDPA29L		
		2	EA	Panel Attachment Kit , ALLSTEEL, CDPA29R		
		2	EA	Desk Leg , ALLSTEEL, CE30FNN		
		1	EA	Stg Cab , ALLSTEEL, CE30FNN		
		1	EA	Ess OH Stg Cab, ALLSTEEL, CE36FNN		
		1	EA	Ess OH Stg Cab, ALLSTEEL, CE48FNN		
		1	EA	Ess OH Stg Cab, ALLSTEEL, CE48FNN		
		2	EA	End-Panel , ALLSTEEL, CEP2429F		
		2	EA	End-Panel, ALLSTEEL, CEP2429F		
		2	EA	End-Panel, ALLSTEEL, CEP2429F		
		3	EA	End-Panel , ALLSTEEL, CEP2429F		
		3	EA	End-Panel , ALLSTEEL, CEP2429P		
		1	EA	Panel , ALLSTEEL, CS364		
		1	EA	Panel, ALLSTEEL, CS364		
		1	EA	Panel, ALLSTEEL, CS369		
		1	EA	Panel, ALLSTEEL, CS484		
		1	EA	Panel , ALLSTEEL, CS484		
		1	EA	Panel, ALLSTEEL, CS489		
		3	EA	Panel , ALLSTEEL, CS604		
		1	EA	Panel, ALLSTEEL, CSCMP6029		
		1	EA	Panel , ALLSTEEL, CSCMP7229		

**Attachment A  
Furniture Distribution Summary  
for  
RCA # 8088**

NAME	RX NO.	QT	UN	DESCRIPTION	NEW/ REPLACE	ADDRESS
HLTH	10059675 continued	1	EA	Panel, ALLSTEEL, CSCMP7229	NEW	1809 North Main
		1	EA	Support Legs, ALLSTEEL, CSL2429F		
		1	EA	Support Legs, ALLSTEEL, CSL2429F		
		1	EA	Support Legs, ALLSTEEL, CSL2429F		
		3	EA	Support Legs, ALLSTEEL, CSL3029P		
		1	EA	Variable Hgt, ALLSTEEL, CVH11P		
		1	EA	Variable Hgt, ALLSTEEL, CVH26P		
		1	EA	Countertop , ALLSTEEL, 851572M-M29145		
		2	EA	Chair, JAMI, 44003		
		2	EA	Chair, JAMI, 44003		
		2	EA	Chair, JAMI, 44003		
		2	EA	Chair, JAMI, 44003		
		6	EA	Chair, JAMI, 44003		
HLTH	10059732	1	EA	Lock Kit, Allsteel LKF23C	REPLACEMENT	6400 Highstar
		1	EA	Lock Kit, Allsteel LKF23C		
		1	EA	Lock Kit , Allsteel LKF23C		
		3	EA	Lock Kit, Allsteel, LKF23C		
		2	EA	Mobile Ped, Allsteel PM 187-203B		
		2	EA	Mobile Ped, Allsteel PM 187-203B		
		2	EA	Post Leg, Allsteel ABPFG		
		2	EA	Post Leg, Allseel ABPFG		
		2	EA	Worksurface, Allsteel 912R4236		
		2	EA	Hanger Kit , Allsteel 801550		
		4	EA	Bracket, Allsteel 931124		
		1	EA	Corner Cove, Allsteel 8322ELM		
		4	EA	Worksurface, Allsteel 832424MN		
		1	EA	Worksurface, Allsteel 832436MN		
		1	EA	Worksurface, Allsteel 832442M		
		4	EA	Worksurface, Allsteel 832454MN		
		2	EA	Worksurface, Allsteel 933624RM		
		2	EA	Tackboard, Allsteel 861836		
		2	EA	Tasklight, Allsteel 870830		
		2	EA	Keyboard Platform, Allsteel AKMT		
		5	EA	Keyboard Platform , Allsteel AKMT		
		1	EA	Gussets, Allsteel CDG		
		2	EA	Leg, Allsteel CDL29		
		1	EA	Leg , Allsteel CDL29		
		2	EA	Cabinet, Allsteel CE36FNN		
		6	EA	Support, Allsteel CEP2429F		
		10	EA	Support, Allsteel CEP2429F		
		2	EA	Panel, Allsteel CS244		
		2	EA	Panel, Allsteel CS249		
		2	EA	Panel, Allsteel CS364		
		1	EA	Panel, Allsteel CS364		
		2	EA	Panel, Allsteel CS369		
		1	EA	Panel, Allsteel CS424		
		4	EA	Panel, Allsteel CS544		
		1	EA	Panel, Allsteel CSCMP7214		
		4	EA	Legs, Allsteel CSL2429F		
		1	EA	Legs, Allsteel CSL2429F		

**Attachment A  
Furniture Distribution Summary  
for  
RCA # 8088**

NAME	RX NO.	QT	UN	DESCRIPTION	NEW/ REPLACE	ADDRESS
HLTH	10059736	4	EA	Lock Kit, Allsteel, LKF23C	REPLACEMENT	8000 North Stadium Drive
		4	EA	End Panel, Allsteel, CEP3029F		
		2	EA	Modesty Panel, Allsteel, CS664		
		4	EA	Filing Cabinet, Allsteel, ELF830NI		
		2	EA	Worksurface, Allsteel, 833066M		
		13	EA	Chairs, Allsteel, TR-MWK		
HLTH	10059745	1	EA	Work Chair, Mid-Back, Allsteel, TR-MWK	REPLACEMENT	4605 Wilmington #178
		1	EA	Bookcase, Allsteel, EBC60		
		1	EA	Essentials Lateral, Allsteel, ELF536NB		
		2	EA	Lock Kit, Allsteel, LFK23C		
		1	EA	Mobil Ped, Allsteel, PM187-203B		
		1	EA	Flat Edge Worksurface, Allsteel, 832430M		
		1	EA	Flat Edge Worksurface, Allsteel, 832448M		
		1	EA	Corner Worksurface, Allsteel, 833624RM		
		1	EA	Corner Desk Leg, Allsteel, CDL29		
		2	EA	End-Panel Support, Allsteel, CEP2429F		
		1	EA	Modesty Panel, Allsteel, CS309		
		1	EA	Half Height Panel, Allsteel, CS364		
		1	EA	Modesty Panel, Allsteel, CS369		
		1	EA	Modesty Panel, allsteel, CS489		
		4	EA	Free Standing Support , Allsteel, CSL242		
		2	EA	Armless Chair, Allsteel, 44003		
		1	EA	Work Chair Mid-back, Allsteel, TR-MWK		
		1	EA	Essentials Lateral, Allsteel, ELF536NB		
		3	EA	Lock Kit, Allsteel, LFK23C		
		1	EA	Mobil Ped, Allsteel, PM187-203B		
		1	EA	Flat Edge Worksurface, Allsteel, 832424M		
		1	EA	Flat Edge Worksurface, 832448M		
		1	EA	Corner Worksurface, Allsteel, 833624RM		
		1	EA	Tackboard, Allsteel, 861848		
		1	EA	Tasklight, Allsteel, 870842		
		1	EA	Corner Desk Leg, Allsteel, CDL29		
		1	EA	Ess OH STG Cab, Allsteel, CE84FNN		
		2	EA	Standing End-Panel, Allsteel, CEP2429F		
		1	EA	Modesty Panel, Allsteel, CS249		
		1	EA	Half Height Panel, Allsteel, CS364		
		1	EA	Modesty Panel, Allsteel, CS369		
		1	EA	Modesty panel, Allsteel, Cs489		
		4	EA	Freestanding Support , Allsteel, CSL2429		
		2	EA	Terrace Wall Track, Allsteel, TW TS		
		2	EA	Armless Chair, Allsteel, 44003		
		1	EA	Work Chair, Allsteel, TR-MWK		
		1	EA	Laterals 5-High, Allsteel, ELF536NB		
		3	EA	Lock Kit., Allsteel, LKF23C		
		1	EA	Mobil Ped, Allsteel, PM187-203B		
		1	EA	Flat Worksurface, Allsteel, 832424M		
		1	EA	Flat Worksurface, Allsteel, 832448M		
		1	EA	Corner Worksurface, allsteel, 833624RM		
		1	EA	Tackboard, Allsteel, 861848		
		1	EA	Tasklight, Allsteel, 870842		
		1	EA	Corner Deks Leg, Allsteel, CDL29		
		1	EA	Ess OH Stg Cab, Allsteel, CE48FNN		

**Attachment A  
Furniture Distribution Summary  
for  
RCA # 8088**

NAME	RX NO.	QT	UN	DESCRIPTION	NEW/ REPLACE	ADDRESS
HLTH	10059745 continued	2	EA	End-Panel, Allsteel, CEP2429F	REPLACEMENT	4605 Wilmington #178
		1	EA	Modesty panel, Allsteel, CS249		
		1	EA	Half Height Panel, Allsteel, CS364		
		1	EA	Modesty panel, Allsteel, CS369		
		1	EA	Modesty Panel, Allsteel, CS489		
		4	EA	Standing Support, Allsteel, CSL2429F		
		2	EA	Terrace Wall Track, Allsteel, TWTS		
		2	EA	Armless Chair, Allsteel, 44003		
		2	EA	Work Chair, Allsteel, TR-MWK		
		2	EA	Lateral Top, Allsteel, AFNLFTP-3618L		
		2	EA	Lateral 2-high, Allsteel, ELF836NB		
		4	EA	Lock Kit, Allsteel, LKF23C		
		2	EA	Mobile Ped, Allsteel, PM187-233B		
		8	EA	Counter Top brackets, Allsteel, 851500		
		1	EA	Connector Kit 32H, Allsteel, 801032P		
		3	EA	Connector Kit 43H, Allsteel, 801043P		
		1	EA	Eil Connector Kit 43H, Allsteel, 801143P		
		1	EA	Panel End Cover, Allsteel, 801832P		
		1	EA	Panel End Cover 43H, Allsteel, 801843P		
		1	EA	Corner Cover Flat, Allsteel, 83222ELM		
		1	EA	Flat Edge Work Surface, Allsteel, 832436		
		1	EA	Flat Edge Work Surface, Allsteel, 832472		
		4	EA	Power Harness, Allsteel, 871236		
		2	EA	Recpticle Circuit 13+1, Allsteel, 871501		
		2	EA	Recpticle Circuit 23+1, Allsteel, 871502		
		2	EA	Receptacle Isolated, Allsteel, 871504		
		1	EA	Power In-Feed Cable, Allsteel, 879072		
		2	EA	Acoustical Panel 32H, Allsteel, 893236P		
		4	EA	Acoustical Panel 43H, Allsteel, 894336		
		4	EA	Bracket, left, Allsteel, CCB24L		
		2	EA	Bracket, right, Allsteel, CCB24R		
		2	EA	End-Panel Support, Allsteel, CEP2429P		
		1	EA	Variable hgt, Allsteel, CVH11P		
		2	EA	Counter Top, Allsteel, 851536M-M29145		
		1	EA	Corner Top, Allsteel, 85363M-M29150		
		1	EA	Work Chair, Allsteel, TR-MWK		
		1	EA	Laterals 5-High, Allsteel, ELF536NB		
		5	EA	Lock Kit, Allsteel, LKF23C		
		2	EA	Mobile Ped, Allsteel, PM187-233B		
		3	EA	Straight Connector Kit, Allsteel, 801069P		
		1	EA	Eil Connector Kit 69H, Allsteel, 801169P		
		2	EA	Panel End Cover, Allsteel, 801869P		
		1	EA	Brakeects kit, Allsteel, 831099		
		1	EA	Flat Brackets, Allsteel, 831124		
		1	EA	Flat Edge Worksurface, Allsteel, 832436		
		1	EA	Flat Edge Worksurface, Allsteel, 832442M		
		2	EA	Edge Worksurface 30D, Allsteel, 833048M		
		1	EA	Tasklight, Allsteel, 870830		
		1	EA	Tasklight 42W, Allsteel, 870842		
		1	EA	Power Harnelss 30W, Allsteel, 871230		
		1	EA	Power harness 36W, Allsteel, 871236		
		1	EA	Power Harness 42W, Allsteel, 871242		

**Attachment A**  
**Furniture Distribution Summary**  
**for**  
**RCA # 8088**

NAME	RX NO.	QT	UN	DESCRIPTION	NEW/ REPLACE	ADDRESS
HLTH	10059745 continued	1	EA	Receptacle Circuit 13+1, Allsteel, 87150	REPLACEMENT	4605 Wilmington #178
		1	EA	Receptacle Circuit 23+1, Allsteel, 87150		
		1	EA	Isolated Circuit, Allsteel, 871504		
		1	EA	Base Power Cable, Allsteel, 879072		
		1	EA	Acoustical Panel 69H, Allsteel, 896930P		
		1	EA	Acoustical Panel, 36W, Allsteel, 896936P		
		1	EA	Accoustical Panel, 42W, Allsteel,896942P		
		2	EA	Accoustical Panel, 48W, Allsteel,896948P		
		2	EA	Brakcet, 24D left, Allsteel, CCB24L		
		2	EA	Bracket, 24D right, Allsteel, CCB24R		
		1	EA	Ess OH Stg Cab, 36W, Allsteel, CE36FNN		
		1	EA	ESS OH Stg Cab, 42W, Allsteel, CE42FNN		
		1	EA	End-panel Support, Allsteel, CEP2429P		
		1	EA	End-panel Support, Allsteel, CEP3029P		
		2	EA	Armless Chair, Allsteel, 44003		
		6	EA	Work Chair, Allsteel, TR-MWK		
		1	EA	Lateral Top, Allsteel, AFNLFTP-3618L		
		1	EA	Lateral Top, Allsteel, AFNLTP-7218L		
		1	EA	Lateral 5-High, Allsteel, ELF536NB		
		1	EA	Lateral 5-High, Allsteel, ELF536NB		
		2	EA	Lateral 2-High, Allsteel, ELF836NB		
		2	EA	Storage Cabinet, Allsteel, ESC336B		
		16	EA	Lock Kit, Allsteel, LKF23C		
		8	EA	Mobile Ped, Allsteel, PM187-233B		
		8	EA	Connector Kit, .32H, Allsteel, 801032P		
		5	EA	Connector Kit, 69H, Allsteel, 801069P		
		2	EA	Connector Kit 32H, Allsteel, 801132P		
		7	EA	Eil Connctor Kit 69H, Allsteel, 801169P		
		2	EA	Panel end cover, 32H, Allsteel, 801832P		
		4	EA	Panel end cover, 69H, Allsteel, 801869P		
		4	EA	Bracket kit, (pair), Allsteel, 831099		
		1	EA	Flat bracket , 20D, Allsteel, 831124		
		2	EA	Flat Worksurface, 24D, Allsteel, 832436		
		1	EA	Flat edge worksurface, 48w, Allsteel, 83		
		3	EA	Flat worsurface, 60W, Allsteel, 832460M		
		1	EA	Flat worksurface, 66W, Allsteel, 832466M		
		1	EA	Flat worsurface, 72w, Allsteel, 832472M		
		1	EA	Flat worksurface, 30w, Allsteel, 833030M		
		3	EA	Flat corner, rad edge, Allsteel.833624RM		
		1	EA	Corner cover flat, Allsteel, 83623ERM		
		4	EA	Tasklight, 30w, Allsteel, 870830		
		1	EA	Tasklight, 60w, allsteel, 870860		
		2	EA	Pass-thru harness, Allsteel, 871130		
		1	EA	Power Harness, 30w, Allsteel, 871230		
		6	EA	Power Hanness, 36w, Allsteel, 871236		
		1	EA	Power Harness, 48w, Allsteel, 871248		
		1	EA	Power Harness, 60w, Allsteel, 871260		
		6	EA	Receptacle circuit, 13+1,Allsteel,871501		
		4	EA	Receptacle circuit,23+1, Allsteel,871502		
		6	EA	Receptacle isolated, Allsteel, 871504		
		3	EA	Power in-feed cable, Allsteel, 879072		
		1	EA	Acoustical panel, 30W, Allsteel, 893230P		

**Attachment A**  
**Furniture Distribution Summary**  
**for**  
**RCA # 8088**

NAME	RX NO.	QT	UN	DESCRIPTION	NEW/ REPLACE	ADDRESS
HLTH	10059745 continued	9 EA		Acoustical panel, 36W, Allsteel, 893236P	REPLACEMENT	4605 Wilmington #178
		1 EA		Acoustical panel, 48w, Allsteel, 893248P		
		2 EA		Acoustical panel, 60w, Allsteel, 893260P		
		4 EA		Acoustical panel, 24w, Allsteel, 896924		
		4 EA		Accoustical panel,30w, Allsteel, 896930P		
		2 EA		Accoustical panel, 36w, Allsteel, 896936		
		1 EA		Acoustical panel, 48w, Allsteel, 896948P		
		1 EA		Acoustical panel, 60w, Allsteel, 896960P		
		8 EA		Bracket 24D, left, Allsteel, CCB24L		
		9 EA		Bracket 24D, right, Allsteel, CCB24R		
		3 EA		Ess OH Stg cab, 30w, Allsteel, CE30FNN		
		1 EA		Ess OH Stg cab, 36w, Allsteel, CE36FNN		
		1 EA		Ess OH Stg cab, 60w, Allsteel, CE60FNN		
		2 EA		End Panel, Allsteel, CEP2429P		
HLTH	10059765	4 EA		Lateral Cabinet-ELF830NB- Allsteel		
		2 EA		Mobile Ped - PM187-203B- Allsteel		
		1 EA		Tee Connector Kit-801269P- Allsteel		
		3 EA		Panel End Cover-801869P-Allsteel		
		1 EA		Support Column-830299- Allsteel		
		1 EA		Flat Bracket- 831124-Allsteel		
		2 EA		T-Mold Edge-832124AN-Allsteel		
		2 EA		T-Mold Edge-832430A- Allsteel		
		1 EA		T-Mold Edge -832436A-Allsteel		
		1 EA		T-Mold Edge- 832436AT-Allsteel		
		2 EA		T- Mold Edge - 832460A-Allsteel		
		1 EA		T-Mold Edge - 833160A-Allsteel		
		2 EA		T-Mold Corner- 833624RA- Allsteel		
		2 EA		Tasklight- 870830-Allsteel		
		1 EA		Power Harness -871236-Allsteel		
		2 EA		Receptacle Circuit -871501-Allsteel		
		2 EA		Receptacle Circuit -871502- Allsteel		
		2 EA		Receptacle Isolated-871504-Allsteel		
		1 EA		Acoustical Panel -896924P-Allsteel		
		2 EA		Acoustical Panel -896930P-Allsteel		
		1 EA		Acoustical Panel-896948P-Allsteel		
		2 EA		Keyboard platform tray- AKMT-Allsteel		
		9 EA		Cantilever Bracket Lft-CCB24L-Allsteel		
		7 EA		Cantilever Bracket Rght-CCB24R-Allsteel		
		2 EA		OverHeadCabinet-CE36FNN-Allsteel		
		1 EA		End Panel Support-CEP2429P-Allsteel		
HLTH	10059795	2 EA		Chair, Allsteel TR-MWK	NEW	8504 Sculler
		2 EA		Replacement Kit, Allsteel LKF23C		
		2 EA		Mobile Ped, Allsteel PM187-203B		
		4 EA		Brackets, Allsteel 851500		
		2 EA		Connector Kit, Allsteel 801043P		
		1 EA		Panel End, Allsteel 801832P		
		1 EA		Panel End, Allsteel 801843P		
		1 EA		W orksurface, Allsteel 932472M		
		1 EA		Corner Cover, Allsteel 83722ELM		
		1 EA		Power Harness, Allsteel 871224		
		2 EA		Power Harness, Allsteel 871248		
		1 EA		Circuit, Allsteel 871501		

**Attachment A**  
**Furniture Distribution Summary**  
**for**  
**RCA # 8088**

NAME	RX NO.	QT	UN	DESCRIPTION	NEW/ REPLACE	ADDRESS
HLTH	10059795 continued	2 2 1 1 1 1 1 1 1 1 1 1 1 1 1 2 1	EA EA EA EA EA EA EA EA EA EA EA EA EA EA EA EA EA	Circuit, Allsteel 871502 Circuit, Allsteel 871504 Cable, Allsteel 879072 Panel, Allsteel 893248P Panel, Allsteel 894324P Panel, Allsteel 894348P Bracket, Allsteel CCB24L Bracket, Allsteel CCB24R Corner, Allsteel CCWD29R Support, Allsteel CEP2429F Support, Allsteel CEP2429P Panel, AllsteelCS724 Variable Hgt, Allsteel CVH11P Countertop, Allsteel 851572M-M29145 Peg Leg, Allsteel ABPFG Rect Top, Allsteel ALM2436RE	NEW	8504 Sculler
HLTH	10059806	2 2 2 2 2 1 2 2 2 2 6 2 2 1 1 1 4 2 3	EA EA EA EA EA EA EA EA EA EA EA EA EA EA EA EA EA EA EA EA	Trooper Chair, Allsteel, TR-MWK Lateral Top, Allsteel, AFNLFTP-3618L Lateral Pull, Allsteel, ELF836NB Lock Core, Allsteel, LKF23C Post Leg, Allsteel, ABPFG Rect. Top, Allsteel, ALM2436RE Trooper Chair, Allsteel, TR-MWK Lateral Top, Allsteel, AFNLFTP-3618L Lateral Pull, Allsteel, ELF836NB Lock, Allsteel, LKF23C Mobile Ped, Allsteel, PM119-232B Post Leg, Allsteel, ABPFG Top, Allsteel, ALM2436RE Bookshell, Allsteel, 860830 Bookshell, Allsteel, 860836 Tasklight, Allsteel, 870830 Cabinet, Allsteel, CE30FNN Wall Track, Allsteel, TWTH	NEW	9720 Spaulding
HLTH	10059822	4 2 2 2 2 4 2	EA EA EA EA EA EA EA	Lock Core Kit, All Steel, LKF23C Lateral Top, Allsteel, AFNLFTP3618L Lateral 5-high, Allsteel, ELF536NI Lateral 2-high, Allsteel, ELF836NI Mobile Ped, Allsteel, PM119-232I Post leg, w/glides, Allsteel, ABPFG Rect Top, flat, Allsteel, ALM2436RE	NEW	170 Hights Blvd.
HLTH	10059858	4 1 1 2 1 8 1 1 1 1 1	EA EA EA EA EA EA EA EA EA EA EA	Side Chair Allsteel T-klop Trooper work chair, Allsteel ,TRM-WV Ess/BookCase, Allsteel ,EBC72 Ess/Lat 5-High 64-1/2, Allsteel,ELF536NI Ess/Lat 2- High, Allsteel , ELF836NI Loc Core Replacement , Allsteel ,LKF23C Ess Mobile Ped, Allsteel ,PM187-2031 pnt X Base Med, Fixed Allsteel, ABX27fg 36" Dia Rnd Top, Lam, Allsteel, ALM36RND Spcl , Sz Wrksrtc, Allsteel, 9120R6036 Flat Edge Wksurface, Allsteel, 832436M	NEW	8000 North Stadium Drive 8th

**Attachment A**  
**Furniture Distribution Summary**  
**for**  
**RCA # 8088**

NAME	RX NO.	QT	UN	DESCRIPTION	NEW/ REPLACE	ADDRESS
HLTH	10059858 continued	1	EA	Flat edge wksurf, Allsteel, 832442m	NEW	8000 North Stadium Drive 8th
		1	EA	Flat Edge wksurf 24 D, Allsteel,832472M		
		1	EA	Flat Edge WK sur, Allsteel, 834224RM		
		1	EA	Stack on hutch w/drs, Allsteel, 861636		
		1	EA	Stack on Hutch w/drs, Allsteel, 861642		
		1	EA	Stack on Hutch w/drs, Allsteel, 861672		
		1	EA	Tackboard, 306W, 20H, Allsteel, 862036		
		1	EA	Tackboard, 42W 20H, Allsteel, 862042		
		1	EA	Tackboard 72W -20H, Allsteel, 862072		
		1	EA	Tasklight w/electronic, Allsteel, 870830		
		1	EA	Tasklight w/electronic, Allsteel,870842		
		1	EA	Tasklighgt w/elec, Allsteel, 870860		
		1	EA	keyboard Platform w/moust/Allsteel, AKMT		
		1	EA	corner Desk Leg 29-1/2H, Allsteel, CDL29		
		2	EA	Freestanding E-pane, AllsteelCEP2429F		
		1	EA	Freestanding E-panel, Allsteel, CEP3029f		
		1	EA	Return Kit, Allsteel, CRK29		
		1	EA	Half Hgt Modesty, Allsteel, CS364		
		3	EA	Half Hgt. Modesty, Allsteel, CS424		
		1	EA	Modesty Panel 60W , Allsteel, CS609		
		1	EA	Hail Hgt. Mod/ Panel, Allsteel, CS724		
		4	EA	Freestanding Supp.Lgs, Allsteel,CSL2429F		
HLTH	10059864	1	EA	FILE, ALLSTEEL, ELF842NB	REPLACEMENT	8000 North Stadium Drive 8th Fl.
		2	EA	CABINET,ALLSTEEL,ECS536B		
		2	EA	LOCK, ALLSTEEL, LKF23C		
		10	EA	CHAIR, ALLSTEEL,T-KLOP		
		2	EA	FILE, ALLSTEEL, ELF836NB		
		4	EA	LOCK, ALLSTEEL, LKF23C		
		1	EA	PEDESTAL, ALLSTEEL, PM187-203B		
		2	EA	WORKSURFACE, ALLSTEEL, 832436M		
		1	EA	WORKSURFACE, ALLSTEEL, 832472M		
		2	EA	END-PANEL,ALLSTEEL, CEP2429F		
		1	EA	MODESTY PANEL, ALLSTEEL,CS724		
HLTH	10059873	1	EA	AKMT- KEYBOARD-Allsteel	REPLACEMENT	8000 North Stadium Drive 4th
		1	EA	FLAT BRACKET 30D -Allsteel-831130		
		6	EA	LOCK COR REPLACEMENT KIT-Allsteel-LKF23		
		1	EA	TASKLIGHT W/ELECTRO BALL-Allsteel-870860		
		1	EA	LATERAL TOP 30X18-Allsteel-AFNLFTP-3018L		
		2	EA	HALF HT MODES PANEL 42WX14H Allsteel-CS4		
		1	EA	HALF HT MODES PANE72WX14H Allsteel-CS724		
		1	EA	STAND PANEL14HX42W Allsteel-CSCMP4214		
		1	EA	SUPPPORT COLUMN/ 29-1/2-Allsteel-830299		
		1	EA	X BASE LARGE,W/ GLIDES Allsteel-ABX34FG		
		1	EA	CORNER DESK LEG 29-1/2H Allsteel-CDL29		
		2	EA	END-PANEL SUPPORTAllsteel--CEP2429F		
		2	EA	SUPPO LEGS 24DX29-1/2H Allsteel-CSL2429f		
		1	EA	ESS LATER5 HIGH 64-1/2HAllsteel-ELF536NI		
		1	EA	FILE CABINET, Allsteel --ELF830NI		
		1	EA	PEDISTAL, Allsteel -- PM187-203I		
		1	EA	TABLE, Allsteel -- ALM42RND		
		1	EA	HUTCH, Allsteel -- 861672		
		1	EA	WORKSURFACE, Allsteel -- 832442M		

**Attachment A  
Furniture Distribution Summary  
for  
RCA # 8088**

NAME	RX NO.	QT	UN	DESCRIPTION	NEW/ REPLACE	ADDRESS
HLTH	10059873 continued	1	EA	WORKSURFACE, Allsteel -- 832472M	REPLACEMENT	8000 North Stadium Drive 4th
		1	EA	PENNISULA, Allsteel -- 833272RM		
		1	EA	WORKSURFACE, Allsteel -- 834224RM		
		1	EA	TACKBOARD, Allsteel -- 862072		
		1	EA	CHAIR, Allsteel -- SUM-HW		
		2	EA	CHAIR, Allsteel -- T-KLOP		
		4	EA	CHAIR, Allsteel -- TR-MOK		
		3	EA	BOOKCASE, Allsteel -- EBC536		
		1	EA	CABINET, Allsteel -- ESC536I		
HLTH	10058325	2	EA	Vertical File, w/lock, HON, HSC314P	NEW	8000 North Stadium 5th Fl.
HLTH	10058906	1	EA	Pedestal Desk, right, HON, HWC94283R	REPLACEMENT	8000 North Stadium 3rd Fl.
		1	EA	Left Return, HON, HWC94216L		
		2	EA	Lateral File, HON, HWC94223		
		2	EA	Bookcase, 2-shelf, HON, HWC94210		
		1	EA	Keyboard Platform, HON, HWC4022		
		1	EA	Executive Chair, HON, HSG2091		
		4	EA	Guest Chair w/arms, HON, HSG2093		
		1	EA	Lateral File, 2-Drawer, HON, HSC432L		
		1	EA	Task Chair, HON, HSG7808		
HLTH	10058933	1	EA	Executive Chair, HON, HSG2191	NEW	8000 North Stadium 3rd Fl.
HLTH	10058844	2	EA	CHAIRS, ALLSTEEL, A19-HWB	REPLACEMENT	7411 Park Place Blvd.
HLTH	10059900	12	EA	Panel, AllSteel, 891336SF \$(1). TG 987	NEW	8000 North Stadium, 4th Fl.
		4	EA	Connector, AllSteel 801113F \$(1) TG (987		
		12	EA	Connector, AllSteel,801013F \$(1).TG 087		
		4	EA	Cabinet, AllSteelCE36FNN \$ COREPNT) .Po2		
		4	EA	Tasklight, AllSteel 870830.x		
		1	EA	Cabinet, AllSteel, ELF830NB \$ CORE .P02		
		2	EA	Cabinet AllSteel, ELF330NB \$ CORE .P02		
		4	EA	Cabinet, AllSteel, CVH26P \$COREPNT(.P02		
		3	EA	Lock, AllSteel, LKF23C.X173E		
		3	EA	Lock, AllSteel, LKF23C.X174E		
		1	EA	Lock, AllSteel, LKF23C .X177E		
		2	EA	Cabinet, AllSteel, LF330NB \$CORE P02		
		1	EA	Worksurface, AllSteel, MO36L N E9		
		1	EA	Base, AllSteel, MX26 S CORE .P02		
		2	EA	Chair, AllSteel, T-KLAP 1 P71		
		1	EA	Lock, AllSteel, LKF23C X 175E		
		1	EA	Lock, AllSteel, LKF23C X176E		
		1	EA	Lock, AllSteel,LKF23C X172E		
		1	EA	Lock, AllSteel, LKF23C X178E		
		1	EA	Lock, Allsteel, LKF23C X179E		
		1	EA	Lock, AllSteel, LKF23C X181E		
		1	EA	Lock, AllSteel, LKF23C X182E		
		14	EA	Panel, AllSteel, 891324SF \$ 1 TG 987		
		14	EA	Panel, AllSteel, 801413 \$ CORPENT .P02		
		2	EA	Cabinet, AllSteel,CE24FNN \$ COREPNT.P02		
		2	EA	Tasklight, AllSteel, 870824.X		
		3	EA	Tasklight, AllSteel, 870842.X		
		3	EA	Cabinet, AllSteel, CE48FNN\$COREPNT.P02		
		3	EA	Cabinet, AllSteel, ELF830NB \$ CORE P02		
		1	EA	Connector,801069P \$ 1 TG 987 COREPNT P02		
		4	EA	Panel, AllSteel, 891348SF \$ 1 TG 987		



**Attachment A  
Furniture Distribution Summary  
for  
RCA # 8088**

NAME	RX NO.	QT	UN	DESCRIPTION	NEW/ REPLACE	ADDRESS
Mayor's Office	10061264 continued	4	EA	CHAIR,SIDE,ALLSTEEL,T-KLOP	NEW	3100 Main Suite 1C12
PARK	10062424	113	EA	30" X 72" TABLE MITY-LITE NO. RT3072SGY1	REPLACEMENT	Various Locations
		128	EA	36" X 36" TABLE MITY-LITE NO. RT3636SGY2		
		45	EA	30" X 72" TABLE MITY-LITE NO. RT3072SGY1		
		35	EA	36" X 36" TABLE MITY-LITE NO. RT3636SGY2		
		654	EA	FOLDING CHAIR MITY-LITE NO CHSS0006000		
		940	EA	FOLDING CHAIR MITY-LITE NO CHSS0006000		
		5	EA	TABLE DOLLIES MITY-LITE NO CRT18-72EBL		
		10	EA	TABLE DOLLIES MITY-LITE NO CRT18-72EBL		
		7	EA	CHAIR DOLLIES MITY-LITE NO CRTCHSSFBL		
		6	EA	CHAIR DOLLIES MITY-LITE NO CRTCHSSFBL		
PWE	10059712	16	EA	Relate Std Mesh,Allsteel,RL-MHW--.2-.0.	REPLACEMENT	611 Walker, 15th Floor
PWE	10059776	20	EA	table/All Steel/GSD2460C-LS	REPLACEMENT	4501 Leeland Avenue
		20	EA	table/All Steel/GSAGNB-P02		
		40	EA	chair/All Steel/TR-MWK-2.0		
PWE	10059949	22	EA	CHAIR, TIFFANY, OFVSB09529	NEW / REPLACEMENT	611 Walker, 16th, 24th and 2
		20	EA	HUTCH, TIFFANY, OFP243BLK		
		20	EA	HUTCH KIT, TIFFANY, OFP24MBLK		
		50	EA	CHAIR, ALLSTEEL, RL-MHW		
		20	EA	CHAIR, STACKCHROME,OFVSKF410CH602		
		4	EA	TABLE, TIFFANY, OF36SLBRMH		
		1	EA	HUTCH, INDIANA, 51-1569HU		
		1	EA	BRIDGE, INDIANA, 51-2448UF		
		1	EA	CREDENZA, INDIANA, 53-2072LC		
		1	EA	DESK, INDIANA, 53-3672RP		
		12	EA	CHAIR, TIFFANY, OFVSB09302		
		1	EA	TABLE, TIFFANY, LOFCMT14MAH		
		1	EA	BOARD, TIFFANY, OFCTMBMAH		
		1	EA	CREDENZA, TIFFANY, OFVBCZMAH		
		1	EA	HUTCH, INDIANA, 56-1572HU		
		1	EA	BRIDGE, INDIANA, 56-2448UF		
		1	EA	DESK, INDIANA, 56-4272PR		
		1	EA	CREDENZA, INDIANA, 58-2072LC		
		1	EA	HUTCH, INDIANA, 56-1572HU		
		1	EA	BRIDGE, INDIANA, 56-2448UF		
		1	EA	DESK, INDIANA, 56-4272PR		
		1	EA	CREDENZA, INDIANA, 58-2072LC		
		1	EA	HUTCH, INDIANA, 56-1572HU		
		1	EA	BRIDGE, INDIANA, 56-2448UF		
		1	EA	DESK, INDIANA, 56-4272PL		
		1	EA	CREDENZA, INDIANA, 58-2072RC		
		1	EA	HUTCH, INDIANA, 56-1572HU		
		1	EA	BRIDGE, INDIANA, 56-2448UF		
		1	EA	DESK, INDIANA, 56-4272PR		
		1	EA	CREDENZA, INDIANA, 58-2072LC		
		1	EA	HUTCH, INDIANA, 56-1572HU		
		1	EA	BRIDGE, INDIANA, 56-2448UF		
		1	EA	DESK, INDIANA, 56-4272PR		
		1	EA	CREDENZA, INDIANA, 58-2072LC		
		1	EA	CHAIR, ALLSTEEL, A19-HWG		
		1	EA	TABLE, INDIANA, 1-1616CB		

**Attachment A**  
**Furniture Distribution Summary**  
**for**  
**RCA # 8088**

NAME	RX NO.	QT	UN	DESCRIPTION	NEW/ REPLACE	ADDRESS
PWE	10059949 continued	1	EA	HUTCH, INDIANA, 51-1569HU	NEW / REPLACEMENT	611 Walker, 16th, 24th and 2
		1	EA	BRIDGE, INDIANA, 51-2448UF		
		1	EA	BOOKCASE, INDIANA, 51-3472BC		
		1	EA	TABLE, INDIANA, 51-4848CT		
		1	EA	CREDENZA, INDIANA,53-2072RC		
		1	EA	DESK, INDIANA, 53-3672LP		
		4	EA	CHAIR, EUROTECH, OFVSKFSB4921BK		
		1	EA	HUTCH, INDIANA, 56-1572HU		
		1	EA	BRIDGE, INDIANA, 56-244UF		
		1	EA	DESK, INDIANA, 56-4272PL		
		1	EA	CREDENZA, INDIANA, 58-2072RC		
		1	EA	HUTCH, INDIANA, 56-1572HU		
		1	EA	BRIDGE, INDIANA, 56-2448UF		
		1	EA	DESK, INDIANA, 56-4272PL		
		1	EA	CREDENZA, INDIANA,58-2072RC		
		1	EA	HUTCH, INDIANA, 56-1572HU		
		1	EA	BRIDGE, INDIANA, 56-2448UF		
		1	EA	DESK, INDIANA, 56-4272PL		
		1	EA	CREDENZA, INDIANA, 58-2072RC		
		1	EA	HUTCH, INDIANA, 56-1572HU		
		1	EA	BRIDGE, INDIANA, 56-2448UF		
		1	EA	DESK, INDIANA, 56-4272PL		
		1	EA	CREDENZA, INDIANA, 58-2072RC		
		1	EA	CHAIR, ALLSTEEL, A19-HWG		
		1	EA	TABLE, INDIANA, 1-1616CB		
		1	EA	HUTCH, INDIANA, 51-1569HU		
		1	EA	BRIDGE, INDIANA, 51-2448UF		
		1	EA	BOOKCASE, INDIANA, 51-3472BC		
		1	EA	TABLE, INDIANA, 51-4848CT		
		1	EA	CREDENZA, INDIANA, 53-2072RC		
		1	EA	DESK, INDIANA, 53-3672LP		
		4	EA	CHAIR, INDIANA, OFVSKFSB4921BK		
		1	EA	CHAIR, ALLSTEEL, A19-HWG		
		6	EA	CHAIR, EUROTECH, OFVSBO8909		
		1	EA	CREDENZA, INDIANA, 29-2072SC		
		1	EA	DESK, INDIANA, 29-2445LF		
		1	EA	BOOKCASE, INDIANA, 29-2870BC		
		1	EA	DESK, INDIANA, 29-3672RP		
		1	EA	TABLE, TIFFANY, OFCN6MAH		
		1	EA	HUTCH, INDIANA, 56-1572HU		
		1	EA	BRIDGE, INDIANA, 56-2448UF		
		1	EA	DESK, INDIANA, 56-4272PR		
		1	EA	CREDENZA, INDIANA, 58-2072LC		
		1	EA	TABLE OPT., FAIRFIELD, OFA2MS		
		1	EA	TABLE, FAIRFIELD, OFCH1150M		
		1	EA	CHAIR, FAIRFIELD, OF606904J9861		
		20	EA	CHAIR, ALLSTEEL, RL-MHW		
		1	EA	TABLE, TIFFANY, DOFNC12CRY		
		1	EA	BOARD, TIFFANY, OFCTMBCRY		
		1	EA	CABINET, TIFFANY, OFVLCORY		
		12	EA	CHAIR, ALLSTEEL, GET-1		
		9	EA	TABLE OPT., ALLSTEEL, ACPU2		

**Attachment A  
Furniture Distribution Summary  
for  
RCA # 8088**

NAME	RX NO.	QT	UN	DESCRIPTION	NEW/ REPLACE	ADDRESS
PWE	10059949 continued	6 EA		TABLE, ALLSTEEL, EPDPT	NEW / REPLACEMENT	611 Walker, 16th, 24th and 2
		3 EA		TABLE, ALLSTEEL, GLF2472C		
		3 EA		TABLE OPT., ALLSTEEL, GSPM72		
PWE	10059410	1 EA		Mgr/task, HON, 7808	NEW	2700 Dalton
		8 EA		Mgr mid-back pneu, HON, 3308		
		10 EA		Mgr/task, HON, 7807		
		4 EA		Rectangle training room table, HON, 5254		
		1 EA		Trapezoid training table, HON, 5273		
		2 EA		Semi-circle training table, HON, 5293		
		1 EA		Book case sqr cnr , HON, 1876		
		1 EA		Lam Rectangular top, HON, LC4896G		
		1 EA		Slab base, HON, BLS02		
PWE	10059565	15 EA		MGR MID-BACK CHAIR, HON, 2092	REPLACEMENT	4200 Leeland
		1 EA		48" DIA ROUND LAMINATE TOP, HON, LD48G		
		1 EA		CYLINDER BASE, HON, BLCY02		
PWE	10059664	12 EA		TASK CHAIR, HON, 4703	REPLACEMENT	4200 Leeland
		2 EA		GAMUT CHAIR, HON, 2077		
PWE	10059666	17 EA		Mang Mid-Back, Hon, 4703	REPLACEMENT	4215 Leeland-Contact center
		1 EA		GUEST CHAIR, Hon, 3516		
PWE	10059833	7 EA		Chair, Mang, HON 4703	NEW/REPLACEMENT	611 Walker 19th Fl
		3 EA		Desk, Double Pedestal, HON 10774		
		3 EA		Credenza, Computer , HON 107495		
		1 EA		Files, Lateral , HON 115491		
		2 EA		Desk, Double Pedestal , HON 10671		
		3 EA		Chair, Exec, HON 5021		
		2 EA		Chair, Guest, HON 2403		
		4 EA		Chair, Guest, HON 5023		
		2 EA		Bookcase, HON 10655		
		4 EA		Chair, Guest, HON 4003		
		2 EA		Chair, Guest, HON 4706		
		1 EA		Chair, Exec, HON 4701		
PWE	10059871	1 EA		File, Lateral , HON 894LBR		
		1 EA		Task Stool, HON 7805		
		1 EA		Chair, Exec, HON 4701		
		4 EA		Chair, Exec, HON 2091		
		3 EA		Chair, Exec, HON 2191		
		3 EA		Chair, Exec, HON 2191		
		8 EA		Chair, Exec, HON 3307		
		8 EA		Chair, Exec, HON 3307		
		3 EA		Bookcase, HON 105535		
		2 EA		File, Lateral , HON 855L		
		1 EA		File, Lateral , HON 883L		
		1 EA		Overfile, Metal , HON 9318		
		1 EA		Chair, Exec, HON 2191		
		4 EA		Chair, Guest, HON 2193		
		1 EA		Chair, Low-Back, HON 6213		
PWE	10059524	7 EA		Resolution Ultra Chair, HON, 6211	REPLACEMENT	611 Walker, 23rd & 25th Floor cubicle & Office
		4 EA		Pyramid 24 Hr. Guest Chair, HON, 3516		
PWE	10059701	4 EA		Series Bookcase, Hon, 94225.MAH-UC	NEW	611 Walker, 15th Fl.
PWE	10059672	1 EA		Trooper Chair, Allsteel, TR-SPR	REPLACEMENT	3300 Main 2nd Fl.
PWE	10059674	7 EA		Relate Alum-MeshChair, Allsteel, RLA-MHC	REPLACEMENT	611 Walker 19th Fl.
		10 EA		Relate Alum-MeshChair, Allsteel, RLA-MHC		
PWE	10060145	9 EA		Energy Mid-back chair, Allsteel, NRG-5	REPLACEMENT	611 Walker, 3rd Annex

**REQUEST FOR COUNCIL ACTION**

**TO:** Mayor via City Secretary

**RCA# 8053**

**Subject:** Purchase of Street and Parking Lot Maintenance Equipment Through the Houston-Galveston Area Council and the Texas Local Government Purchasing Cooperative for Various Departments S34-N23031-B&H

Category #  
1 & 4

Page 1 of 2

Agenda Item

**9+9A**

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

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

**Origination Date**

October 20, 2008

**Agenda Date**

DEC - 3 2008

**DIRECTOR'S SIGNATURE**

*Calvin D. Wells*

**Council District(s) affected**  
All

**For additional information contact:**

David Guernsey Phone: (713) 238-5241  
Ray DuRousseau Phone: (832) 393-8726

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

**RECOMMENDATION: (Summary)**

Approve an ordinance authorizing the appropriation of \$1,139,086.10 out of the Equipment Acquisition Consolidated Fund (Fund 1800) and approve the purchase of street and parking lot maintenance equipment through the Houston-Galveston Area Council (H-GAC) and the Texas Local Government Purchasing Cooperative in the amount of \$1,235,805.23 for various departments.

Award Amount: \$1,235,805.23

**Finance Budget**

\$1,139,086.10 - Equipment Acquisition Consolidated Fund (1800)  
\$ 115,481.63 - HAS-AIF Capital Outlay Fund (8012)  
\$1,254,567.73 - Total Funding

**SPECIFIC EXPLANATION:**

The City Purchasing Agent recommends that City Council approve an ordinance authorizing the appropriation of \$1,139,086.10 out of the Equipment Acquisition Consolidated Fund (Fund 1800). It is further recommended that City Council approve the purchase of street and parking lot maintenance equipment through the Interlocal Agreements for Cooperative Purchasing with H-GAC and the Texas Local Government Purchasing Cooperative in the amount of \$1,235,805.23, and that authorization be given to issue purchase orders to the cooperative purchasing agencies contractors as shown below. This new equipment will be used citywide by the Public Works & Engineering Department to maintain city streets, by the Parks & Recreation Department to maintain parking lots and jogging trails, and by the Houston Airport System at the George Bush Intercontinental Airport to maintain paved areas. The requested appropriation includes \$18,762.50 for a thermoplastic applicator that will be purchased in a separate procurement. The funding for this equipment is included in the adopted FY09 Equipment Acquisition Plan.

**H-GAC Contractors:**

**Hi-Way Equipment Co., LLC:** Approve the purchase of two truck-mounted 1000-gallon maximum capacity asphalt distributors and a trailer-mounted 1000-gallon maximum capacity asphalt distributor in the amount of \$189,360.00.

**TYMCO, Inc.:** Approve the purchase of a regenerative air sweeper in the amount of \$115,481.63.

**Bergkamp, Inc.:** Approve the purchase of four truck-mounted pot hole patchers in the amount of \$254,600.00

**Texas Local Government Purchasing Cooperative Contractors:**

**Mustang Machinery Company, LTD.:** Approve the purchase of a front-loading discharge, 38,810-lb operating weight cold planer in the amount of \$580,925.00.

**REQUIRED AUTHORIZATION**

Finance Department:

Other Authorization:

Other Authorization:

*11+P*

Date: 10/20/2008	Subject: Purchase of Street and Parking Lot Maintenance Equipment Through the Houston-Galveston Area Council and the Texas Local Government Purchasing Cooperative for Various Departments S34-N23031-B&H	Originator's Initials LB	Page 2 of 2
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**R. B. Everett & Company:** Approve the purchase of two 4-wheel broom sweepers in the amount of \$95,438.60.

The asphalt distributors will come with a full one-year or 1,500 hours warranty and the life expectancy is ten years. The pot hole patchers will come with a full one-year warranty and the life expectancy is ten years. The regenerative air street sweeper will come with a full warranty of one-year or 1000 hours on the sweeper and additional warranties of two-years for labor and three years for parts on the engine, and three years on the sweeper's chassis. The life expectancy of the street sweeper is ten years. The cold planer will come with a full warranty of one-year or 1,500 hours on the cold planer and an additional warranty of five years or 5,000 hours on the power train. The life expectancy of the cold planer is ten years. The four-wheel broom sweepers will come with a full warranty of one-year or 1,000 hours and the life expectancy is ten years. This new equipment will meet the EPA's current emission standards for machinery equipped with diesel engines. As detailed in the attached Equipment Usage Summary, this new equipment will replace existing equipment that has reached its life expectancy and will be sent to auction for disposition.

Buyer: Larry Benka

**EQUIPMENT USAGE SUMMARY  
RCA 8053  
STREET AND PARKING LOT MAINTENANCE EQUIPMENT  
FOR  
VARIOUS DEPARTMENTS**

**S34-N23031-B&H**

Requisition No.	Qty	Description	Department/Division  Fleet Usage	Equipment Usage	
				Shop No.	Age(yrs)
10058249 & 10059123	2	Truck Mounted Asphalt Distributor with 1000 gallon maximum capacity tank.	Public Works & Engineering Department/Right of Way & Fleet Maintenance  These asphalt distributors will be installed on an existing cab & chassis and used citywide by Department personnel to apply tack material to city streets prior to the application of asphalt.	N/A N/A	5 13
10058245	1	Cold Planer, 38,810 lb operating weight, front loading	Public Works & Engineering Department/Right of Way & Fleet Maintenance  This cold planer will be used citywide by Department personnel to mill streets prior to the asphalt overlay process.	21033	15
10058689	2	4-Wheel Broom Sweeper	Public Works & Engineering Department/Right of Way & Fleet Maintenance  These broom sweepers will be used citywide by Department personnel to sweep streets prior to the asphalt overlay process.	21710 21711	15 15
10057440	1	Trailer-Mounted Asphalt Distributor with 1000 gallon tank	Parks & Recreation Department/Heavy Construction  This asphalt distributor will be used citywide by Department personnel in the various City parks to apply tack material to jogging trails and parking lots prior to the application of asphalt.	16440	20
10057725	1	Regenerative Air Street Sweeper	Houston Airport System/IAH Airfield & Grounds  This sweeper will be used by Department personnel at the George Bush Intercontinental Airport to vacuum/remove debris and trash from paved areas.	27957	10

**EQUIPMENT USAGE SUMMARY  
RCA 8053  
STREET AND PARKING LOT MAINTENANCE EQUIPMENT  
FOR  
VARIOUS DEPARTMENTS**

**S34-N23031-B&H**

Requisition No.	Qty	Description	Department/Division Fleet Usage	Equipment Usage	
				Shop No.	Age(yrs)
10058687	4	Truck-Mounted Pothole Patcher	Public Works & Engineering/Right of Way & Fleet Maintenance  These pot hole patchers will be installed on an existing cabs & chassis and used citywide by the Department to provide adhesion for asphalt applied to street surface.	29340	12
				29344	9
				29349	9
				29348	9

**REQUEST FOR COUNCIL ACTION**

**TO:** Mayor via City Secretary

**RCA# 8050**

**Subject:** Formal Bids Received for Equipment, Road Machinery, Gradall and Cummins Replacement Parts and Repair Services for Various Departments  
S36-S22843

Category #  
4

Page 1 of 2

Agenda Item

**10**

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

**Origination Date**  
October 21, 2008

**Agenda Date**  
DEC - 9 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 Hi-Way Equipment Co., L.L.C. on its low overall bid in an amount not to exceed \$1,143,687.50 for Gradall and Cummins equipment and road machinery replacement parts and repair services for various departments.

Estimated Spending Authority: \$1,143,687.50

**Finance Budget**

\$ 240,000.00 General Fund (1000)  
\$ 903,687.50 Fleet Management Fund (1005) *RE 11/4/08*  
\$1,143,687.50 Total

**SPECIFIC EXPLANATION:**

The City Purchasing Agent recommends that City Council approve an award to Hi-Way Equipment Co, L.L.C. on its low overall bid in an amount not to exceed \$1,143,687.50 for Gradall and Cummins equipment and road machinery replacement parts and repair services 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 two price lists for various types of replacement parts which includes, but are not limited to, cutting edges, center pins, hoist cylinders, alternators, O-rings, filter kits, slip ring assemblies, throttle control valves, fuel solenoids, and axle housings. These parts will be used by the Public Works & Engineering, Solid Waste Management and Parks & Recreation Departments to repair and maintain Gradall road machines used to clean out and re-grade ditches and major storm sewer ditches and Cummins engines in garbage trucks used to haul and pickup garbage citywide. This award also includes a \$382,500.00 labor component for repair services that cannot be performed by City personnel.

This is a price list solicitation. The best discount which determines the low bid for a price list, is the best bid received for quantities of high-use items selected as sample pricing items based on the current needs of the Department. The bid total for sample pricing items does not represent the total amount to be purchased; rather, this award recommendation is for the total estimated expenditures projected over the 60-month period based on the low bid submitted for the representative samples.

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

<u>Company</u>	<u>Price List Plus Labor</u>
1. Rush Truck Center	\$2,033.89 (Partial Bid)
2. Hi-Way Equipment Co., L.L.C.	\$3,645.71

**REQUIRED AUTHORIZATION**

Finance Department:

Other Authorization:

Other Authorization:

*in Laga* *Andrews*

**65CDW8050**

**11.608**

**MO**

**102**

R

Date: 10/21/2008	Subject: Formal Bids Received for Equipment, Road Machinery, Gradall and Cummins Replacement Parts and Repair Services for Various Departments S36-S22843	Originator's Initials VK	Page 2 of 2
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- Hi-Way Equipment Co., L.L.C. is the only authorized distributor of Gradall road machinery replacement parts and repair services provider in the greater Houston area and surrounding counties.

**M/WBE Subcontracting:**

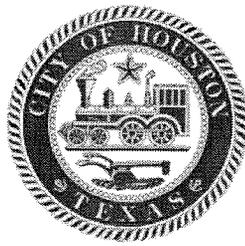
This bid was issued with a 2% goal for M/WBE participation. **Hi-Way Equipment Co., L.L.C.** has designated the below-named companies as its certified M/WBE subcontractors:

<u>NAME</u>	<u>TYPE OF WORK</u>	<u>DOLLAR AMOUNT</u>	<u>PERCENTAGE</u>
City Office Supply, Inc.	Office Supply Products	\$11,436.88	1%
Lab's Industrial Hose Supply Co., Inc.	Shop Supply Products	\$11,436.87	1%

Buyer: Valerie Player-Kaufman

**Estimated Spending Authority**

<u>Department</u>	<u>FY 09</u>	<u>Out Years</u>	<u>Total</u>
Public Works & Engineering	\$180,000.00	\$723,687.50	\$ 903,687.50
Parks & Recreation	\$ 15,000.00	\$110,000.00	\$ 125,000.00
Solid Waste Management	\$ 17,100.00	\$ 97,900.00	\$ 115,000.00
<b>TOTAL</b>	<b>\$212,100.00</b>	<b>\$931,587.50</b>	<b>\$1,143,687.50</b>



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## **Council Committee on Minority/Women Business Enterprise and Small Contractor Development and Contract Compliance**

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**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

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## **COMMITTEE RECOMMENDATION & REPORT** **November 20, 2008**

Motion passed to send the below listed Requests for Council Action Items to City Council with recommendation for approval with satisfactory rating:

- a. Review of MWBE performance on an RCA to Accept Work for Kirby Drive (Seg. 1) project by **Texas Sterling Construction, L.P.**
- b. Review of MWBE goal on an RCA to receive a formal bid for equipment, road machinery and replacements parts and repair services for various departments by **Hi-Way Equipment Company, L.L.C.**
- c. Review of MWBE performance on an RCA to amend ordinance for Security System Maintenance for General Services Department by **Security Integrators & Consulting, Inc.**
- d. Review of MWBE performance on an RCA to amend contract for lumber for various city departments by **Big Z Lumber Company.**
- e. Review of MWBE performance on an RCA to accept formal bid sewer cleaning equipments and maintenance parts for Public Works by **Texas Underground, Inc.**

Other committee business, but non-request for council action / agenda items:

1. Review Proposed New Prevailing Wage Scale.
2. Presentation on Public Works Small Business Development Program – Tony Henshaw

Committee Members James Rodriguez and Jolanda Jones present. Council Member Melissa Noriega was also in attendance.



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Adrian Garcia  
Chair



# CITY OF HOUSTON

# Interoffice

Administration & Regulatory Affairs Department  
Strategic Purchasing Division (SPD)

Correspondence

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

From: Valerie Player-Kaufman

Date: July 23, 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  2%

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: S22719 Estimated Dollar Amount: \$865,000.00

Anticipated Advertisement Date: 8/1/2008 Solicitation Due Date: 8/14/2008

Goal On Last Contract: 5% Was Goal met: Yes  No

If goal was not met, what did the vendor achieve: 2.17%

Name and Intent of this Solicitation:

This is a renewal award for Equipment, Road Machinery, Gradall and Cummins Replacement Parts and Repair Services. This award consists of replacement parts, such as cutting edges, center pins, hoist cylinders, alternators and O-rings and repair services used by the Public Works & Engineering and Solid Waste Management Departments to repair and maintain Gradall road machines and Cummins engines.

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

Hi-Way Equipment Co., Inc. is the sole distributor of Gradall and Cummins road machinery replacement parts in the Greater Houston Area. The manufacturer drop-ships the replacement parts directly to the vendor's facility for stock inventory that is either shipped to the the City department for in-house repairs or used by the vendor to perform repairs to City vehicles at the vendor facility. The vendor will be able to utilize the M/WBE subcontractor to deliver parts, on an as needed basis, to the City of Houston location. The user departments have stated that they believe a 2% M/WBE goal is attainable for this procurement. (See Attachment)

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

JUL 29 2008

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

<b>SUBJECT:</b> Amend Chapters 7 and 8 of the Code of Ordinances to conform with state law		<b>Page</b> 1 of 1	<b>Agenda Item #</b>  11
<b>FROM (Department or other point of origin):</b>  Police Department		<b>Origination Date - DATE -</b> November 21, 08	<b>Agenda Date</b>  DEC - 3 2008
<b>DIRECTOR'S SIGNATURE:</b>  MS Harold L. Hurtt 		<b>Council District affected:</b>  ALL	
<b>For additional information contact:</b> Larry W. Schenk, Sr. Asst City Attorney  Phone: (832) 393-6447		<b>Date and identification of prior authorizing Council action:</b>	
<b>RECOMMENDATION: (Summary)</b> Approval of an ordinance amending Chapters 7 and 8 of the Code of City Ordinances to conform with state law regarding the regulation of pawnshops			
<b>Amount and Source of Funding:</b> N/A			
<b>SPECIFIC EXPLANATION:</b> Chapter 371 of the Texas Finance Code, known as the Texas Pawnshop Act, implements a statewide, comprehensive regulatory scheme for regulating pawnshops. Various provisions of Chapters 7 and 8 of the City's Code of Ordinances are now preempted by the statewide regulations. In reliance on legal opinions from both the City Legal Department and outside legal counsel retained by the City, the proposed amendments would remedy these conflicts in the City's Code.  The Public Safety and Homeland Security Committee reviewed this item on Nov. 19th, 2008.			
<b>REQUIRED AUTHORIZATION</b>			
<b>Other Authorization:</b>		<b>Other Authorization:</b>	

**Chapter 8.  
AUTOMOTIVE DEALERS AND AUTO WRECKERS**

\* \* \*

**Sec. 8-16. Definitions.**

\* \* \*

*Used parts and used accessories dealer.* Any person who, primarily or incidentally, wholly or part time, engages in, conducts, or carries on the public business of buying, selling, offering for sale, consigning to be sold, trading or otherwise dealing with the public in or operating as a public dealer in used or secondhand motor vehicle parts or accessories for motor vehicles, either or both; but does not rebuild, dismantle, wreck or disassemble motor vehicles or trailers as part of such business. This term shall not include a business that is licensed as a pawnshop pursuant to Chapter 371 of the Texas Finance Code.

**City of Houston, Texas, Ordinance No. 2008-\_\_\_\_\_**

**AN ORDINANCE AMENDING CHAPTERS 7 AND 8 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS, RELATING TO PAWNBROKERS; CONTAINING FINDINGS AND OTHER PROVISIONS RELATING TO THE FOREGOING SUBJECT; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.**

\* \* \* \* \*

**WHEREAS**, the Texas Legislature has adopted Chapter 371 of the Finance Code, (known as the "Texas Pawnshop Act"), which constitutes a comprehensive statewide regulatory scheme for regulating pawnshops; and

**WHEREAS**, the City Council desires to revise the City's Code of Ordinances, at Chapters 7 and 8, to conform with existing state law regulating pawnshops; **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 Article IV of Chapter 7 of the Code of Ordinances, Houston, Texas, is hereby repealed in its entirety.

**Section 3.** That the definition of the term *used parts and used accessories dealer* in Section 8-16 of the Code of Ordinances, Houston, Texas, is hereby amended to read as follows:

*"Used parts and used accessories dealer. Any person who, primarily or incidentally, wholly or part time, engages in, conducts, or carries on the public business of buying, selling, offering for sale, consigning to be sold, trading or otherwise dealing with the public in or operating as a public dealer in used or secondhand motor vehicle parts or accessories for motor vehicles, either or both; but does not rebuild, dismantle, wreck or disassemble motor vehicles or trailers as part of such business. This term shall not include a business that is licensed as a pawnshop pursuant to Chapter 371 of the Texas Finance Code."*

**Section 4.** 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 5.** 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; however, in the event that the Mayor fails to sign this Ordinance within five days after its passage and adoption, it shall take effect in accordance with Article VI, Section 6, Houston City Charter.

**PASSED AND ADOPTED this \_\_\_ day of \_\_\_\_\_, 2008.**

**APPROVED this \_\_\_ day of \_\_\_\_\_, 2008.**

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

Pursuant to Article VI, Section 6, Houston City Charter, the effective date of the foregoing Ordinance is \_\_\_\_\_.

\_\_\_\_\_  
City Secretary

Prepared by Legal Dept. \_\_\_\_\_

LWS:asw 06/25/2008

*[Handwritten Signature]*  
Senior Assistant City Attorney

*[Handwritten Initials]*

Requested by \_\_\_\_\_

L.D. File No. \_\_\_\_\_

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

<b>SUBJECT:</b> Airport Compatible Land Use Regulations and maps in the vicinity of George Bush Intercontinental Airport/Houston, William P. Hobby Airport and Ellington Field, and related amendments to the Code of Ordinances, Building Code and International Residential Code.		<b>Category # 9</b>	<b>Page 1 of 2</b>	<b>Agenda Item #</b> <i>12+12A</i>
<b>FROM (Department or other point of origin):</b> Houston Airport System		<b>Origination Date</b> November 20, 2008	<b>Agenda Date</b> DEC - 8 2008	
<b>DIRECTOR'S SIGNATURE:</b> <i>dm</i> 		<b>Council District affected:</b> B, E, I		
<b>For additional information contact:</b> Eric R. Potts <i>ERP</i> Phone: 281-233-1999 Marlene Gafrick 713-837-7760		<b>Date and identification of prior authorizing Council action:</b> Ordinance No. 2008-609 6/25/08		
<b>AMOUNT &amp; SOURCE OF FUNDING:</b> Not Applicable		<b>Prior appropriations:</b> N/A		

**RECOMMENDATION: (Summary)**

Adopt an ordinance amending Chapter 9 of the Code of Ordinances by adding a new Article VI (Airport Land Use Compatibility Ordinance) and maps for areas in the vicinity of George Bush Intercontinental Airport, William P. Hobby Airport and Ellington Field.

Approve an ordinance adopting amendments to the Building Code and local amendments to the International Residential Code to implement the requirements of the Airport Land Use Compatibility Ordinance.

**SPECIFIC EXPLANATION:**

Based on a 2006 directive from the FAA relating to the City's compliance with federal grant assurances, by Ordinance No. 2008-609, City Council created the Houston Airport Commission to conduct public hearings and make recommendations concerning land use for areas in the vicinity of the each of the City's three airports. The Airport Commission conducted two public hearings and provided additional comment opportunities via email and telephone. Comments were considered and responded to throughout the formulation of the regulations. The Airport Commission reviewed an ordinance draft and maps based on state law. Chapter 241 of the Texas Local Government Code allows cities to regulate land uses around an airport within a determined area of airport operations. The regulated area is 3 miles wide by 5 miles long, as measured 1.5 miles on each side of the center line of each existing or proposed primary or instrument runway and five miles from the ends of the runways.

The Airport Commission studied the areas where airport operations and airport-related land use might have the most adverse impact now and in the future based upon current airport master plans and projected growth in air traffic. In order to avoid over-regulation, the potential regulated area at each airport is divided into three "tiers." Tier 1 is the area closest to the airport runways. Tier 2 follows natural or man-made boundaries (e.g., bayous, streets) to identify areas that are

**REQUIRED AUTHORIZATION**

<b>Finance Department:</b>	<b>Other Authorization:</b> <i>Marlene A. Gafrick</i>	<b>Other Authorization:</b> <i>Andrews</i>
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*12/1/08*  
*BEI*

<b>Date</b> November 20, 2008	<b>Subject:</b> Airport Compatible Land Use Regulations and maps in the vicinity of George Bush Intercontinental Airport/Houston, William P. Hobby Airport and Ellington Field, and related amendments to the Code of Ordinances, Building Code and International Residential Code.	<b>Originator's Initials</b>	<b>Page</b> 2 of 2
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associated with airport-related land use and service functions. Tier 3 is the state law defined area, the 3x5 mile box, within which the city could regulate land uses.

Under this ordinance, development of new incompatible land uses will be limited or subject to conditions, including some additional sound attenuation measures in Tiers 1 and 2. Generally, this includes residential uses (all types), places of public assembly, schools, day care centers, and nursing homes – uses where there are concentrations of sensitive populations. Development in Tier 3 is not proposed to be regulated based on compatibility with current airport operations. It is recommended that an ordinance amending Chapter 9 of the Code of Ordinances by adding a new Article VI adopting these regulations and related maps be adopted.

All existing structures within the regulated areas will be grandfathered and exempt from this ordinance as long as they are maintained for the same purpose they were at the time these regulations become effective. However, the regulatory provisions will apply to existing structures that have a change in purpose or intensity of use. This includes renovation of or additions to existing residential uses that increase the livable space of the residence by a value greater than 51% of the appraised market value of the property.

The Airport Compatible Land Use Regulations and related maps were presented to the Council Committee on Transportation, Infrastructure, and Aviation on October 23, 2008 resulting in a recommendation that they be forwarded to the full Council for consideration. A public hearing was conducted by the City Council on November 19, 2008. The attached memo details the revisions to the originally proposed ordinance that resulted from the recommendations and feedback from the public, stakeholders, Council Members and the Airport Commission. Once approved, this ordinance will take effect on February 1, 2009.

Working with an outside consultant with expertise in sound attenuation issues around airports and with City code enforcement personnel, it was determined that with certain minimum enhancements set forth in the proposed amendments to the Building Code and International Residential Code, current standards in those Codes provide for adequate assemblies and materials to meet the FAA's standard of 45 dBA for interior sound level. It is recommended that an ordinance amending the City of Houston Building Code and adopting local amendments to the International Residential Code be adopted concurrently with the land use regulations.

RMV: ERP: MRN: JDW

**Attachments**

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

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DEC 03 2008

City of Houston, Texas, Ordinance No. 2008-\_\_\_\_\_

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF HOUSTON, TEXAS, BY ADDING A NEW ARTICLE VI TO CHAPTER 9 RELATING TO AIRPORT LAND USE REGULATIONS; ESTABLISHING AIRPORT LAND USE REGULATIONS, COMPATIBLE LAND USE ENVELOPES AND TIER BOUNDARIES FOR PROPERTIES IN THE VICINITY OF GEORGE BUSH INTERCONTINENTAL AIRPORT/HOUSTON, WILLIAM P. HOBBY AIRPORT, AND ELLINGTON FIELD; ADOPTING OFFICIAL AIRPORT LAND USE MAPS FOR LAND WITHIN THE COMPATIBLE LAND USE ENVELOPE OF EACH AIRPORT; PROVIDING FOR ADMINISTRATION AND ENFORCEMENT; PROVIDING FOR AIRPORT LAND USE PERMITS AND RELATED MATTERS; MAKING FINDINGS AND CONTAINING OTHER PROVISIONS RELATING TO THE FOREGOING SUBJECT; PROVIDING FOR AN EFFECTIVE DATE; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.

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**WHEREAS**, the City of Houston, Texas (the "City"), owns and operates George Bush Intercontinental Airport/Houston, William P. Hobby Airport, and Ellington Field (the "Airports"); and

**WHEREAS**, the Airports are used in the interest of the public to the benefit of the City; and

**WHEREAS**, pursuant to authority granted to the Secretary of Transportation under 49 U.S.C. § 47104, the Federal Aviation Administration (the "FAA") may make federal funds available to the City for improvement projects at the Airports; and

**WHEREAS**, in order to receive such federal funds, the City, pursuant to 49 U.S.C. § 47107, must make certain written assurances to the FAA; and

**WHEREAS**, one such assurance requires that appropriate action be taken to restrict the use of land next to or near the Airports to uses that are compatible with normal airport operations; and

**WHEREAS**, by letter dated September 27, 2006, the FAA advised the City it was not in compliance with the aforementioned assurance; and

**WHEREAS**, continued noncompliance may result in the City's having to repay past federal funding, cancellation of current federal funding, and forfeiture of future funding; and

**WHEREAS**, the Airports are a regional economic generator, are responsible for more than 151,000 jobs, and comprise the 4th largest multi-airport system in the United States; and

**WHEREAS**, any such loss of federal funding would hamper the City's ability to improve the Airports and thus reduce the economic vitality of the region; and

**WHEREAS**, the City of Houston is a municipal corporation and home rule city organized under the Constitution and the general and special laws of the State of Texas, and thereby exercises powers granted by the City's Charter and the provisions of Article XI, Section 5 of the Texas Constitution; and

**WHEREAS**, in the exercise of its lawful authority, the City may enact police power ordinances to promote and protect the health, safety and welfare of the public; and

**WHEREAS**, the City may, under the provisions of Chapter 241 of the Texas Local Government Code ("Chapter 241") and its police power, establish by ordinance regulations to administer and enforce airport compatible land use regulations for the controlled compatible land use area of an airport, in order to promote the health, safety, morals or general welfare of the City, and to promote the safe, orderly and healthful

development of the City if an airport is used in the interest of the public to the benefit of the City; and

**WHEREAS**, the City may implement, under the provisions of Chapter 241, in connection with airport compatible land use regulations, any federal law or rules controlling the use of land located adjacent to or in the immediate vicinity of the airport; and

**WHEREAS**, the City Council finds that each of George Bush Intercontinental Airport/Houston, William P. Hobby Airport, and Ellington Field, is used in the interest of the public to the benefit of the City and independently fulfills an essential community purpose; and

**WHEREAS**, on June 25, 2008, the City Council approved Ordinance No. 2008-609, which created the Houston Airport Commission and which requested that body to do all those things required to be done to permit the eventual consideration and adoption by the City Council of appropriate compatible land use regulations for areas in the vicinity of each of the Airports; and

**WHEREAS**, on July 17, 2008, the Airport Commission held a meeting and adopted its preliminary report on the proposed regulations and maps for compatible airport land use regulations and called for proper notice of a public hearing to be given; and

**WHEREAS**, on August 29, 2008, and September 29, 2008, the Airport Commission held two properly noticed public hearings on the proposed regulations and maps; and

**WHEREAS**, on October 16, 2008, the Airport Commission considered the proposed regulations and maps and adopted its final report thereon; and

**WHEREAS**, on November 19, 2008, the City Council held a properly noticed public hearing on the proposed regulations and maps; and

**WHEREAS**, the City Council finds that, in order to promote the public health, safety, morals and general welfare of the City, and to meet federal requirements, it is desirable to adopt this Ordinance in order to:

- (1) Fulfill the City's obligation to meet federal grant assurance requirements mandated by federal law;
- (2) Protect the investments made to date in the Airports by controlling future development in the vicinity of the Airports; and
- (3) Provide protection for existing neighborhoods while complying with obligations mandated by the FAA; and

**WHEREAS**, the City Council finds that all procedural requirements necessary for the adoption of regulations and maps regulating compatible land use in the vicinity of the Airports have been complied with and satisfied; **NOW, THEREFORE**,

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

**Section 1.** That the findings and recitals contained in the preamble of this Ordinance are declared to be true and correct and are hereby adopted and made a part of this Ordinance.

**Section 2.** That Chapter 9 of the Code of Ordinances is amended by adding a new Article VI, which shall read as follows:

**“ARTICLE VI. AIRPORT LAND USE REGULATIONS**

**DIVISION 1. MATTERS OF GENERAL APPLICABILITY**

*Subdivision A. In General*

**Sec. 9-351. Applicability.**

This article shall apply to all present or future development within an airport land use envelope, as that term is defined herein, which is either within the city limits or the city’s extraterritorial jurisdiction, or is the subject of an interlocal agreement with a governmental entity whose jurisdiction extends to land within such airport land use envelope. No land, body of water, or structure shall be used or permitted to be used and no structures shall be hereafter erected, constructed, moved or reconstructed, structurally altered or maintained for any purpose in the identified airport land use envelopes except in compliance with the restrictions, limitations and prohibitions contained in this article.

**Sec. 9-352. Definitions.**

As used in this article, these words and phrases shall have the meanings ascribed to them in this section, unless the context clearly indicates a different meaning. All words and phrases not defined shall have their common meaning.

*Airport* means any airport owned or operated by the city, including all lands, buildings and other improvements owned, controlled, leased, or operated and maintained by the city appurtenant thereto, as described by any current or future plans of the Houston Airport System (HAS).

*Airport commission* means the airport zoning commission described in Chapter 241 that is charged with making recommendations to the city council on regulations and boundaries, and performing other tasks delegated to it in accordance with state law in the implementation of this article.

*Airport land use envelope* means the area of land subject to the terms of this article, being generally described as a box established no farther than 1.5 miles either side of a runway center line and no more than five miles from each runway end, as shown on the official airport land use map for each airport, and which is also a controlled compatible land use area as described in Chapter 241.

*Airport land use tier* means a division of an airport land use envelope into one of three tiers for regulatory purposes, described as tier one, tier two, or tier three, and shown on the official airport land use map for each airport.

*Airport land use permit or permit* means a permit required by this article for construction on or development of land within an airport land use tier.

*Board of adjustment or board* means the board charged with hearing requests to reverse an order, requirement, decision, or determination of the director and deciding matters that are delegated to the board pursuant to this article.

*Casualty* means destruction by accidental or natural causes.

*Chapter 241* means Chapter 241 of the Texas Local Government Code, as it may be amended from time to time.

*Compatible land use* means a use of land that does not endanger the health, safety, or welfare of the owners, occupants, or users of the land, and that is compatible with airport operations, according to the standards and criteria for the designated airport land use tier where the use or activity is, or is proposed to be, located.

*Conforming use* means any use of land or a structure that complies with the provisions of this article and is not a nonconforming use.

*Development plat* has the meaning ascribed in section 42-1 of this Code or as provided in an interlocal agreement for land located outside the city.

*General plan* has the meaning ascribed in section 42-1 of this Code or as provided in an interlocal agreement for land located outside the city.

*Livable area* means a space in a structure for living, sleeping, eating or cooking, including bathrooms, toilet rooms, closets and halls. Storage or utility areas that do not open directly into a livable area and unfinished attic space are not considered livable area.

*Nonconforming use* means any use of land or a structure that is inconsistent with the provisions of this article and that legally exists as of \_\_\_\_\_.<sup>1</sup>

*Nonresidential or nonresidential use(s)* means any use that is not a residential or a sensitive land use, as those terms are hereinafter defined.

*Official airport land use map or OM* means the map depicting the airport land use envelope and the airport land use tiers for each airport.

*Public assembly use* means an institution of higher education, religious institution, community recreational facility, public recreational facility, or other similar use where individuals assemble for a common purpose.

*Residential* means the use or proposed use of land for premises that contain habitable rooms for nontransient occupancy, designed primarily for living, sleeping, cooking and eating, unless it is actually occupied and used exclusively for other purposes. This definition may be modified in an interlocal agreement in the case of land located outside of the city.

*School* means a public or private school used for primary or secondary education, in which any regular kindergarten or grades one through twelve are taught.

*Sensitive land use* means a childcare facility, nursing home, assisted living center, boarding house, school, place of public assembly or hospital or medical facility.

*Subdivision plat* has the meaning ascribed in section 42-1 of this Code or as provided in an interlocal agreement for land located outside the city.

**Sec. 9-353. Essential community purpose.**

The airports are used in the interest of the public to the benefit of the city and fulfill an essential community purpose.

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<sup>1</sup> Editor to insert the effective date of this Ordinance.

**Sec. 9-354. Other jurisdictions' regulations; interlocal agreements.**

(a) Each municipality, county, and other jurisdiction with regulatory authority within the airport land use envelopes defined in this article may coordinate with the city to adopt an ordinance, order, or appropriate regulation consistent with this article, including airport land use regulations and provisions regarding the enforcement and administration thereof, or otherwise enter into an interlocal agreement with the city pursuant to Chapter 791, Texas Government Code.

(b) If a municipality, county, or other governmental entity so provides in an interlocal agreement with the city, or in an ordinance, order, or regulation, the provisions of this article shall apply within any other governmental entity's boundaries except to the extent modified in such interlocal agreement.

**Sec. 9-355. Cumulative effect.**

(a) The provisions of this article are cumulative of all other requirements of this Code and other laws and regulations of the city, including, without limitation, the Construction Code, the Fire Code and the Department of Public Works and Engineering Infrastructure Design Manual, as well as all applicable state and federal laws and regulations. Compliance with this article does not excuse compliance with any other law or regulation, and applicants and owners of developments that are not required to obtain a permit pursuant to this article are nevertheless required to obtain any other permits, licenses, and authorizations required by law. In the event of any conflict between any other city ordinance and this article, the provisions of this article shall control.

(b) For land located outside the city's jurisdictional boundaries, the provisions of this article are cumulative of the requirements imposed by ordinances of any other political entity pursuant to interlocal agreement and the city code or other laws and regulations of that political entity.

**Sec. 9-356. Penalty.**

It shall be unlawful to violate any provision of this article. The penalty for violation shall be up to \$500 for each day of violation.

**Sec. 9-357. Tier boundaries.**

The director shall determine the location or meaning of an airport land use tier boundary or other feature on an OM in the event of any question or dispute with respect thereto.

**Sec. 9-358. Airport land use maps.**

The city council has adopted an official airport land use map for each airport, which shall be used to implement this article. An OM may be amended in accordance with Chapter 241. The OM for each airport shall be maintained on file in the office of the city secretary, with a copy available at the department.

**Sec. 9-359. Notice on plats; affidavit when no subdivision plat required.**

(a) *Subdivisions requiring subdivision plat.* The recorded subdivision plat of any land located wholly or partially within an airport land use envelope shall include on its face the following statement:

**NOTICE:** Individual lots or parcels within this subdivision may be located in an airport land use tier and may be subject to use restrictions or increased noise or hazard levels associated with air traffic operations.

(b) *For construction on land not requiring subdivision plat.* Prior to the issuance of a city building permit for construction of a residential structure or use on property located within any airport land use tier one or tier two that has been platted prior to the effective date of this article, or that is not otherwise required to be platted, an affidavit in the form prescribed by the planning director shall be executed by the owners of the property setting forth, at a minimum, the notice language set forth in section (a) of this section. The affidavit shall be recorded by the city in the real property records in the county in which the property is located.

**Sec. 9-360. Land use restrictions.**

Divisions 2, 3, and 4 of this article set forth permitted residential and nonresidential uses by airport land use tiers within the airport land use envelope at each airport. Divisions 2, 3, and 4 of this article also set forth restrictions, limitations, and prohibitions on the use of land and structures located within each airport land use tier. Notwithstanding any other provisions of this article to the contrary, the following uses shall be prohibited within any airport land use envelope where they may adversely impact airport operations or safety:

- (1) Uses that produce steam, smoke, or other vision-obscuring emissions;

- (2) Uses that emit glaring light or employ highly reflective surfaces;
- (3) Uses that have the potential to attract birds;
- (4) Uses that create electrical or electromagnetic interference; or
- (5) Any other use deemed by the director to adversely impact airport operations.

**Sec. 9-361. Continuation or expansion of nonconforming use.**

A nonconforming use may be continued or, if it meets the requirements of this article, may be enlarged.

**Sec. 9-362. Abandonment of nonconforming use.**

A nonconforming use that ceases for a period of twelve months or more shall be presumed to be abandoned. Any future use of the property shall be a conforming use. Upon evidence of hardship, the board of adjustment shall have the power to approve a variance to the above time limit by a period not to exceed six months. The absence of electric or water and wastewater utility services shall be prima facie evidence of abandonment.

**Sec. 9-363. Change, reversion or resumption of nonconforming use.**

(a) A nonconforming use may not be changed in whole or in part to another nonconforming use.

(b) A nonconforming use that is changed to a conforming use may not thereafter revert to a nonconforming use.

(c) A nonconforming use, when discontinued for any reason, shall not be resumed.

**Sec. 9-364. Restoration of partially destroyed structure.**

Nothing in this article shall prevent the repair or restoration, and continued occupancy or use, of the livable area of any structure containing a nonconforming use destroyed to the extent of not more than 51 percent of its appraised market value by fire, explosion, casualty, or act of God or the public enemy. For purposes of this section, appraisal district records shall constitute prima facie proof of appraised market value.

**Secs. 9-365--9-370. Reserved.**

*Subdivision B. Administration*

**Sec. 9-371. Airport commission.**

(a) An airport commission has been established by City of Houston Ordinance Number 2008-609. The members of the airport commission shall be the members of the city planning commission, as established pursuant to Chapter 33 of this Code, and such other members as provided by this section.

(b) The airport commission may include a member appointed by the City of Humble and a member appointed by the City of Pasadena which members are not required to be residents of the city.

(c) A quorum of the airport commission shall be as provided in section 33-19 of this Code, regardless of whether the membership has been enlarged pursuant to this section. All meetings of the airport commission shall be held in accordance with the Texas open meetings act, be recorded, and have minutes made and kept in accordance with all regulations governing the city planning commission.

(d) The airport commission may adopt such rules and regulations for the conduct of public hearings and meetings as are in compliance with federal and Texas law and city ordinances. Except as herein provided, all provisions of Chapter 33 of this Code shall apply to the airport commission.

(e) The director shall be a non-voting, ex officio member and shall serve as secretary to the commission.

**Sec. 9-372. Department; director.**

The department is hereby designated the agency responsible for administering and enforcing this article. The director or his designee is hereby designated as the administrator of this article. The duties of the director shall include:

- (1) To promulgate rules and forms as necessary to administer and enforce the provisions of this article;

- (2) To review and approve or disapprove applications for airport land use permits in accordance with the provisions and timelines of this article and Chapter 241; and
- (3) To charge and collect applicable fees, as set by the city council, for processing each airport land use permit.

**Sec. 9-373. Board of adjustment.**

(a) *Establishment of board of adjustment and board powers.* A board of adjustment is hereby created pursuant to Chapter 241 and shall have the following powers:

- (1) To hear and decide appeals, as provided by Chapter 241 or this article, from an order, requirement, decision, or determination made by the director in the enforcement of this article;
- (2) To hear and decide special exceptions to the terms of this article; and
- (3) To grant variances from these regulations.

(b) *Board composition.* The board shall be composed of five members appointed by position to two year terms. Members holding positions 1 through 4 shall be appointed by the mayor and confirmed by the city council and shall be residents of the city.

- (1) In all matters involving HOU, position 5 shall be appointed by the mayor and confirmed by the city council and shall be a resident of the city.
- (2) In all matters involving IAH, position 5 shall be appointed by the mayor and confirmed by the city council until the City of Humble, pursuant to an interlocal agreement, appoints a member to position 5. The Humble appointee is not required to be a resident of the city.
- (3) In all matters involving EFD, position 5 shall be appointed by the mayor and confirmed by the city council until the City of Pasadena, pursuant to an interlocal agreement, appoints a member to position 5. The Pasadena appointee is not required to be a resident of the city.
- (4) The mayor shall appoint a chair from among the members.

- (5) The director shall be a non-voting, ex officio member of the board and shall serve as secretary to the board.
- (6) An alternate member may be appointed for each position by the entity entitled to appoint the member. An alternate member may serve in the absence of the member in that position.

(c) *Board procedures.* The board shall adopt rules and procedures for its governance consistent with the provisions of this article, including how members shall rotate to allow Humble or Pasadena members to participate as required. A board member may be removed by the appointing authority for cause on a written charge after a public hearing. A vacancy in any position shall be filled for the remainder of the unexpired term, giving first consideration to any current alternate members. The board shall adopt a regular meeting schedule and shall give public notice of the meeting schedule by publication for three consecutive days in a daily newspaper of general circulation within the city, any other jurisdiction located within the airport land use envelope, and the area of extraterritorial jurisdiction. The board may change this meeting schedule by the adoption of a new schedule, the effective date of which shall not be less than ten days after publication of the new schedule for three consecutive days in a daily newspaper having general circulation within the city, the area of extraterritorial jurisdiction, and any other jurisdiction located within the airport land use envelope. The board may meet in panels to consider each airport individually. The chair, or the acting chair, may administer oaths and compel the attendance of witnesses. All hearings of the board of adjustment shall be public. The board shall keep minutes of its proceedings showing the vote of each member upon each question, and if any member is absent or fails to vote, indicating such fact, and shall keep records of its examinations and other official actions, all of which shall immediately be filed in the office of the board of adjustment and are public records. Four members of the board shall constitute a quorum. The concurring vote of four members of the board shall be necessary to:

- (1) Reverse an order, requirement, decision, or determination of the director;
- (2) Decide in favor of an applicant on a matter on which the board is required to pass under this article; or
- (3) To hear and decide specific variances from this article.

(d) *Compensation.* Members of the board, in the performance of their duties as such, shall serve without compensation.

**Secs. 9-374--9-380. Reserved.**

*Subdivision C. Airport Land Use Permits*

**Sec. 9-381. Airport land use permit required.**

(a) An airport land use permit is required for the following on any land within an airport land use tier one or tier two:

- (1) An application for subdivision plat or development plat, including modification of a subdivision plat or general plan;
- (2) New construction, replacement after demolition, or rebuilding of any structure; or
- (3) The enlargement of an existing structure by an addition of livable area outside of the structure's original exterior dimensions, vertically or horizontally, the value of which is 51 percent or more of the appraised market value of the existing structure.

(b) A current valid airport land use permit as required by this section is a condition for the approval of a subdivision plat or development plat, the issuance of a building permit, and the issuance of a water or wastewater capacity reservation.

**Sec. 9-382. Concurrent variance application.**

An application for a variance may be filed before or concurrently with the application for an airport land use permit. Filing of an application or approval by the board of a variance shall not confer any authorization to begin work on the proposed project without the issuance of an airport land use permit.

**Sec. 9-383. Airport land use permit application.**

(a) Each application for a permit shall be in the form prescribed by the director and shall contain sufficient information to allow the director to determine whether the proposed use or project would conform to the regulations herein prescribed.

(b) An affidavit, if required by section 9-359 of this Code, shall accompany the permit application. Prior to the use of any affidavit form, the city attorney or his designee shall review and approve the affidavit form for legal sufficiency. The affidavit form shall be attached to the permit application as a part thereof, shall include but not be limited to a description of the type of occupancy for which the permit application is being made and any exhibits referred to therein, and shall be properly sworn to and subscribed before a notary public.

**Sec. 9-384. Permit review, approval, denial.**

(a) No permit application shall be deemed complete and accepted by the director unless it is accompanied by all required documents and information, including all applicable permit fees.

(b) The director shall make a determination of completeness in writing to the applicant no later than the tenth business day after the date that the permit application is submitted. The determination of completeness shall:

- (1) Indicate that the permit application is complete; or
- (2) Indicate that the permit application is not complete and specify the documents or other information necessary to complete the application and shall state the date the permit application will expire, which shall be on or after 45 days from the date of the letter.

(c) If the required additional information is not timely submitted, the permit application shall be deemed to have expired, and a new permit application shall be required.

(d) The director shall review each complete permit application, and if in compliance with this article, a permit shall be issued; if not in compliance with this article, the permit application shall be denied, with a notation of the reasons for denial.

**Sec. 9-385. Exceptions.**

No airport land use permit shall be required for any activity on property owned or leased by the city, its tenants, or the federal government.

**Sec. 9-386. Expiration.**

An airport land use permit shall expire if development has not commenced within two years of issuance or upon completion of the project for which it is granted, whichever occurs first.

**Sec. 9-387. Revocation of permit; appeal process.**

(a) In addition to any enforcement remedies allowed by law, whenever the director finds that there are grounds for revocation of a permit, he shall give written notice to the permittee by personal service or by certified mail, return receipt requested, addressed to the applicant at the address set forth in the permit application. The notice shall include:

- (1) The specific grounds upon which the permit in question may be revoked;
- (2) The fact that there will be a hearing in which the city will seek the revocation of the permit;
- (3) The date, time and place of the hearing;
- (4) The fact that the permittee may appear in person or be represented by an attorney; and
- (5) Any notice required by other city ordinance.

(b) All hearings shall be held by a hearing officer appointed by the director.

(c) All hearings shall be conducted under rules consistent with the nature of the proceedings; provided however, that the following specific rules shall also apply:

- (1) All parties shall have the right to representation by a licensed attorney, though an attorney is not required.
- (2) Each party may present witnesses in its own behalf.
- (3) Each party has the right to cross-examine all witnesses.
- (4) Only evidence presented before the hearing officer at the hearing may be considered in rendering the final order.

(d) If the permittee fails to appear at the hearing on the date and time specified, the city shall introduce evidence to establish a prima facie case on behalf of the city showing that grounds exist for revocation of the permit.

(e) After completion of the presentation of evidence by all parties appearing, the hearing officer shall make written findings and render a written order as to whether or not grounds exist for the revocation of the permit. If grounds exist, the hearing officer shall revoke the permit; provided that he may, in the interest of justice, take such other lesser actions as deemed appropriate including, but not limited to, the temporary suspension of the permit, the revision of the permit, or the addition of permit conditions. A true and accurate copy of the order shall be personally delivered or mailed by certified mail, return receipt requested, to the permittee.

(f) In the event a permit is revoked, suspended, or revised, the city shall not be liable to any person for any refund of any part of any permit fees.

(g) An action under this section may be appealed to the city council pursuant to Rule 12 of the city council rules of procedure, upon the filing of a written application therefore with the city secretary within ten days from the date the written order is signed by the hearing officer. Filing of an appeal shall not operate to suspend the hearing officer's order thereon.

**Secs. 9-388--9-390. Reserved.**

*Subdivision D. Appeals, Variances and Special Exceptions*

**Sec. 9-391. Appeals.**

Except for actions brought under section 9-387 of this Code, the board shall hear and decide an appeal from an order, requirement, decision, or determination made by the director in the application or enforcement of this article in accordance with such reasonable rules as the board may establish.

- (1) *Who may appeal.* Any person aggrieved by an order, decision, or determination of the director, any taxpayer affected by a decision or determination of the director made in the administration of this article, or the governing body if the governing body believes the order, decision or determination is an improper application of this article may file an appeal with the board.

- (2) *Commencement of appeals.* All appeals hereunder must be taken within seven business days of the director's decision or prior to commencement of construction, whichever occurs first, by filing a notice of appeal with the board and the department specifying the grounds for the appeal. The department shall transmit to the board all papers constituting the record upon which the action appealed was taken.
- (3) *Stay of proceedings.* An appeal shall stay all proceedings in furtherance of the action appealed unless the director certifies in writing to the board that by reason of the facts stated in the certificate, a stay would, in the opinion of the director, cause imminent peril to life or property. In such case, proceedings shall not be stayed except by order of the board on notice to the director and on due cause shown.
- (4) *Appeal procedures.* The board shall set a reasonable time for an appeal hearing, and public notice of the hearing and due notice to the parties in interest shall be given as provided in section 9-395 of this Code. The board shall decide an appeal within a reasonable time. At the hearing, any party may appear in person, by agent, or by attorney.
- (5) *Decision.* The board may reverse or affirm, in whole or in part, or modify the director's order, requirement, decision, or determination from which an appeal is taken and make the correct order, requirement, decision, or determination, and for this purpose the board of adjustment has the same authority as the department.

**Sec. 9-392. Special exceptions.**

The board shall be entitled to hear and grant special exceptions to the terms of this article as provided in this article.

**Sec. 9-393. Variances.**

The board shall hear and decide specific variances to the regulations in this article.

- (1) A person who desires to use property in a manner inconsistent with this article may apply to the board of adjustment for a variance from the regulations.

- (2) The board shall allow a variance from these regulations if:
  - a. A literal application or enforcement of the regulation would result in practical difficulty or unnecessary hardship; and
  - b. The granting of the relief would:
    - [1] Result in substantial justice being done;
    - [2] Not be contrary to the public interest; and
    - [3] Be in accordance with the spirit of these regulations and Chapter 241.
- (3) The board may impose any reasonable conditions on the variance that it considers necessary to accomplish the purposes of this article and Chapter 241.
- (4) A request for a variance shall be made by filing with the director a complete application in the form prescribed by the director, and payment of the fee established by city council. The director shall set a reasonable time for a hearing date and shall give public notice of the hearing and due notice to the parties in interest as required by section 9-395 of this Code. The board shall conduct a public hearing on the application and shall make its decision within a reasonable time, not to exceed 30 days from the date of the close of the hearing. In each case, the board shall make written findings that all conditions for the particular variance sought have been met or not met, and the board may impose such additional conditions or safeguards it deems necessary to protect the public interest.

**Sec. 9-394. Time for submittal.**

(a) Complete applications that require action by the board and that are submitted to the department by 11:00 a.m. on the Monday of the week before the next regularly scheduled meeting of the board shall be placed on the agenda for consideration by the board at that meeting. If the Monday of the week preceding a regularly scheduled board meeting is a city holiday, complete applications that are submitted to the department on the first city business day following the Monday holiday shall be placed on the agenda for consideration by the board at that meeting.

(b) Complete applications shall be reviewed and approved, where appropriate, or referred to the board by the director not later than ten days from the date the complete application was submitted. Applications referred to the board under this subsection shall be placed on the board agenda for the next meeting for which proper notice can be given.

(c) Applications that require notice to property owners pursuant to section 9-395 of this Code shall be placed on the board agenda for the next meeting for which proper notice can be given.

**Sec. 9-395. Notification of application before the board.**

(a) The director shall give public notice of a hearing before the board on an appeal of the director's decision, a special exception, or a variance by:

(1) Either:

a. Mailing a letter, first class mail, postage paid, to the owner of the property that is the subject of the matter presented to the board, and to the owners of all lots or tracts that are within 250 feet of the boundary of the property, as shown on the most recently approved *ad valorem* tax rolls of the city not less than the seventh day before the first meeting at which the board will first consider the application; or

b. By causing the information to be readily available to the public in an electronic format; and

(2) By letter mailed first class mail, postage paid, or by electronic mail message to each neighborhood association with defined boundaries registered with the department in whose area the property is located as soon as reasonably possible before the first meeting at which the board will consider the application.

(b) The applicant shall give notice of an application before the board by posting at least one sign on the property that is the subject of a proposed variance or special exception before the tenth business day before the date of the meeting at which the board will first consider the application. A sign shall face each public right-of-way bordering the site, provided, however, that if more than four signs would be required to be posted, the applicant may request the director to approve an alternative number and location of signs. The director shall approve an alternative to

the number and location of signs required by this subsection in excess of four upon determining that the alternative will provide maximum visibility and obtain the objectives of this section without unduly burdening the applicant. Each sign shall be a minimum of four by eight feet in size and shall be posted no more than 15 feet from the public right-of-way. The lettering on the sign shall be legible from the public right-of-way. The applicant shall use reasonable efforts to maintain each required sign on the site until the close of the meeting at which the board acts on the application. The sign shall provide the following information:

- (1) The application number of the plat and the fact that a variance or special exception is being requested;
- (2) The date, time, and place of the meeting at which the board will first consider the application;
- (3) A telephone number of the applicant to call for additional information; and
- (4) A department telephone number to call for additional information.

**Secs. 9-396--9-400. Reserved.**

DIVISION 2. GEORGE H. BUSH INTERCONTINENTAL AIRPORT (IAH)  
COMPATIBLE LAND USE REGULATIONS

**Sec. 9-401. Regulated area.**

The area subject to the regulations contained within this division is shown in the IAH official airport land use map.

**Sec. 9-402. General provisions.**

Land uses not specifically allowed shall not be permitted.

**Sec. 9-403. Land uses in IAH tier one.**

(a) *Nonresidential uses.* Nonresidential uses are permitted in tier one as follows:

- (1) Public assembly uses and sensitive land uses.
  - a. No permit shall be issued for the establishment of a new public assembly use or sensitive land use.

- b. An existing public assembly use or sensitive land use shall be permitted to enlarge within or renovate an existing structure where it is located, provided that any physical expansion of the structure meets a 45 dBA interior sound level.
- c. An existing public assembly use or sensitive land use shall be permitted to construct new structures within the land area of a master plan for the entity, provided that any new structure meets a 45 dBA interior sound level.

(2) Hotels and motel lodging uses.

- a. A new hotel or motel use shall be permitted provided that the structure meets a 45 dBA interior sound level where central HVAC is used. For hotels and motels wishing to utilize through wall systems, all other sound insulation requirements will apply.
- b. An existing hotel or motel use shall be permitted to enlarge within or renovate an existing structure where it is located, provided that any physical expansion of the structure meets a 45 dBA interior sound level where central HVAC is used. For hotels and motels wishing to utilize through wall systems, all other sound insulation requirements will apply.

(3) Commercial and employment uses. All uses shall be permitted unless otherwise proscribed above.

(b) *Residential uses.* An existing, unmodified residential use shall be allowed to continue. Enlargement, replacement, or reconstruction of an existing residential use shall not increase the density or the intensity of the use. A residential use in tier one is further allowed as follows:

- (1) An existing single family use will be permitted to renovate the livable area of an existing structure in which it is located if the renovation is entirely contained within the existing livable area of the structure, provided the use will not involve the subdivision of the property on which the existing single family use is located.

- (2) An existing single family use will be permitted to enlarge the livable area of an existing structure in which it is located under the following conditions:
  - a. The use is located on a residential lot within an existing platted subdivision, or valid deed restrictions prohibit the use of the property for other than residential use;
  - b. The use will not involve the subdivision of the lot on which the existing single family use is located; and
  - c. The newly constructed livable area shall meet a 45 dBA interior sound level.
- (3) An existing single family use will be permitted to convert existing non-livable area located wholly within an existing structure provided the use will not involve the subdivision of the lot on which the existing single family use is located.
- (4) An existing single family use will be permitted to be replaced after a casualty under the following conditions:
  - a. The livable area shall meet a 45 dBA interior sound level.
  - b. The use will not involve the subdivision of the property on which the existing single family use is located.
- (5) A new single family residential use shall be permitted under the following conditions:
  - a. The use is located on a residential lot within an existing platted subdivision, or valid deed restrictions prohibit the use of the property for other than residential use;
  - b. The construction shall meet a 45 dBA interior sound level; and
  - c. The use will not involve the subdivision of the lot on which the existing single family use is located.
- (6) An existing multifamily use will be permitted to renovate an existing structure provided the use will not increase the

density of development as shown by a filed subdivision plat or development plat, measured in dwelling units per acre. The applicant shall be required to demonstrate to the satisfaction of the director the density prior to the application for the residential building permit.

- (7) An existing multifamily use will be permitted to enlarge an existing structure under the following conditions:
  - a. The use will not increase the density of development as shown by a filed subdivision plat or development plat, measured in dwelling units per acre. The applicant shall be required to demonstrate to the satisfaction of the director the density prior to the application for the residential building permit; and
  - b. The enlargement shall meet or shall be located in a structure that meets a 45 dBA interior sound level.
- (8) An existing multifamily use will be permitted to be replaced after a casualty under the following conditions:
  - a. The livable area shall meet a 45 dBA interior sound level;
  - b. The use will not involve the subdivision of the lot on which the existing multifamily use is located; and
  - c. The use will not increase the density of development as shown by a filed subdivision plat or development plat, measured in dwelling units per acre. The applicant shall be required to demonstrate to the satisfaction of the director the density prior to the application for the residential building permit.
- (9) A new multifamily residential use shall not be permitted.
- (10) No new mobile or manufactured home parks or subdivisions shall be permitted.

**Sec. 9-404. Land uses in IAH tier two.**

(a) *Nonresidential uses.* Nonresidential uses are permitted in tier two as follows:

- (1) Public assembly uses or sensitive land uses.
  - a. A new public assembly use or sensitive land use shall be permitted provided the new use shall be located in a structure that meets a 45 dBA interior sound level.
  - b. An existing public assembly use or sensitive land use shall be permitted to enlarge within or renovate an existing structure where it is located, provided that any physical expansion of the structure meets a 45 dBA interior sound level.
- (2) Hotels and motel lodging uses.
  - a. A new hotel or motel use shall be permitted provided that the structure meets a 45 dBA interior sound level where central HVAC is used. For hotels and motels wishing to utilize through wall systems, all other sound insulation requirements will apply.
  - b. An existing hotel or motel use shall be permitted to enlarge within or renovate an existing structure where it is located, provided that any physical expansion of the structure meets a 45 dBA interior sound level where central HVAC is used. For hotels and motels wishing to utilize through wall systems, all other sound insulation requirements will apply.
- (3) Commercial and employment uses. All uses shall be permitted unless otherwise proscribed above.

(b) *Residential uses.* An existing, unmodified residential use shall be allowed to continue. Enlargement, replacement, or reconstruction of an existing residential use shall not increase the density or the intensity of the use. Residential uses in tier two are further allowed as follows:

- (1) An existing single family use will be permitted to renovate or convert non-livable area within the existing structure in which it is located, provided the use will not involve the subdivision of the property on which the existing single family use is located.
- (2) An existing single family use will be permitted to enlarge the existing structure in which it is located, provided the use will

not involve the subdivision of the property on which the existing single family use is located.

- (3) An existing single family use will be permitted to be replaced after a casualty under the following conditions:
  - a. The construction shall meet a 45 dBA interior sound level; and
  - b. The use will not involve the subdivision of the property on which the existing single family use is located.
- (4) A new single family use shall be permitted under the following conditions:
  - a. The use is located on a residential lot within an existing platted subdivision, or valid deed restrictions prohibit the use of the property for other than residential use;
  - b. The construction shall meet a 45 dBA interior sound level; and
  - c. The use will not involve the subdivision of any lot.
- (5) An existing multifamily use will be permitted to renovate an existing structure provided the use will not increase the density of development as shown by a filed subdivision plat or development plat, measured in dwelling units per acre. The applicant shall be required to demonstrate to the satisfaction of the director the density prior to the application for the residential building permit.
- (6) An existing multifamily use will be permitted to enlarge an existing structure under the following conditions:
  - a. The use will not increase the density of development as shown by a filed subdivision plat or development plat, measured in dwelling units per acre. The applicant shall be required to demonstrate to the satisfaction of the director the density prior to the application for the residential building permit; and
  - b. An enlargement shall meet or shall be located in a structure that meets a 45 dBA interior sound level.

- (7) An existing multifamily use will be permitted to be replaced after a casualty under the following conditions:
  - a. The livable area shall meet a 45 dBA interior sound level;
  - b. The use will not involve the subdivision of the lot on which the existing multifamily use is located; and
  - c. The use will not increase the density of development as shown by a filed subdivision plat or development plat, measured in dwelling units per acre. The applicant shall be required to demonstrate to the satisfaction of the director the density prior to the application for the residential building permit.
- (8) A new multifamily residential use shall be permitted only on the condition that the construction shall meet or exceed a 45 dBA interior sound level.
- (9) No new mobile or manufactured home parks or subdivisions shall be permitted.

**Sec. 9-405. Land uses in IAH tier three.**

(a) *Nonresidential uses.* A new nonresidential use or enlargement of a nonresidential use is permitted in IAH tier three subject to a determination upon application for a building or development permit that it is proposed on property located in tier three and is therefore not subject to additional restrictions set forth in this section for tiers one and two.

(b) *Residential uses.* A new residential use or enlargement of a residential use is permitted in tier three subject to a determination at application for a building or development permit that such use/structure is proposed on property located in tier three and is therefore not subject to additional restrictions set forth in this section for tiers one and two.

**Secs. 9-406--9-500. Reserved.**

DIVISION 3. HOUSTON HOBBY AIRPORT (HOU)  
COMPATIBLE LAND USE REGULATIONS

**Sec. 9-501. Regulated area.**

The area subject to the regulations contained within this division is shown in the HOU official airport land use map.

**Sec. 9-502. General provisions.**

Land uses not specifically allowed shall not be permitted. Notwithstanding any other provision of this article, no new residential use or structure shall be permitted within the present or any future 70 DNL or higher noise contour formally approved by the FAA for HOU.

**Sec. 9-503. Land uses in HOU tier one.**

(a) *Nonresidential uses.* Nonresidential uses are permitted in tier one as follows:

- (1) Public assembly and sensitive land uses.
  - a. No permit shall be issued for the establishment of a new public assembly or sensitive land use.
  - b. An existing public assembly use or sensitive land use shall be permitted to enlarge within or renovate an existing structure where it is located, provided that any physical expansion of the structure meets a 45 dBA interior sound level.
  - c. An existing public assembly or sensitive land use shall be permitted to construct new structures within the land area of a master plan for the entity, provided that any new structure meets a 45 dBA interior sound level.
- (2) Hotels and motel lodging uses.
  - a. A new hotel or motel use shall be permitted provided that the structure meets a 45 dBA interior sound level where central HVAC is used. For hotels and motels wishing to utilize through wall systems, all other sound insulation requirements will apply.

b. An existing hotel or motel use shall be permitted to enlarge within or renovate an existing structure where it is located, provided that any physical expansion of the structure meets a 45 dBA interior sound level where central HVAC is used. For hotels and motels wishing to utilize through wall systems, all other sound insulation requirements will apply.

(3) Commercial and employment uses. All uses shall be permitted unless otherwise proscribed above.

(b) *Residential uses.* An existing, unmodified residential use shall be allowed to continue. Enlargement, replacement, or reconstruction of an existing residential use shall not increase the density or the intensity of the use. A residential use in tier one is further allowed as follows:

(1) An existing single family use will be permitted to renovate the livable area of an existing structure in which it is located if the renovation is entirely contained within the existing livable area of the structure, provided the use will not involve the subdivision of the property on which the existing single family use is located.

(2) An existing single family use will be permitted to enlarge the livable area of an existing structure in which it is located under the following conditions:

a. The use is located on a residential lot within an existing platted subdivision, or valid deed restrictions prohibit the use of the property for other than residential use;

b. The use will not involve the subdivision of the lot on which the existing single family use is located; and

c. The newly constructed livable area shall meet a 45 dBA interior sound level.

(3) An existing single family use will be permitted to convert existing non-livable area located wholly within an existing structure provided the use will not involve the subdivision of the lot on which the existing single family use is located.

(4) An existing single family use will be permitted to be replaced after a casualty under the following conditions:

- a. The livable area shall meet a 45 dBA interior sound level.
  - b. The use will not involve the subdivision of the property on which the existing single family use is located.
- (5) A new single family residential use shall be permitted under the following conditions:
- a. The use is located on a residential lot within an existing platted subdivision, or valid deed restrictions prohibit the use of the property for other than residential use;
  - b. The construction shall meet a 45 dBA interior sound level; and
  - c. The use will not involve the subdivision of the lot on which the existing single family use is located.
- (6) An existing multifamily use will be permitted to renovate an existing structure provided the use will not increase the density of development as shown by a filed subdivision plat or development plat, measured in dwelling units per acre. The applicant shall be required to demonstrate to the satisfaction of the director the density prior to the application for the residential building permit.
- (7) An existing multifamily use will be permitted to enlarge an existing structure under the following conditions:
- a. The use will not increase the density of development as shown by a filed subdivision plat or development plat, measured in dwelling units per acre. The applicant shall be required to demonstrate to the satisfaction of the director the density prior to the application for the residential building permit; and
  - b. An enlargement shall meet or shall be located in a structure that meets a 45 dBA interior sound level.
- (8) An existing multifamily use will be permitted to be replaced after a casualty under the following conditions:

- a. The livable area shall meet a 45 dBA interior sound level;
  - b. The use will not involve the subdivision of the lot on which the existing multifamily use is located; and
  - c. The use will not increase the density of development as shown by a filed subdivision plat or development plat, measured in dwelling units per acre. The applicant shall be required to demonstrate to the satisfaction of the director the density prior to the application for the residential building permit.
- (9) A new multifamily residential use shall not be permitted.
- (10) No new mobile or manufactured home parks or subdivisions shall be permitted.

**Sec. 9-504. Land uses in HOU tier two.**

(a) *Nonresidential uses.* Nonresidential uses are permitted in tier two as follows:

- (1) Public assembly uses and sensitive land uses.
  - a. A new public assembly use or sensitive land use shall be permitted provided the new use shall be located in a structure that meets a 45 dBA interior sound level.
  - b. An existing public assembly use or sensitive land use shall be permitted to enlarge within or renovate an existing structure where it is located, provided that any physical expansion of the structure meets a 45 dBA interior sound level.
- (2) Hotels and motel lodging uses.
  - a. A new hotel or motel use shall be permitted provided that the structure meets a 45 dBA interior sound level where central HVAC is used. For hotels and motels wishing to utilize through wall systems, all other sound insulation requirements will apply.
  - b. An existing hotel or motel use shall be permitted to enlarge within or renovate an existing structure where

it is located, provided that any physical expansion of the structure meets a 45 dBA interior sound level where central HVAC is used. For hotels and motels wishing to utilize through wall systems, all other sound insulation requirements will apply.

- (3) Commercial and employment uses. All uses shall be permitted unless otherwise proscribed above.

(b) *Residential uses.* An existing, unmodified residential use shall be allowed to continue. Enlargement, replacement, or reconstruction of an existing residential use shall not increase the density or the intensity of the use. Residential uses in tier two are further allowed as follows:

- (1) An existing single family use will be permitted to renovate or convert non-livable area within the existing structure in which it is located, provided the use will not involve the subdivision of the property on which the existing single family use is located.
- (2) An existing single family use will be permitted to enlarge the existing structure in which it is located, provided the use will not involve the subdivision of the property on which the existing single family use is located.
- (3) An existing single family use will be permitted to be replaced after a casualty under the following conditions:
  - a. The construction shall meet a 45 dBA interior sound level; and
  - b. The use will not involve the subdivision of the property on which the existing single family use is located.
- (4) A new single family use shall be permitted under the following conditions:
  - a. The use is located on a residential lot within an existing platted subdivision, or valid deed restrictions prohibit the use of the property for other than residential use;
  - b. The construction shall meet a 45 dBA interior sound level; and

- c. The use will not involve the subdivision of any lot.
- (5) An existing multifamily use will be permitted to renovate an existing structure provided the use will not increase the density of development as shown by a filed subdivision plat or development plat, measured in dwelling units per acre. The applicant shall be required to demonstrate to the satisfaction of the director the density prior to the application for the residential building permit.
- (6) An existing multifamily use will be permitted to enlarge an existing structure under the following conditions:
- a. The use will not increase the density of development as shown by a filed subdivision plat or development plat, measured in dwelling units per acre. The applicant shall be required to demonstrate to the satisfaction of the director the density prior to the application for the residential building permit; and
  - b. An enlargement shall meet or shall be located in a structure that meets a 45 dBA interior sound level.
- (7) An existing multifamily use will be permitted to be replaced after a casualty under the following conditions:
- a. The livable area shall meet a 45 dBA interior sound level;
  - b. The use will not involve the subdivision of the lot on which the existing multifamily use is located; and
  - c. The use will not increase the density of development as shown by a filed subdivision plat or development plat, measured in dwelling units per acre. The applicant shall be required to demonstrate to the satisfaction of the director the density prior to the application for the residential building permit.
- (8) A new multifamily residential use shall be permitted only on the condition that the construction shall meet or exceed a 45 dBA interior sound level.
- (9) No new mobile or manufactured home parks or subdivisions shall be permitted.

**Sec. 9-505. Land uses in HOU tier three.**

(a) *Nonresidential uses.* A new nonresidential use or enlargement of a nonresidential use is permitted in HOU tier three subject to a determination upon application for a building or development permit that it is proposed on property located in tier three and is therefore not subject to additional restrictions set forth in this section for tiers one and two.

(b) *Residential uses.* A new residential use or enlargement of a residential use is permitted in tier three subject to a determination at application for a building or development permit that such use/structure is proposed on property located in tier three and is therefore not subject to additional restrictions set forth in this section for tiers one and two.

**Secs. 9-506--9-600. Reserved.**

DIVISION 3. ELLINGTON FIELD (EFD)  
COMPATIBLE LAND USE REGULATIONS

**Sec. 9-601. Regulated area.**

The area subject to the regulations contained within this division is shown in the EFD official airport land use map.

**Sec. 9-602. General provisions.**

Land uses not specifically allowed shall not be permitted. Notwithstanding any other provision of this article, no new residential use or structure shall be permitted within the present or any future 70 DNL or higher noise contour formally approved by the FAA for EFD.

**Sec. 9-603. Land uses in EFD tier one.**

(a) *Nonresidential uses.* Nonresidential uses are permitted in tier one as follows:

- (1) Public assembly uses or sensitive uses.
  - a. No permit shall be issued for the establishment of a new public assembly uses or sensitive land use.
  - b. An existing public assembly uses or sensitive land use shall be permitted to enlarge within or renovate an existing structure where it is located, provided that

any physical expansion of the structure meets a 45 dBA interior sound level.

- c. An existing public assembly or sensitive land use shall be permitted to construct new structures within the land area of a master plan for the entity, provided that any new structure meets a 45 dBA interior sound level.

(2) Hotels and motel lodging uses.

- a. A new hotel or motel use shall be permitted provided that the structure meets a 45 dBA interior sound level where central HVAC is used. For hotels and motels wishing to utilize through wall systems, all other sound insulation requirements will apply.
- b. An existing hotel or motel use shall be permitted to enlarge within or renovate an existing structure where it is located, provided that any physical expansion of the structure meets a 45 dBA interior sound level where central HVAC is used. For hotels and motels wishing to utilize through wall systems, all other sound insulation requirements will apply.

(3) Commercial and employment uses. All uses shall be permitted unless otherwise proscribed above.

(b) *Residential uses.* An existing, unmodified residential use shall be allowed to continue. Enlargement, replacement, or reconstruction of an existing residential use shall not increase the density or the intensity of the use. A residential use in tier one is further allowed as follows:

- (1) An existing single family use will be permitted to renovate the livable area of an existing structure in which it is located if the renovation is entirely contained within the existing livable area of the structure, provided the use will not involve the subdivision of the property on which the existing single family use is located.
- (2) An existing single family use will be permitted to enlarge the livable area of an existing structure in which it is located under the following conditions:

- a. The use is located on a residential lot within an existing platted subdivision, or valid deed restrictions prohibit the use of the property for other than residential use;
  - b. The use will not involve the subdivision of the lot on which the existing single family use is located; and
  - c. The newly constructed livable area shall meet a 45 dBA interior sound level.
- (3) An existing single family use will be permitted to convert existing non-livable area located wholly within an existing structure provided the use will not involve the subdivision of the lot on which the existing single family use is located.
- (4) An existing single family use will be permitted to be replaced after a casualty under the following conditions:
  - a. The livable area shall meet a 45 dBA interior sound level.
  - b. The use will not involve the subdivision of the property on which the existing single family use is located.
- (5) A new single family residential use shall be permitted under the following conditions:
  - a. The use is located on a residential lot within an existing platted subdivision, or valid deed restrictions prohibit the use of the property for other than residential use;
  - b. The construction shall meet a 45 dBA interior sound level; and
  - c. The use will not involve the subdivision of the lot on which the existing single family use is located.
- (6) An existing multifamily use will be permitted to renovate an existing structure provided the use will not increase the density of development as shown by a filed subdivision plat or development plat, measured in dwelling units per acre. The applicant shall be required to demonstrate to the

satisfaction of the director the density prior to the application for the residential building permit.

- (7) An existing multifamily use will be permitted to enlarge an existing structure under the following conditions:
  - a. The use will not increase the density of development as shown by a filed subdivision plat or development plat, measured in dwelling units per acre. The applicant shall be required to demonstrate to the satisfaction of the director the density prior to the application for the residential building permit; and
  - b. An enlargement shall meet or shall be located in a structure that meets a 45 dBA interior sound level.
- (8) An existing multifamily use will be permitted to be replaced after a casualty under the following conditions:
  - a. The livable area shall meet a 45 dBA interior sound level;
  - b. The use will not involve the subdivision of the lot on which the existing multifamily use is located; and
  - c. The use will not increase the density of development as shown by a filed subdivision plat or development plat, measured in dwelling units per acre. The applicant shall be required to demonstrate to the satisfaction of the director the density prior to the application for the residential building permit.
- (9) A new multifamily residential use shall not be permitted.
- (10) No new mobile or manufactured home parks or subdivisions shall be permitted.

**Sec. 9-604. Land uses in EFD tier two.**

(a) *Nonresidential uses.* Nonresidential uses are allowed in tier two as follows:

- (1) Public assembly uses and sensitive land uses.

- a. A new public assembly use or sensitive land use shall be permitted provided the new use shall be located in a structure that meets a 45 dBA interior sound level.
- b. An existing public assembly use or sensitive land use shall be permitted to enlarge within or renovate an existing structure where it is located, provided that any physical expansion of the structure meets a 45 dBA interior sound level.

(2) Hotels and motel lodging uses.

- a. A new hotel or motel use shall be permitted provided that the structure meets a 45 dBA interior sound level where central HVAC is used. For hotels and motels wishing to utilize through wall systems, all other sound insulation requirements will apply.
- b. An existing hotel or motel use shall be permitted to enlarge within or renovate an existing structure where it is located, provided that any physical expansion of the structure meets a 45 dBA interior sound level where central HVAC is used. For hotels and motels wishing to utilize through wall systems, all other sound insulation requirements will apply.

(3) Commercial and employment uses. All uses shall be permitted unless otherwise proscribed above.

(b) *Residential uses.* An existing, unmodified residential use shall be allowed to continue. Enlargement, replacement, or reconstruction of an existing residential use shall not increase the density or the intensity of the use. Residential uses in tier two are further allowed as follows:

- (1) An existing single family use will be permitted to renovate or convert non-livable area within the existing structure in which it is located, provided the use will not involve the subdivision of the property on which the existing single family use is located.
- (2) An existing single family use will be permitted to enlarge the existing structure in which it is located, provided the use will not involve the subdivision of the property on which the existing single family use is located.

- (3) An existing single family use will be permitted to be replaced after a casualty under the following conditions:
  - a. The construction shall meet a 45 dBA interior sound level; and
  - b. The use will not involve the subdivision of the property on which the existing single family use is located.
- (4) A new single family use shall be permitted under the following conditions:
  - a. The use is located on a residential lot within an existing platted subdivision, or valid deed restrictions prohibit the use of the property for other than residential use;
  - b. The construction shall meet a 45 dBA interior sound level; and
  - c. The use will not involve the subdivision of any lot.
- (5) An existing multifamily use will be permitted to renovate an existing structure provided the use will not increase the density of development as shown by a filed subdivision plat or development plat, measured in dwelling units per acre. The applicant shall be required to demonstrate to the satisfaction of the director the density prior to the application for the residential building permit.
- (6) An existing multifamily use will be permitted to enlarge an existing structure under the following conditions:
  - a. The use will not increase the density of development as shown by a filed subdivision plat or development plat, measured in dwelling units per acre. The applicant shall be required to demonstrate to the satisfaction of the director the density prior to the application for the residential building permit; and
  - b. An enlargement shall meet or shall be located in a structure that meets a 45 dBA interior sound level.
- (7) An existing multifamily use will be permitted to be replaced after a casualty under the following conditions:

- a. The livable area shall meet a 45 dBA interior sound level;
  - b. The use will not involve the subdivision of the lot on which the existing multifamily use is located; and
  - c. The use will not increase the density of development as shown by a filed subdivision plat or development plat, measured in dwelling units per acre. The applicant shall be required to demonstrate to the satisfaction of the director the density prior to the application for the residential building permit.
- (8) A new multifamily residential use shall be permitted only on the condition that the construction shall meet or exceed a 45 dBA interior sound level.
- (9) No new mobile or manufactured home parks or subdivisions shall be permitted.

**Sec. 9-605. Land uses in EFD tier three.**

(a) *Nonresidential uses.* A new nonresidential use or enlargement of a nonresidential use is permitted in EFD tier three subject to a determination upon application for a building or development permit that it is proposed on property located in tier three and is therefore not subject to additional restrictions set forth in this section for tiers one and two.

(b) *Residential uses.* A new residential use or enlargement of a residential use is permitted in tier three subject to a determination at application for a building or development permit that such use/structure is proposed on property located in tier three and is therefore not subject to additional restrictions set forth in this section for tiers one and two."

**Section 3.** That the City Council hereby establishes Airport Land Use Envelopes and Airport Land Use Tiers One, Two and Three for each airport and hereby adopts and approves the Official Airport Land Use Maps depicting the same for George Bush Intercontinental Airport/Houston, William P. Hobby Airport, and Ellington Field,

that are designated as Exhibits A, B, and C, respectively and that are on file in the Office of the City Secretary.

**Section 4.** That the City Secretary is hereby directed to maintain the Official Airport Land Use Maps for the Airports at her office at City Hall.

**Section 5.** That any permit issued by the City of Houston, or for which a complete application was filed prior to the effective date of this Ordinance, under any other requirement of the City Code and other laws and regulations of the City, including without limitation, the Construction Code, the Fire Code, and the Department of Public Works and Engineering Infrastructure Design Manual, is hereby recognized as continuing to be valid, and compliance with Chapter 9 of the Code of Ordinances, Houston, Texas, as amended by this Ordinance shall not be required.

**Section 6.** That the Director of the Houston Airport System shall cause a copy of this Ordinance to be filed in the real property records of Harris County, Texas, to give notice of the City's adoption of compatible land use regulations.

**Section 7.** 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 applicability 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 8.** That all other provisions in the Code of Ordinances of the City of Houston remain in full force and effect.

**Section 9.** The City Council officially finds, determines, recites and declares that a sufficient written notice of the date, hour, place and subject of this meeting of the City Council was posted at a place convenient to the public at the City Hall of the City for the time required by law preceding this meeting, as required by the Open Meetings Law, Chapter 551, Texas Government Code Annotated; and that this meeting has been open to the public as required by law at all times during which this ordinance and the subject matter thereof has been discussed, considered and formally acted upon. The City Council further ratifies, approves and confirms such written notice and the contents and posting thereof.

**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 that date and shall take effect at 12:01 a.m. on the 1<sup>st</sup> day of February, 2009.

**PASSED AND APPROVED this \_\_\_\_ day of \_\_\_\_\_, 2008.**

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

(Prepared by Legal Dep't) DEBORAH F. CARROLL  
(DFM:dfm December 2, 2008) Senior Assistant City Attorney  
(Requested by Richard M. Vacar, Director, Houston Airport System)  
(L.D. File No. 0040400188001)  
G:\LANDVAIRPORT\2008\final adopting ord(4).doc

EXHIBIT A

CITY OF HOUSTON  
OFFICIAL AIRPORT LAND USE MAP  
GEORGE BUSH INTERCONTINENTAL AIRPORT/HOUSTON

DATED DECEMBER 3, 2008

Map of 1" to 500' Scale on File in the Office of the City Secretary

EXHIBIT B

CITY OF HOUSTON  
OFFICIAL AIRPORT LAND USE MAP  
WILLIAM P. HOBBY AIRPORT

DATED DECEMBER 3, 2008

Map of 1" to 500' Scale on File in the Office of the City Secretary

EXHIBIT C

CITY OF HOUSTON  
OFFICIAL AIRPORT LAND USE MAP  
ELLINGTON FIELD

DATED DECEMBER 3, 2008

Map of 1" to 500' Scale on File in the Office of the City Secretary

DEC 03 2008

**CITY OF HOUSTON**  
INTEROFFICE CORRESPONDENCE

**TO:** Marty Stein  
Agenda Director  
Office of the Mayor

**FROM:** Eric R. Potts  
Planning, Design & Construction  
Houston Airport System

**DATE:** November 26, 2008

**SUBJECT:** Staff Changes to the Airport Land  
Use Compatibility Ordinance

Since the Adoption of the Airport Commission's final report on October 16, 2008, Staff has continued to review the ordinance and receive additional public comments, and has made the following changes to the ordinance. We do not believe these changes are substantial in nature, nor do they contradict the tone and intent of the Airport Commission's Final Report.

1. On the date of the TIA Committee meeting, November 23, 2008, staff received a letter from the Houston Apartment Association requesting some additional changes to the proposed regulations. Staff reviewed these and is in agreement with the request; we believe it clarifies the original proposed language and will encourage renovation and achieve other public goals of compliance with building regulations. The existing language prohibiting new multi family residential development in Tier One is retained, and renumbered. The new language will apply in both Tiers One and Two. The changes amend Sections 9-403(b)(6)-(8) [IAH Tier One], 9-404(b)(5)-(7) [IAH Tier Two]; 9-503(b)(6)-(8) [HOU Tier One], 9-504(b)(5)-(7) [HOU Tier Two]; and 9-603(b)(6)-(8) [EFD Tier One], 9-604(b)(5)-(7) [EFD Tier Two]. The changes are as follows:

- (6) An existing multi family use will be permitted to renovate an existing structure provided the use will not increase the density of development as shown by a filed subdivision plat or development plat, measured in dwelling units per acre. The applicant shall be required to demonstrate to the satisfaction of the director the density prior to the application for the residential building permit.
- (7) An existing multi family use will be permitted to enlarge an existing structure under the following conditions:
  - a. The use will not increase the density of development as shown by a filed subdivision plat or development plat, measured in dwelling units per acre. The applicant shall be required to demonstrate to the satisfaction of the director the density prior to the application for the residential building permit; and
  - b. An enlargement shall meet or shall be located in a structure that meets a 45 dBA interior sound level.
- (8) An existing multi family use will be permitted to be replaced after a casualty, which for purposes of this article is defined as destruction by accidental or natural causes, under the following conditions:
  - a. The livable area shall meet a 45 dBA interior sound level;

- b. The use will not involve the subdivision of the lot on which the existing multi family use is located; and
- c. The use will not increase the density of development as shown by a filed subdivision plat or development plat, measured in dwelling units per acre. The applicant shall be required to demonstrate to the satisfaction of the director the density prior to the application for the residential building permit.

For your reference, the prior language was, in Tier One:

- (6) An existing multi family use will be permitted to enlarge or renovate an existing structure under the following conditions:
  - a. The use will not increase the density of development as shown by a filed subdivision plat or development plat, measured in dwelling units per acre. The applicant shall be required to demonstrate to the satisfaction of the director the density prior to the application for the residential building permit.
  - b. An enlargement shall meet or shall be located in a structure that meets a 45 dBA interior sound level.

And in Tier Two:

- (5) An existing multi family use will be permitted to enlarge or renovate an existing structure under the following conditions:
  - a. The use will not increase the density of development as shown by a filed subdivision plat or development plat, measured in dwelling units per acre. The applicant shall be required to demonstrate to the satisfaction of the director the density prior to the application for the residential building permit.
  - b. An enlargement shall meet or shall be located in a structure that meets a 45 dBA interior sound level.

2. As staff worked through changes in the International Residential Code and Building Code, we were attempting to impose possibly unattainable standards on motels that use in-wall air conditioning systems. Because these units are constructed through the wall, it is virtually impossible to have rooms containing such systems meet the 45dBA sound level. Lodging is a compatible land use around airports, and we want to encourage this type of development. The revised language is underlined below:

Hotels and motel lodging.

- a. A new hotel or motel use shall be permitted provided that the structure meets a 45 dBA interior sound level where central HVAC is used. For hotels and motels wishing to utilize through wall systems, all other sound insulation requirements will apply.
- b. An existing hotel or motel use shall be permitted to enlarge within or renovate an existing structure where it is located, provided that any physical expansion of the structure meets a 45 dBA interior sound level where central HVAC is used. For hotels

Marty Stein, Agenda Director  
Office of the Mayor

-3-

November 26, 2008

→ and motels wishing to utilize through wall systems, all other sound insulation ←  
→ requirements will apply.



Eric R. Potts

ERP:mrn

cc: Anthony W. Hall, Jr.  
Council Members

# 3  
11/19/08

**Continental  
Airlines**



**Nene Foxhall**  
Senior Vice President  
International and State Affairs

1600 Smith Street HQSEO  
Houston TX 77002

Tel 713 324 5140  
Fax 713 324 6329  
continental.com

April 17, 2008

Mr. Rick Vacar  
Director  
Houston Airport System  
16930 JFK Blvd.  
2<sup>nd</sup> Floor  
Houston, TX 77032

Dear Rick,

This confirms that Continental Airlines strongly supports the efforts of the City of Houston to enact compatible land use controls in the area surrounding Bush Intercontinental Airport / Houston (IAH) in order to comply with mandates of the Federal Aviation Administration (FAA).

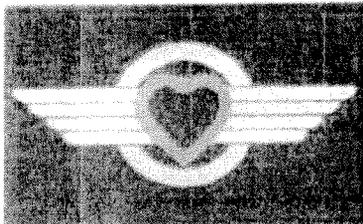
As outlined in the attached letter from the FAA, future expansion at IAH "requires the city of Houston to take appropriate action, to the extent reasonable, to adopt zoning laws to restrict the use of land adjacent to or near the airport to activities and purposes compatible with normal airport operations." We believe the Administration's draft ordinance meets that test in a reasonable manner.

As you know, the Texas Legislature in 2007 unanimously approved legislation authorizing the City to enact such restrictions. We hope the Administration moves expeditiously to conduct stakeholder briefings and present the matter to City Council for approval.

Continental is committed to continued development at IAH, and, with the announcement of our future plans for the redevelopment of Terminal B, we consider approval of the proposed land use ordinance to be of the highest priority. Please know we stand available to assist you and your staff in this crucial effort.

Sincerely,

A handwritten signature in black ink that reads "Nene Foxhall".



Sherri M. Hull, Manager  
Governmental Affairs  
3208 Rustic River Cove  
Austin, Texas 78746  
512-328-2251  
e-mail: [sherri.hull@wnco.com](mailto:sherri.hull@wnco.com)

November 19, 2008

Rick Vacar  
Director  
Houston Airport System  
16930 JFK Blvd.  
2<sup>nd</sup> Floor  
Houston, TX 77032

Dear Rick:

Southwest Airlines is in favor of compatible land use controls being presenting before the Houston City Council as they would apply to Houston Hobby Airport and the Houston Airport System. Southwest Airlines supports the City of Houston's efforts to enact restrictions on the use of land adjacent to or near Houston Hobby Airport for activities and purposes compatible with normal airport operations in order to comply with Federal Aviation Administration (FAA) mandates.

Please do not hesitate to contact my office if there is anything further we can provide in assisting your staff as this matter is being addressed.

Sincerely,

Sherri M. Hull

Cc: Ron Ricks, Executive VP Corporate Services—Southwest Airlines  
Randy Gillespie, Properties Manager—Southwest Airlines

**Resolution of the Board of Directors in Support of  
Airport Land Use Regulations**

---

The Greater Houston Partnership's Board of Directors supports adoption of airport land use regulations around Bush Intercontinental Airport/Houston (IAH), William P. Hobby Airport (HOU) and Ellington Field (EFD).

The Houston Airport System (HAS) is a major economic engine for the region, and our airports are experiencing rapid passenger and cargo growth. Expansion of HAS facilities is required to accommodate projected growth and sustain economic vitality in our region.

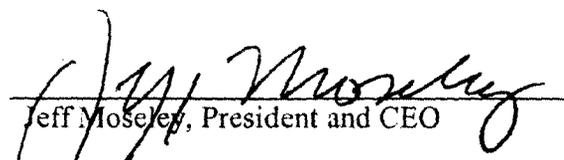
HAS receives a substantial amount of federal funding. Federal airport development grant agreements require the City of Houston to adopt measures to ensure land development compatible with airport operations. In accordance with Chapter 241 of the Texas Local Government Code, the City of Houston has the authority to adopt airport land use regulations with no zoning referendum required.

HAS and City of Houston planners have developed a three-tiered plan to ensure compatible land development surrounding the airports:

- **Tier 1-** new residential development, including homes, churches and schools, would be prohibited
- **Tier 2-** new development would be allowed with soundproofing measures
- **Tier 3-** no development restrictions, but property owners and prospective buyers must be informed of property proximity to the airport and potential of property to fall within the City of Houston's regulatory reach

The Greater Houston Partnership supports the adoption of a reasonable plan by Houston City Council to ensure that HAS federal funding is not jeopardized.

  
\_\_\_\_\_  
Daniel J. Wolterman, Chairman

  
\_\_\_\_\_  
Jeff Moseley, President and CEO

  
\_\_\_\_\_  
Dan G. Bellow, Secretary

## MEMORANDUM

**DATE:** August 6, 2008

**TO:** Greater Houston Partnership Board of Directors

**FROM:** Jim Dannenbaum, Chairman  
Transportation and Infrastructure Advisory Committee

**SUBJECT:** Resolution of the Board of Directors in Support Airport Land Use Regulations

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### RECOMMENDATION

The Greater Houston Partnership's Board of Directors supports adoption of airport land use regulations around Bush Intercontinental Airport/Houston, William P. Hobby Airport and Ellington Field.

The Houston Airport System (HAS) is a major economic engine for the region, and our airports are experiencing rapid passenger and cargo growth. Expansion of HAS facilities is required to accommodate projected growth and sustain economic vitality in our region.

HAS is largely dependent on federal funding. Federal airport development grant agreements require the City of Houston to adopt measures to ensure land development compatible with airport operations. In accordance with Chapter 241 of the Texas Local Government Code, the City of Houston has the authority to adopt airport land use regulations with no zoning referendum required.

HAS and City of Houston planners have developed a three-tiered plan to ensure compatible land development surrounding the airports:

- **Tier 1-** new residential development, including homes, churches and schools, would be prohibited
- **Tier 2-** new development would be allowed with soundproofing measures
- **Tier 3-** no development restrictions, but property owners and prospective buyers must be informed of property proximity to the airport and potential of property to fall within the City of Houston's regulatory reach

The Greater Houston Partnership supports adoption of the plan by Houston City Council to ensure that HAS federal funding is not jeopardized.

### BACKGROUND

HAS provides a vital economic engine for Houston's economy. HAS, a department of the City of Houston, operates the three major airports

serving the City of Houston and the greater Houston metropolitan region -- George Bush Intercontinental (IAH), William P. Hobby (HOU), and Ellington Field (EFD).

The Houston Airports are a major contributor to the economic growth and vitality of the greater Houston region. HAS is the fourth largest multi-airport system in the U.S. and the sixth largest in the world. They generate more than \$24 billion each year for the region's economy and create and support more than 151,000 jobs.

Houston's population, employment and economic growth are fueled in large part by the Houston Airports and the passenger and cargo flights that connect Houston to the rest of the U.S. and international markets. Houston's stature as a premier gateway to the world can only be sustained by a vibrant and thriving air transportation system, able to support and create new opportunities for travel and trade for Houston-area residents, businesses and visitors.

The record 52 million passengers who traveled through the Houston Airports in 2007 are projected to grow to 80 million by the year 2020. To accommodate this rapid growth, the Houston Airport System will need to continually improve and expand airport facilities and capacity.

In 2006, the FAA admonished the City of Houston for allowing incompatible development to encroach into areas affected by airport operations. In a letter, they asked the City of Houston to adopt measures that ensure compatible land development and that would protect the FAA's investment of grant funds in the three airports.

In an effort to promote compatible land use the City of Houston is proposing new regulations to control future development around the three airports.

#### **FISCAL IMPACT**

The FAA has invested approximately \$667 million in HAS development. Future federal assistance is in jeopardy and repayment of previous grants may be required unless land use restrictions are implemented by the City of Houston.

#### **IMPLEMENTATION**

Partnership volunteer leadership and staff will communicate support of the proposed land use regulations and encourage prompt adoption of the regulations by Houston City Council.

#### **RESOURCES REQUIRED**

This recommendation can be implemented with available Greater Houston Partnership staff and within the current operating budget.



## NORTH HOUSTON ASSOCIATION RESOLUTION

In Support Of Houston Airport System Land Use Regulations

**Jon Lindsay**  
President

**Paula Lenz**  
Executive Director

### BOARD OF DIRECTORS

**Roy Hearnberger, PE**  
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The Hearnberger Company

**Alex G. Sutton III, PE**  
Vice Chairman  
The Woodlands Development  
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**James Curry**  
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**Jack Drake**  
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**Joe Adams**  
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**Martin Basaldua, M.D.**  
Optimal Health & Wellness Center  
PLLC

**Bruce Broberg, PE**  
URS Corporation

**Eric Corley**  
Ameqy Bank

**Mark Froehlich, PE**  
Brown & Gay Engineers, Inc.

**Glenn Graham, PE**  
Schaumburg & Polk, Inc.

**Bob Jones, PE, RPLS**  
Jones & Carter, Inc.

**Bob Kinnear**  
The Woodlands Township

**Ray Laughter**  
Lone Star College System

**Renee Leach**  
Hewlett Packard Company

**David Millikan, PE**  
Wilbur Smith Associates

**Alan Potok, PE**  
FCB

**Eric Potts**  
Houston Airport System

**Neal Rackleff**  
Locke Lord Bissell & Liddle LLP

**Neil Thomas**  
Fulbright & Jaworski L.L.P.

**Barbara Thomason**  
Houston Northwest Chamber of  
Commerce

**Dave Walden**  
Continental Airlines

**Claudia Williamson**  
Lockwood, Andrews  
& Newnam, Inc.

WHEREAS, the Houston Airport System (HAS) is a major economic engine for the region, and our airports are experiencing rapid passenger and cargo growth. Expansion of HAS facilities is required to accommodate projected growth and sustain economic vitality in our region.

WHEREAS, HAS receives a substantial amount of federal funding. Federal airport development grant agreements require the City of Houston to adopt measures to ensure land development compatible with airport operations. In accordance with Chapter 241 of the Texas Local Government Code, the City of Houston has the authority to adopt airport land use regulations with no zoning referendum required; and

WHEREAS, HAS and City of Houston planners have developed a three-tiered plan to ensure compatible land development surrounding the airports.

NOW THEREFORE BE IT RESOLVED that the North Houston Association Board of Directors supports adoption of airport land use regulations that do not inhibit the growth of community colleges, hospitals or similar institutions vital to the public interest around Bush Intercontinental Airport/Houston, William P. Hobby Airport and Ellington Field, and supports the adoption of a reasonable plan by Houston City Council to ensure that HAS federal funding is not jeopardized.

ADOPTED this 8th day of October, 2008.

Roy Hearnberger  
Chairman of the Board

Jon Lindsay  
President



U.S. Department  
of Transportation  
**Federal Aviation  
Administration**

Southwest Region  
Airports Division, Texas Airports  
Development Office

Fort Worth, Texas 76193

October 20, 2008

Mr. Richard Vacar  
City of Houston  
Department of Aviation  
16930 JFK  
Houston, TX 77032

Dear Mr. Vacar:

The city of Houston has made a good start towards implementing land use controls to protect its three airports - George Bush Intercontinental, William P. Hobby, and Ellington Field. The overall intent is to protect the public's investment in these airports and this is backed up with FAA Grant Assurance No. 21 that requires cities to take appropriate action to ensure compatible land uses. The assurance is simple:

"...take appropriate action, to the extent reasonable, including the adoption of zoning laws, to restrict the use of land adjacent to or in the immediate vicinity of the airport to activities and purposes compatible with normal airport operations, including landing and takeoff of aircraft."

Land use controls are taken for granted in most places, but we realize this is not the case in Houston. We understand and appreciate the efforts and look forward to the successful implementation of these proposed controls.

If you have any questions, please do not hesitate to contact me at (817) 222-5614.

Sincerely,

Ben Guttery  
Senior Program Manager  
Texas Airports Development Office



October 22, 2008

The Honorable Sue Lovell  
City of Houston  
P. O. Box 1562  
Houston, TX 77251

Dear Chairwoman Lovell:

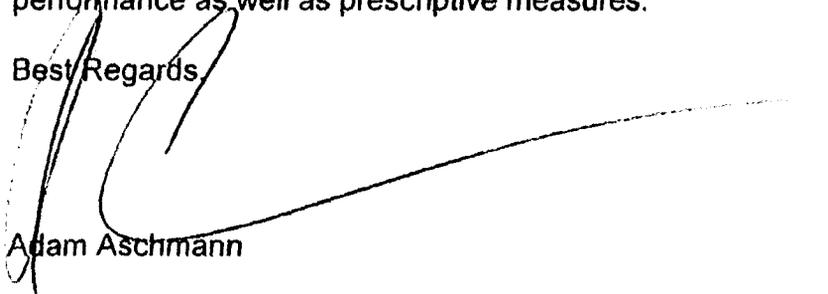
On behalf of the Greater Houston Builders Association (GHBA), I appreciate the opportunity to review the proposed Airport Compatible Land Use Regulations. These measures must protect the investment of property owners while at the same time protect the investment of the Houston Airport system.

GHBA is in general support of this ordinance however I must note that multi and single family housing be treated in similar manners.

As you know, GHBA represents over 2,100 member companies, which includes volume builders, custom builders, remodelers, Multi family builders, land developers, and an array of housing-related businesses.

We look forward to working with staff to ensure that the Appendixes to the International Building Code and the International Residential Code will allow for performance as well as prescriptive measures.

Best Regards,



Adam Aschmann

cc: Mayor Bill White  
Houston City Council  
Marlene Gafrick  
Eric Potts



## Houston Apartment Association

October 23, 2008

The Honorable Sue Lovell  
Houston City Council  
P. O. Box 1562  
Houston TX 77251-1562

Dear Chairwoman Lovell:

Thank you for the opportunity to review the proposed Airport Compatible Land Use Regulations. Airports are vital to the continued growth of our region, and we understand the need to encourage compatibility in airport-area construction.

We recommend that the approach contemplated for single-family residential homes be applied as much as possible to multifamily developments, as described in Attachment A for inclusion in the draft ordinance. With the added language, we are protecting the investments of existing apartment owners while balancing the need for sound insulation in new construction and in enlargements of existing structures.

We would further recommend that the language be amended to state that drawings submitted for permits are required to be designed to meet a 45 dBA requirement, rather than asking the design professional of record to "certify" compliance. Opinions vary among design professionals and engineers, and a certification requirement would likely require the hiring of an acoustic engineer at considerable expense – even on a fairly simple project.

We would also like to see that – if prescriptive guidelines are adopted – language is included to specifically allow alternate methods and materials. Architects have found, for example, that the addition of resilient channels under the sheetrock or sheathing may be a more cost-effective and acoustically desirable method to achieve the same result as some of the more expensive methods in the reference sheet.

Thank you again for seeking our input on this important issue.

Sincerely,

A handwritten signature in black ink, appearing to read 'Andy Teas', with a long horizontal flourish extending to the right.

Andy Teas  
Vice President of Public Affairs

## Attachment

### Tier one

- (6) An existing multi family use will be permitted to enlarge ~~or~~ renovate an existing structure under the following conditions:
- a. The use will not increase the density of development as shown by a filed subdivision plat or development plat, measured in dwelling units per acre. The applicant shall be required to demonstrate to the satisfaction of the director the density prior to the application for the residential building permit.
  - ~~b. An enlargement shall meet or shall be located in a structure that meets a 45 dBA interior sound level.~~
- (7) An existing multi family use will be permitted to enlarge an existing structure under the following conditions:
- a. The use will not increase the density of development as shown by a filed subdivision plat or development plat, measured in dwelling units per acre. The applicant shall be required to demonstrate to the satisfaction of the director the density prior to the application for the residential building permit.
  - b. An enlargement shall meet a 45 dBA interior sound level.
- (8) An existing multi family use will be permitted to be replaced after a casualty, which for purposes of this article is defined as destruction by accidental or natural causes, under the following conditions:
- a. The livable area shall meet a 45 dBA interior sound level
  - b. The use will not involved the subdivision of the lot on which the existing multi family use is located.
  - c. The use will not increase the density of a development as shown by a filed subdivision plat or development plat, measured in dwelling units per acre. The applicant shall be required to demonstrate to the satisfaction of the director the density prior to the application for the residential building permit.

### Tier two

Same language as above.

General Ordinance provision that states the following:

Projects that are designed and constructed in accordance with Appendix X of the International Building Code or International Residential Code are presumed to meet the maximum 45dBAMayor and City Council

## Airport Land Use Compatibility Matrix Summary

The Land Use Compatibility Matrix is a single page tool to assist property owners in determining the status of their property as defined by the Airport Land Use Regulations. The regulations divide the area around each airport into three tiers with varying degrees of regulation. The tiers are contained within an area defined by Chapter 241 of the Texas Government Code that limits the area an airport can regulate. Tier 1 is the most restrictive since it is closest to the airport and has the most impact on continued operation of the airport. Tier 2 is further away from the airport with a lesser degree of impact on airport operations. Tier 3 is the area farthest from the airport and has the least impact on airport operations.

Land uses within the tiers are identified as either allowed (YES), not allowed (NO), or allowed with conditions (CONDITIONAL). The reasoning behind the designation of each land use in each tier is based on federal guidelines for noise compatibility, the intensity of the use on the infrastructure, and the possibility of airport growth impacting the land use. Since the airport is regulating an area with existing development there are some uses that are located within a tier that would not be allowed if they were new. In order to limit the burden on the "non-conforming" land uses yet still providing some protection for the airports these non-conforming land uses are permitted to remain and even be expanded and rebuilt under certain conditions. Those conditions are also listed in the matrix as either allowed (YES), not allowed (NO), or allowed with conditions (CONDITIONAL).

The land uses of most concern to the Federal Aviation Administration (FAA) are those most likely to be impacted by airport operations. Therefore the FAA requires that airports protect themselves from these "incompatible uses". These incompatible uses are residential dwellings of various types, schools, hospitals, lodging places, and places of public assembly. Based on the long term experience of the FAA nationally these uses are the ones most likely to impact airport operations, especially where noise is concerned. The FAA does not consider commercial and industrial uses as incompatible.

The Land Use Compatibility Matrix was constructed to illustrate in a single page the regulations contained within the text of the Airport Land Use Regulations. The inclusion of CONDITIONAL land uses permits non-conforming land uses to remain and expand or be rebuilt as long as sound insulation measures are taken to lessen the impact of noise on the land use and thus protect the continued viability of the airport. The costs of bringing an expanded or rebuilt structure into compliance will be the responsibility of the property owner.

# Land Use Compatibility Matrix

DRAFT – 10/21/08

Land Uses	Tier 1 <sup>1</sup>	Tier 2 <sup>1</sup>	Tier 3 <sup>1</sup>
<b>Residential Dwellings (Single Family or Multi-Family)</b>			
A: Enlargement of existing single family structures	CONDITIONAL <sup>2</sup>	YES	YES
B: Renovation of existing single family structures	YES	YES	YES
C: Replacement of existing single family structures after casualty <sup>3</sup>	CONDITIONAL <sup>2</sup>	YES	YES
D: Enlargement, renovation or replacement of existing multi-family structures	CONDITIONAL <sup>2</sup>	CONDITIONAL <sup>2</sup>	YES
E: New Multi-family development	NO	CONDITIONAL <sup>2</sup>	YES
F: New mobile home parks or subdivisions	NO	NO	YES
G: New single family construction, including demolition, in existing developed residential areas	CONDITIONAL <sup>2</sup>	CONDITIONAL <sup>2</sup>	YES
H: New construction in undeveloped or non-residential areas	NO	CONDITIONAL <sup>2</sup>	YES
<b>Sensitive and Public Assembly Uses (e.g. Hospitals, Nursing Homes, Assisted Living Centers, K-12 Schools, Higher Educational Institutions, Day Care Centers, Places of Worship, Movie Theaters, Amphitheaters)</b>			
A: Enlargement or renovation existing of structures	CONDITIONAL <sup>2</sup>	CONDITIONAL <sup>2</sup>	YES
B: New construction	NO	CONDITIONAL	YES
<b>Lodging</b>			
A: Enlargement or renovation of existing structures	CONDITIONAL <sup>2</sup>	CONDITIONAL <sup>2</sup>	YES
B: New construction	CONDITIONAL <sup>2</sup>	CONDITIONAL <sup>2</sup>	YES
<b>Commercial and Employment Uses (Retail, Restaurants, Offices, Warehouses, Industrial Uses)</b>			
A: Enlargement or renovation of existing structures	YES	YES	YES
B: New construction	YES	YES	YES

**NOTES:**

<sup>1</sup> Must meet certain notification requirements.

<sup>2</sup> Sound insulation required if enlargement of the structure is more than 51% of the appraised value of the livable area.

<sup>3</sup> "Casualty" means destruction by accidental or natural causes.

**Legend:**

 **Compatible**

 **Compatible Only With Sound Insulation Measures**  
(May be subject to further conditions or exceptions)

 **Not Compatible**



#3  
11/19/08

# CITY OF HOUSTON

## INTEROFFICE CORRESPONDENCE

**TO:** Council Member Sue Lovell, Chair  
Transportation, Infrastructure & Aviation  
Committee

**FROM:** Deputy Director  
Planning, Design & Construction  
Houston Airport System

**DATE:** November 14, 2008

**SUBJECT:** Airport Compatible Land Use –  
Follow-up to Council Discussion

At its meeting on October 16, 2008, the Airport Commission forwarded recommended draft regulations and boundary maps to City Council for consideration. Houston Airport System staff then briefed the Transportation, Infrastructure & Aviation Committee on Thursday, October 23, 2008, on these regulations and boundary maps. This memo provides responses to comments and questions raised at the Committee meeting.

Council Members Lawrence and Adams inquired about the Houston Apartment Association's (HAA's) request to alter language in the draft ordinance to not require additional sound insulation in certain circumstances. Staff does not object to HAA's recommendation. Staff's primary goal is to make sure that renovations and rebuilding come into compliance with City codes, that permits are sought and the properties inspected, and that repairs are not done without knowledge of the appropriate City staff.

Council Member Rodriguez inquired as to the phrase on the matrix, "Subject to further conditions." Staff explained that this referenced provisions in the ordinance identifying where there might be conditions, in addition to sound insulation, such as a new single family residence being located in an existing platted subdivision. Some of this language has been removed based on the recommendations of the Airport Commission.

Several Council Members inquired about the effect of a disaster on rebuilding, if the new sound insulation standards would become applicable, and if that would be covered by insurance. Insurance coverage varies among companies and homeowners, but we have gathered the following information.

In the case of a natural disaster, insurance and the Federal Emergency Management Agency (FEMA) provide coverage to bring the structure to code. Coverage by insurance companies varies in their level of coverage for such action. Staff contacted the Texas Division of Insurance and three insurance companies that provide insurance to the Houston area (State Farm, Allstate, and Nationwide). All four entities emphasized that coverage is highly variable among insurance carriers and actual coverage can depend on a myriad of conditions. All insurance companies provide coverage for bringing residences up to code if rebuilt or repaired. However, some provide basic coverage using what they refer to as "ordinance of law" where some reimbursement is allowed to bring a residence into code compliance but the amounts are limited. In some cases, as with total destruction by fire, carriers only reimburse to "limits" which are considered the value of the structure when destroyed. Most insurance companies consider additional costs of bringing a structure up to code as "betterment" and charge additional premiums for that coverage.

According to FEMA's guidelines (Chapter 2, FEMA Publication 322 - Assistance Guidelines), additional costs incurred in order to comply with codes and standards are eligible: "...*The eligible cost criteria referenced above apply to all direct costs, including labor, materials, equipment, and contracts awarded for the performance of eligible work. This also includes any additional costs for compliance with codes and standards that meet FEMA's eligibility criteria, as well as any costs necessary to obtain permits. Compliance with environmental and historic preservation laws, regulations, and EOs may constitute eligible costs.*"

Council Member Adams inquired as to whether there was a written local agreement with FEMA regarding natural disasters. Since FEMA responds after disasters occur according to its regulations, there is no written local agreement with FEMA regarding possible future disasters and rebuilding requirements.

Ms. Dusty Hyde, a resident of Garden Villas subdivision, inquired how the City could regulate the subdivision under Chapter 241, which was adopted in 1947, when their neighborhood pre-dated the City and did not become part of Houston until 1950. Legal counsel explained that as cities annex territory, they may apply all of their regulations to those newly annexed areas; there is not an historical exemption.

Mr. Gordon Hyde, also of Garden Villas subdivision, inquired as to other cities that use sound insulation requirements. Staff responded that most large airports which receive federal funding regulate incompatible land uses to varying degrees. Many other cities in Texas, including Austin, have more stringent sound insulation standards. He also inquired whether staff was aware of another existing neighborhood, which had existed prior to the adoption of Chapter 241, where similar rebuilding and sound insulation standards were applied. According to staff research, many airports, as they have expanded or relocated, affect additional neighborhoods. Austin-Bergstrom International Airport, for example, with its relocation to the former Bergstrom Air Force Base site, now imposes its airport regulations on the older neighborhoods which surround the airport.

Council Member Holm inquired whether Houston was following the lead of other cities and if staff could provide a comparison with other cities. Airports around Texas and the nation use a variety of tools to implement land use regulations to protect themselves from the impacts of urbanization, most often seen in the form of noise complaints. The relative impact of the regulations is dependent upon the extent that the tools are used. The City of Houston is using the tools of land use restrictions and building code revisions to protect the airport from the impacts of urbanization around its airports and to inform the public so informed land purchase decisions can be made. Following are examples of tools used by other cities with medium to large airports or a system of airports compared to the City of Houston's Airport System.

Austin, Texas – The City of Austin owns and operates Austin-Bergstrom International Airport which corresponds roughly to Hobby Airport in activity. Austin uses Airport Overlay Zones that are similar to Houston's Tiers. Austin seeks a noise reduction to between 25-30 dB(A) interior sound level whereas Houston only requires a reduction to 45 dB(A) interior sound level, which is FAA's standard. Austin has city-wide zoning on which to build its overlay zones whereas Houston has no underlying zoning support.

Dallas/Ft. Worth, Texas – The DFW Airport Authority owns and operates DFW International Airport. The airport authority is governed by the cities of Dallas and Ft. Worth. DFW uses the same tools as Houston (land use restrictions and building code revisions) but also uses city-wide zoning and disclosure. One mitigating factor at DFW is the 18,000 acres originally purchased for DFW. DFW therefore owns land that would otherwise pose potential problems of incompatible land use. By comparison, George Bush Intercontinental Airport/Houston owns 10,000 acres.

Sacramento, California – Sacramento International Airport is owned and operated by Sacramento County. The Sacramento County Airport System is a multi-airport system which owns or operates five facilities. Sacramento County restricts residential development to the 60 DNL noise contour around its airports whereas the City of Houston will only restrict residential land uses to the 65 DNL noise contour. All residences within the entire County must meet an internal 45 dB(A) interior sound level which is greater than the Houston requirement. Any permit pulled by a non-conforming use within the zoning district (which is much larger than the 3 X 5 mile box for Houston) must give the County an avigation easement. Houston has no such requirement and even permits some rebuilding without penalty.

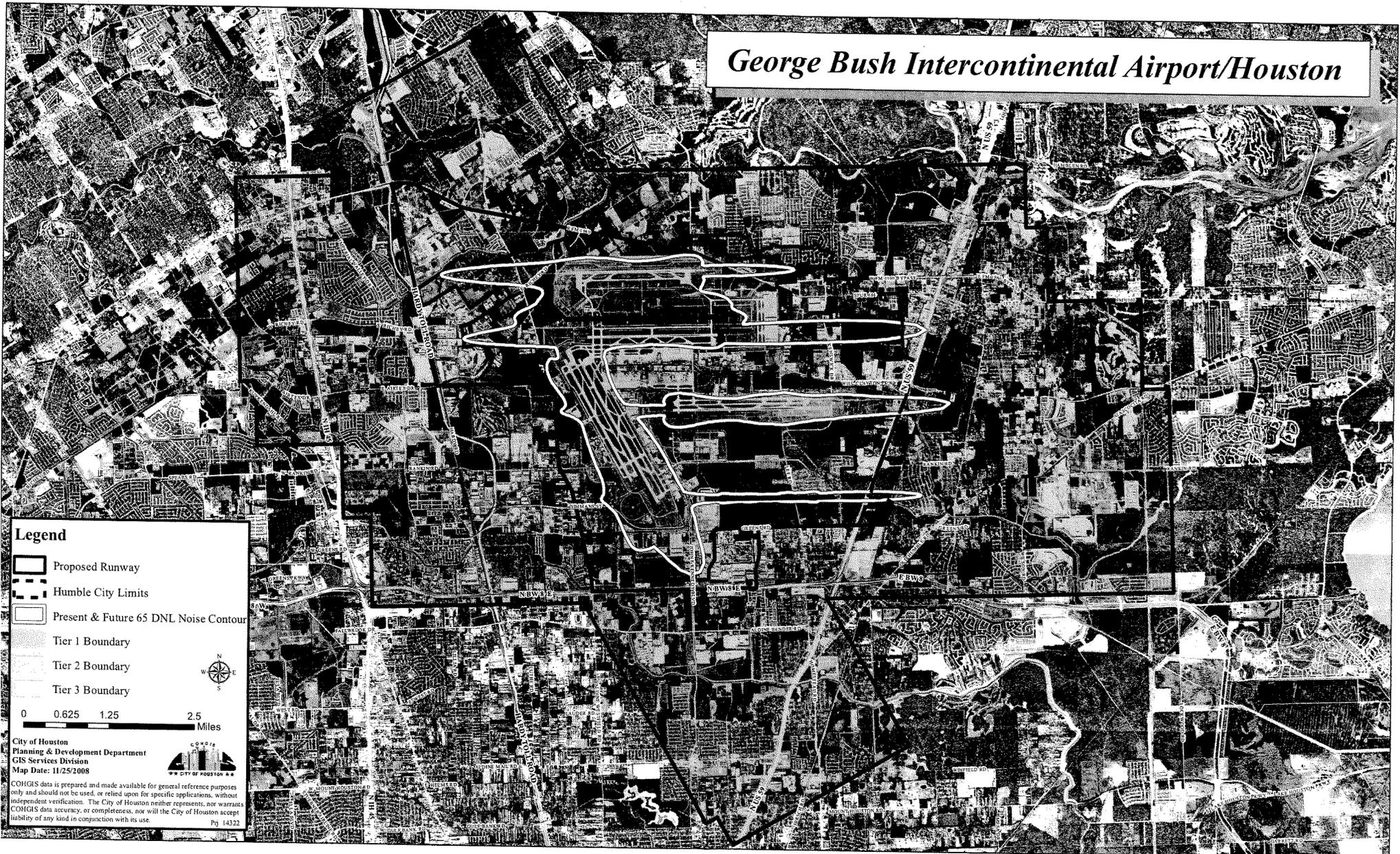
Many states have their own requirements in place to ensure Airport Land Use Compatibility. Both Florida and California have strict standards for addressing not only aircraft noise concerns but also for height hazards and population density in areas surrounding their airports.

  
Eric R. Potts

ERP:mrn

cc: Marty Stein  
Anthony W. Hall, Jr.  
Council Members

# George Bush Intercontinental Airport/Houston



**Legend**

- Proposed Runway
- Humble City Limits
- Present & Future 65 DNL Noise Contour
- Tier 1 Boundary
- Tier 2 Boundary
- Tier 3 Boundary

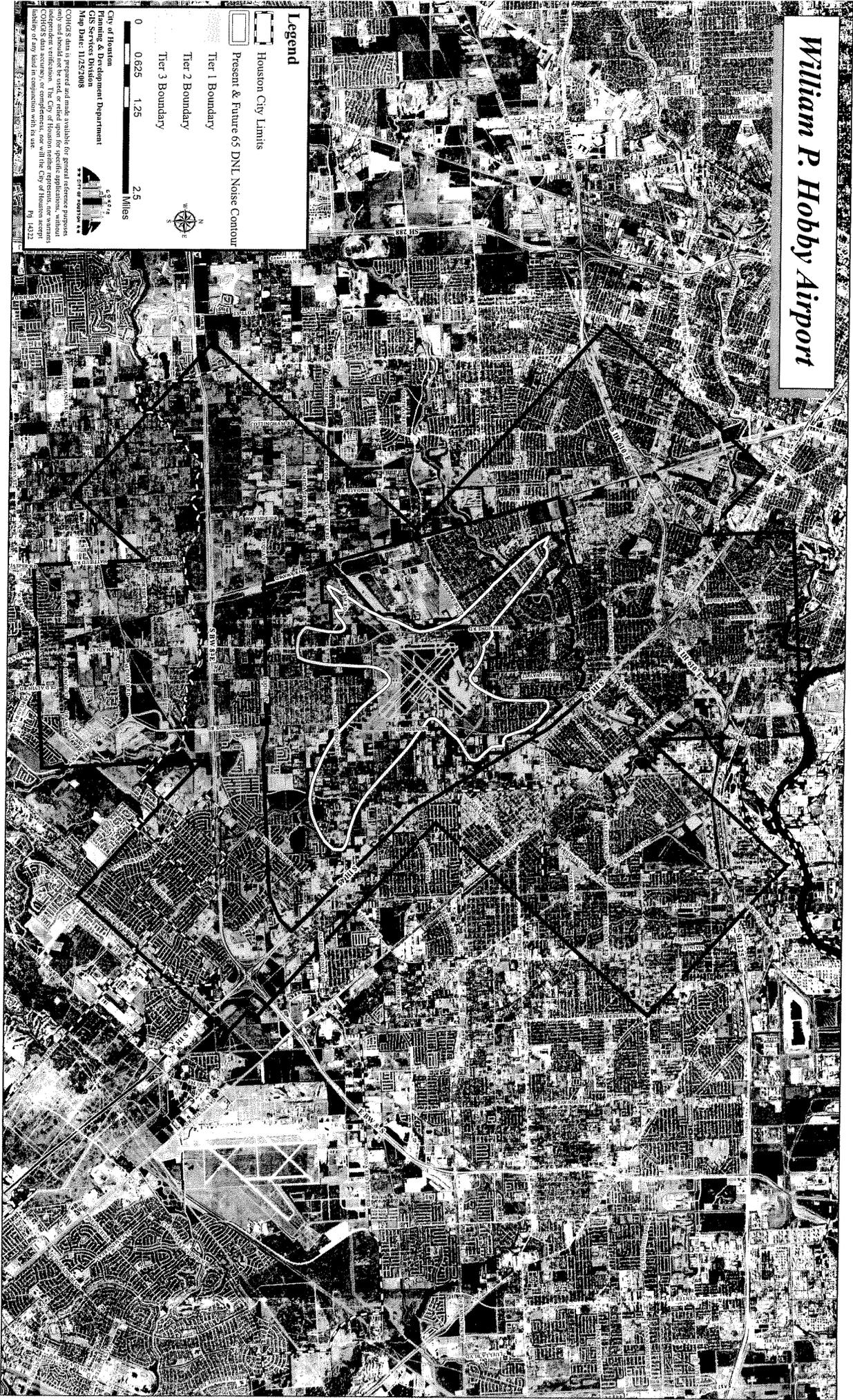
0 0.625 1.25 2.5 Miles

City of Houston  
Planning & Development Department  
GIS Services Division  
Map Date: 11/25/2008

COHGIS data is prepared and made available for general reference purposes only and should not be used, or relied upon for specific applications, without independent verification. The City of Houston neither represents, nor warrants COHGIS data accuracy, or completeness, nor will the City of Houston accept liability of any kind in conjunction with its use.

Pg 14322

# William P. Hobby Airport



## Legend

Houston City Limits

Present & Future 65 DNL Noise Contour

Tier 1 Boundary

Tier 2 Boundary

Tier 3 Boundary

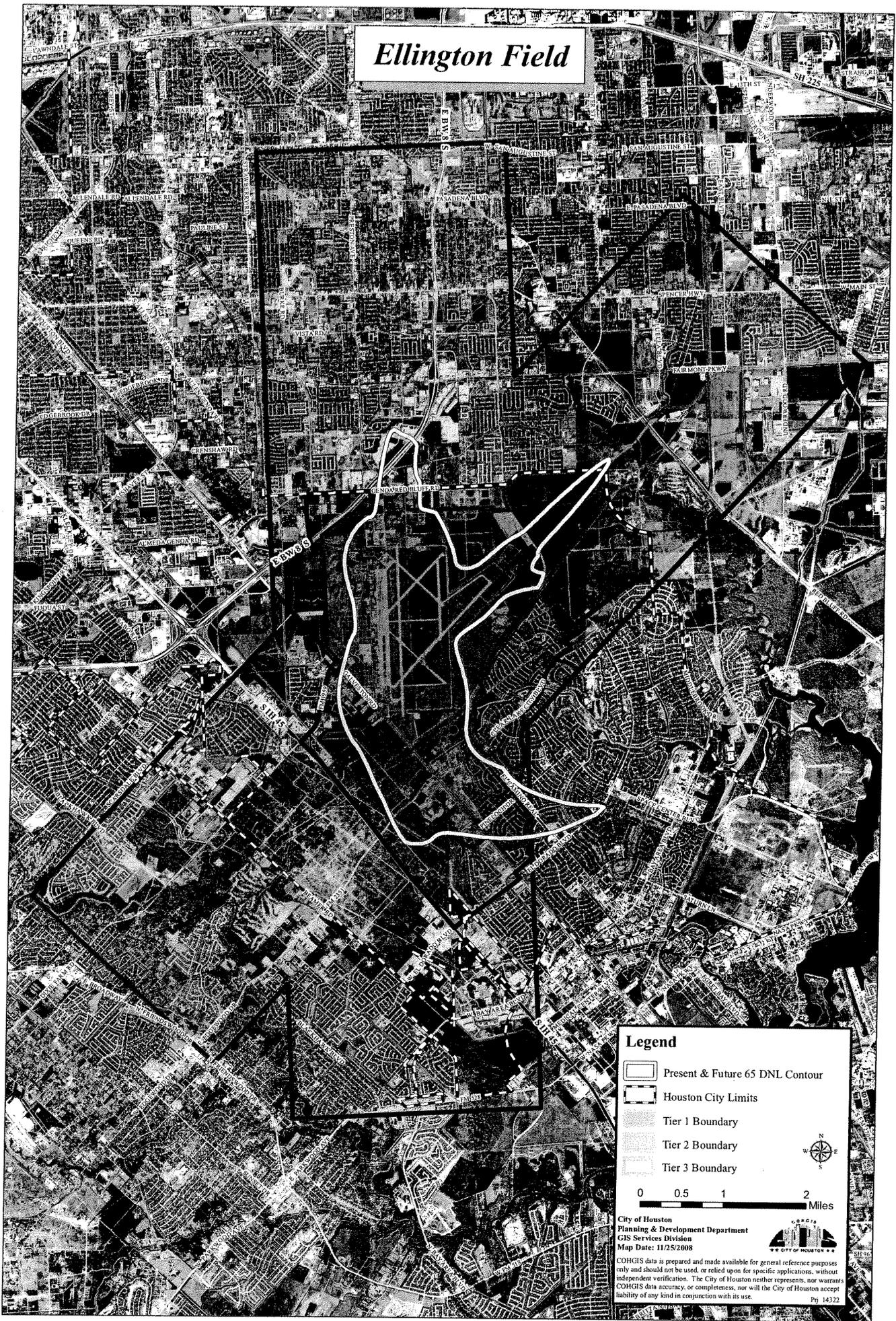
0 0.625 1.25 2.5 Miles



City of Houston  
Planning and Development Department  
GIS Services, D11527008  
Map Date: 11/25/2008

COHGS data is prepared and made available for general reference purposes only and should not be used or relied upon for any specific project or independent verification. The City of Houston neither represents, nor warrants COHGS data accuracy, or completeness, nor will the City of Houston accept liability of any kind in connection with its use.  
Pg. 14/22

# Ellington Field



**Legend**

- Present & Future 65 DNL Contour
- Houston City Limits
- Tier 1 Boundary
- Tier 2 Boundary
- Tier 3 Boundary

0 0.5 1 2 Miles

City of Houston  
Planning & Development Department  
GIS Services Division  
Map Date: 11/25/2008

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City of Houston  
14322

12A

DEC 03 2008

City of Houston, Texas, Ordinance No. 2008-\_\_\_\_\_

**AN ORDINANCE AMENDING THE CITY OF HOUSTON BUILDING CODE AND ADOPTING ADDITIONAL LOCAL AMENDMENTS TO THE INTERNATIONAL RESIDENTIAL CODE FOR ONE- AND TWO- FAMILY DWELLINGS RELATING TO LAND USE REGULATIONS AT THE CITY'S AIRPORTS; CONTAINING FINDINGS AND OTHER PROVISIONS RELATING TO THE FOREGOING SUBJECT; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.**

\*\*\*\*\*

**WHEREAS**, the 77<sup>th</sup> Texas Legislature, Regular Session (2001), adopted Subchapter G of Chapter 214 of the Texas Local Government Code, which became effective January 1, 2002, and made the 2000 International Residential Code as it existed on May 1, 2001, a statewide code for certain residential structures; and

**WHEREAS**, Section 214.212 (c) of the Texas Local Government Code allows municipalities to adopt certain local amendments and local administrative and enforcement provisions for the International Residential Code, and the City Council has previously adopted a Table of Houston Amendments for that purpose; and

**WHEREAS**, by Ordinance No. 2002-399, the City adopted the City of Houston Construction Code, subsequently amended numerous times; and

**WHEREAS**, by Ordinance No. 2006-5, the City amended the City of Houston Construction Code by adopting a new City of Houston Building Code, based on the International Building Code 2003 Edition and including the 2006 City of Houston Modifications ("Building Code"), which has been amended by Ordinance Nos. 2006-503, 2006-888, 2008-56, 2008-81, and 2008-853; and

**WHEREAS**, the City of Houston has previously adopted Ordinance No. \_\_\_\_\_\* entitled "Airport Land Use Regulations" ("Ordinance") whereby certain land use restrictions were implemented for areas adjacent to George Bush Intercontinental Airport, William P. Hobby Airport, and Ellington Field ("Airports") in order to comply with certain Federal Aviation Administration regulations; and

**WHEREAS**, certain new construction, renovations, and enlargements of existing structures within the restricted areas adjacent to the Airports must meet a 45 dBA interior sound level in order to comply with the Ordinance; and

**WHEREAS**, the City Council of the City of Houston desires to amend the Building Code and adopt additional local amendments to the 2000 International

---

\* Editor shall insert the appropriate Ordinance number.

Residential Code to establish construction standards which will meet the requirements set forth in the Ordinance: **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 the Table of Houston Amendments to the 2000 International Residential Code for One- and Two-Family Dwellings, as adopted in Section 3 of Ordinance 2001-1154, as previously amended, is hereby further amended by amending Section R102.5 thereof to read as follows:

**“R102.5 Appendices.** Provisions in the appendices shall not apply unless specifically referenced in this section. Appendix A, Appendix B, Appendix C, Appendix H, Appendix L and Appendix M are hereby adopted and made part of this code.”

**Section 3.** That the Table of Houston Amendments to the 2000 International Residential Code for One- and Two-Family Dwellings, as adopted in Section 3 of Ordinance 2001-1154, as previously amended, is hereby further amended by adding a new Appendix M to read as set forth in Exhibit A, attached hereto and incorporated herein.

**Section 4.** That Section 101.2.1 of the City of Houston Building Code is hereby amended to read as follows:

**“101.2.1 Appendices.** Provisions in the appendices shall not apply unless specifically adopted. Appendices E, K, L, M, and N including any amendments thereto adopted by this jurisdiction, are hereby adopted and shall be incorporated into and made part of this code.”

**Section 5.** That the City of Houston Building Code is hereby amended by adding a new Appendix N that reads as set forth in Exhibit B, attached hereto and incorporated herein.

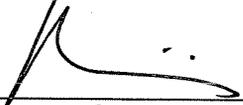
**Section 6.** That, if any provision, section, subsection, sentence, clause, or phrase of this Ordinance, or the application of same to any person or set of circumstances, is for any reason held to be unconstitutional, void or invalid, the validity of the remaining portions of this Ordinance or their 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 7.** The City Council officially finds, determines, recites and declares that a sufficient written notice of the date, hour, place and subject of this meeting of the City Council was posted at a place convenient to the public at the City Hall of the City for the time required by law preceding this meeting, as required by the Open Meetings Law, Chapter 551, Texas Government Code Annotated; and that this meeting has been open to the public as required by law at all times during which this ordinance and the subject matter thereof has been discussed, considered and formally acted upon. The City Council further ratifies, approves and confirms such written notice and the contents and posting thereof.

**Section 8.** That there exists a public emergency requiring that this Ordinance be passed finally on the date of its introduction as requested in writing by the Mayor; therefore, this Ordinance shall be passed finally on such date and shall take effect at 12:01 a.m. on February 1, 2009.

**PASSED AND APPROVED** this \_\_\_ day of \_\_\_\_\_, 2008.

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

Prepared by Legal Dept.   
RNR:asw 11/17/2008 Senior Assistant City Attorney  
Requested by Richard M. Vacar, Director, Houston Airport System  
L.D. File No. \_\_\_\_\_

# **EXHIBIT A**

# APPENDIX M

## AIRPORT SOUND ATTENUATION REQUIREMENTS

### SECTION AM101 GENERAL

**AM101.1 Purpose.** The purpose of this appendix is to set forth sound attenuation specifications for buildings when such sound attenuation is required by Article VI, Chapter 9 of the City Code to achieve an interior sound level of 45dBA.

**AM101.2 Applicability.** These provisions shall apply under circumstances where an airport land use permit is required under Section 9-381 a (2) or (3) of the City Code, and are in addition to other applicable building standards set forth elsewhere in this code.

**AM101.3 Alternate compliance.** Alternative means or methods which equal or exceed the standards set forth in these provisions may be used when approved by the building official in accordance with section R104.9 of this code.

### SECTION AM201 DEFINITIONS

**AM201.1 Definitions.** For purposes of these provisions, the following words shall have the meaning shown herein.

**SOUND TRANSMISSION CLASS (STC).** An integer rating relating to the quality of sound attenuation for building partitions such as walls, ceilings, doors, and windows.

### SECTION AM301 WALLS

**AM301.1 General.** The specific exterior wall assemblies set forth in AM 301.2 and AM301.3 shall include the interior finishes set forth therein.

**Exception:** Exterior wall assemblies or materials that have been tested or listed with a minimum STC rating of 40.

**AM301.2 Brick veneer.** When exterior walls are constructed using brick veneer, a minimum of ½ inch gypsum drywall shall be applied as the interior finish.

**AM301.3 Vinyl or cement sidings.** When exterior walls are constructed using vinyl or cement sidings, a minimum of 5/8 inch gypsum drywall shall be applied as the interior finish.

**AM301.4 Other assemblies and materials.** All other exterior wall assemblies or materials shall have a tested or listed minimum STC rating of 40.

## **SECTION AM401 WINDOWS**

**AM401.1 Windows.** All windows shall have a minimum STC rating of 40 when tested in accordance with ASTM E 90.

**AM401.2 Insulation at windows.** The cavity between the wood framing and the window frame shall be insulated with fiberglass insulation or foam insulation to the depth of the window frame.

## **SECTION AM501 DOORS**

**AM501.1 Doors.** All exterior doors shall have a minimum STC rating of 40 when tested in accordance with ASTM E 90.

**Exception:** An exterior door may have a tested or listed STC rating of less than 40 when installed with a storm door which when combined, achieve a minimum tested or listed STC rating of 40.

## **SECTION AM601 ROOF/CEILING ASSEMBLIES**

**AM601.1 General.** Roof/ceiling assemblies shall be constructed in accordance with the requirements of AM601.2 or AM601.3

**Exception:** Roof/ceiling assemblies or materials that have been tested or listed with a minimum STC rating of 40.

**AM601.2 Ceilings with unconditioned attic space above.** Ceilings with unconditioned attic space shall be insulated with a minimum of ½ inch gypsum drywall on the interior ceiling side covered with a minimum of 12 inches of blown in fiberglass insulation.

**AM601.3 Ceilings without attic space above.** Ceilings without attic space above shall be insulated with a minimum of 5/8 inch gypsum drywall on the interior side filled with a minimum of 9 inches of fiberglass batt insulation with a 1 inch air space between the roof sheathing and the fiberglass.

## **SECTION AM701 MECHANICAL SYSTEMS**

**AM701.1 Required systems.** All heating, ventilation and air conditioning systems shall be central heating and air conditioning systems with ducted supply and return.

**Exception:** A ductless system may be utilized if the system does not require an exterior wall penetration(s).

# **EXHIBIT B**

# APPENDIX N

## AIRPORT SOUND ATTENUATION REQUIREMENTS

### SECTION AN101 GENERAL

**AN101.1 Purpose.** The purpose of this appendix is to set forth sound attenuation specifications for buildings when such sound attenuation is required by Article VI, Chapter 9 of the City Code to achieve an interior sound level of 45 dBA.

**AN101.2 Applicability.** These provisions shall apply under circumstances where an airport land use permit is required under Section 9-381 a (2) and (3) of the City Code, and are in addition to other applicable building standards set forth elsewhere in this code.

**AN101.3 Alternate compliance.** Alternative means or methods which equal or exceed the standards set forth in these provisions may be used when approved by the building official in accordance with section 104.11 of this code.

### SECTION AN201 DEFINITIONS

**AN201.1 Definitions.** For purposes of these provisions, the following words shall have the meanings shown herein.

**SOUND TRANSMISSION CLASS (STC).** An integer rating relating to the quality of sound attenuation for building partitions such as walls, ceilings, doors, and windows.

### SECTION AN301 WALLS

**AN301.1 General.** The specific exterior wall assemblies set forth in AN 301.2 and AN301.3 shall include the interior finishes set forth therein.

**Exception:** Exterior wall assemblies or materials that have been tested or listed with a minimum STC rating of 40.

**AN301.2 Brick veneer.** When exterior walls are constructed using brick veneer, a minimum of ½ inch gypsum drywall shall be applied as the interior finish.

**AN301.3 Vinyl or cement sidings.** When exterior walls are constructed using vinyl or cement sidings, a minimum of 5/8 inch gypsum drywall shall be applied as the interior finish.

**AN301.4 Other assemblies and materials.** All other exterior wall assemblies or materials shall have a tested or listed minimum STC rating of 40.

## **SECTION AN401 WINDOWS**

**AN401.1 Windows.** All windows shall have a minimum STC rating of 40 when tested in accordance with ASTM E 90.

**AN401.2 Insulation at windows.** The cavity between the framing and the window frame shall be insulated with fiberglass or foam insulation to the depth of the window frame.

## **SECTION AN501 DOORS**

**AN501.1 Doors.** All exterior doors shall be provided with a minimum STC Rating of 40 when tested in accordance with ASTM E 90.

**Exception:** An exterior door may have a tested or listed STC rating of less than 40 when installed with a storm door which when combined, achieve a minimum tested or listed STC rating of 40.

## **SECTION AN601 ROOF/CEILING ASSEMBLIES**

**AN601.1 General.** Roof/ceiling assemblies shall be constructed in accordance with the requirements of AN601.2 or AN601.3.

**Exception:** Roof/ceiling assemblies or materials that have been tested or listed with a minimum STC rating of 40.

**AN601.2 Ceilings with unconditioned attic space above.** Ceilings with unconditioned attic space above shall be insulated with a minimum of ½ inch gypsum drywall on the interior ceiling side covered with a minimum of 12 inches of blown in fiberglass insulation.

**AN601.3 Ceilings without attic space above.** Ceilings without attic space above shall be insulated with a minimum of 5/8 inch gypsum drywall on the interior side filled with a minimum of 9 inches of fiberglass batt insulation with a 1 inch air space between the roof sheathing and the fiberglass.



BILL WHITE  
MAYOR

November 19, 2008

OFFICE OF THE MAYOR  
CITY OF HOUSTON  
TEXAS

12-B  
DEC - 3 2008

**COPY TO EACH MEMBER OF COUNCIL:**  
**CITY SECRETARY:** 11-20-08

**DATE**

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

The Honorable City Council  
City of Houston

Dear Council Members:

Pursuant to Chapter 241, Texas Local Government Code and Article VI of Chapter 9 of the City Code of Ordinances, I am nominating the following individuals for appointment to the Airport Board of Adjustment, for two year terms beginning on February 1, 2009, subject to Council confirmation:

- Mr. Dale A. Rudick, appointment to Position One, and to serve as Chair;
- Mr. Gary F. Shirley, appointment to Position Two;
- Mr. Wally Huerta, appointment to Position Three;
- Mr. Pardha Namuduri, appointment to Position Four;
- Ms. Deidre Monique Hinds-Rasheed, appointment to Position Five A (for matters relating to Bush Intercontinental Airport);
- Mr. Hugo C. Alvarez, appointment to Position Five B (for matters relating to Hobby Airport);
- Mr. Michael Strong, appointment to Alternate Position One;
- Mr. Darrell G. Hardy, appointment to Alternate Position Two;
- Mr. Joe Douglas Webb, appointment to Alternate Position Three;
- Mr. Terry D. Williamson, appointment to Alternate Position Four; and
- Ms. Ann Collum, appointment to Alternate Position Five B (for matters relating to Hobby Airport).

Résumés of the nominees are attached for your review. Additional appointments as related to Position A Bush Intercontinental Airport and Position Five C, Ellington Field, will be submitted at a later date.

Sincerely,

Bill White  
Mayor

BW:CC:jsk

Attachments

cc: Mr. Richard Vacar, director, Houston Airport System  
Mr. Eric Potts, deputy director, Planning, Design and Construction, Houston Airport System

RECEIVED  
NOV 19 2008  
CITY SECRETARY

Revised

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

<b>SUBJECT:</b> Revisions to the Chapter 14 of the Code of Ordinances regarding compensation for holidays for civilian employees	<b>Category #</b> 3	<b>Page</b> 1 of 1	<b>Agenda Item #</b> 13
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<b>FROM (Department or other point of origin):</b> Human Resources Department	<b>Origination Date</b> December 1, 2008	<b>Agenda Date</b> DEC 03 2008
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<b>DIRECTOR'S SIGNATURE:</b> <i>C. Aldridge</i>	<b>Council District affected:</b>
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<b>For additional information contact:</b> Candy Clarke Aldridge Phone: (713) 837-9333	<b>Date and identification of prior authorizing Council action:</b>
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**RECOMMENDATION: (Summary)**  
Adopt ordinance approving proposed revisions to Chapter 14-168 regarding compensation for holidays for civilian employees.

<b>Amount &amp; Source of Funding</b> not applicable	<b>Budget:</b>
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**SPECIFIC EXPLANATION:**  
During implementation of the Enterprise Resource Planning project (SAP system) the City began reevaluating holiday compensation policy to better meet today's business requirements and to make it easier for departments to administer. Recognizing opportunity for improvement, the City agreed in Section 10.05 of the Meet and Confer Agreement with the Houston Organization of Public Employees (HOPE) to review the ordinance and to clarify and improve the provisions for holiday compensation. The following changes, based on recommendations from and discussions with HOPE as part of Municipal Employee Consultation Committee (MECC) meetings, as well as input from City departments, are recommended.

- Employees required by their director to work on a Council-declared holiday will accrue hours or be paid at 2.5 times of their regular rate of pay for hours actually worked on the holiday.
  - + Language regarding "Operational Emergency" will be eliminated. Holiday compensation will be the same whether the employee is scheduled to work or is not scheduled to work.
  - + The number of hours will be the same whether the employee is paid for the hours or accrues the hours.
  - + The department director retains authority to decide whether the employee is paid for the hours or accrues the hours.
- The number of days for an employee to use accrued holiday hours will be increased from 120 to 180 days.
  - + Accrued hours will be paid out after the 180<sup>th</sup> day if not used. Currently, the employee forfeits these hours upon expiration.
- Holiday Compensation and Premium hours will not be included in the 40-hour base calculation for overtime.
- Holiday Compensation for employees not working on a holiday is as follows:
  - + If an employee is regularly scheduled to work on a holiday, and does not work, the employee will receive holiday compensation for the number of hours the employee is scheduled to work on the holiday;
  - + If an employee is not regularly scheduled to work on a holiday, and does not work, the employee will receive holiday compensation for the number of hours in the most frequently occurring daily schedule in the employee's work schedule.

There will be a minimal budget impact because historically, most holiday pay was for operational emergency.

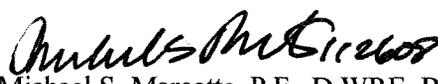
REQUIRED AUTHORIZATION		
<b>Finance Director:</b>	<b>Other Authorization:</b>	<b>Other Authorization:</b>

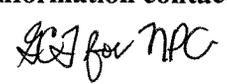
Revised:

<b>SUBJECT:</b> Ordinance rescheduling City Council Meetings for the period January 4 <sup>th</sup> , 2009 through January 1 <sup>st</sup> , 2010		<b>Page</b> 1 of 1	<b>Agenda Item #</b> 14
<b>FROM (Department or other point of origin):</b> Mayor's Office		<b>Origination Date</b> 12/2/08	<b>Agenda Date</b> DEC 03 2008
<b>DIRECTOR'S SIGNATURE:</b> <i>Martha L. Stein</i>		<b>Council District affected:</b> All	
<b>For additional information contact:</b> Marty Stein, Agenda Director Phone: 832.393.1095		<b>Date and identification of prior authorizing Council action:</b> None	
<b>RECOMMENDATION: (Summary)</b> Adopt an ordinance establishing exceptions to City Council's regular meeting schedule for the period January 4 <sup>th</sup> , 2009 through January 1 <sup>st</sup> , 2010			
<b>Amount and Source of Funding:</b> N/A		<b>Finance Budget:</b>	
<b>SPECIFIC EXPLANATION:</b> City Council regularly meets weekly in two sessions, one on Tuesday afternoon and one on Wednesday morning, unless Council adopts specific exceptions to the schedule. Proposed exceptions include consolidated (one-day) meetings during weeks with City holidays or other special events, and six break weeks, during which Council will not meet. Unless otherwise noted, all meetings begin at 9:00 am			
<b>Consolidated/Special Meetings:</b>			
→ Wednesday January 14, 2009	Opening of the 81 <sup>st</sup> Session of the Texas Legislature (Tues Jan. 13)		←
Wednesday May 27, 2009	Memorial Day Holiday (Mon., May 25)		
Tuesday June 30, 2009	Independence Day (Fri. July 3)		
Wednesday November 4, 2009	Election Day (Tues., Nov. 3)		
Tuesday November 10, 2009	Veteran's Day (Wed., Nov. 11)		
Tuesday December 29, 2009	New Year's Day (Fri. Jan 1, 2010)		
<b>No Council Meetings (postponed to following week):</b>			
→ Week of January 19-23, 2009	New Year Work Week (includes Martin Luther King Jr. Holiday Mon Jan 19)		←
Week of March 16-20, 2009	Spring Office Work Week		
Week of May 18-22, 2009	Budget Review Week		
Week of July 13-17, 2009	Summer Office Work Week		
Week of September 7-11, 2009	Fall Office Work Week (includes Labor Day Holiday, Mon. Sept 7)		
Week of November 23-27, 2009	Thanksgiving Holiday Week (includes Thanksgiving holidays, Nov. 26 & 27)		
Week of December 21-25, 2009	Winter Holiday Week (includes Christmas holidays Dec. 24 & 25)		
Other Authorization		Other Authorization	

<b>SUBJECT:</b> Ordinance authorizing the abandonment and sale of Wagon Road from ±50 feet south of Millstream Lane to Buckboard Drive, in exchange for the conveyance to the City of a full-width utility easement, located within the Imperial Valley Commercial Development, Section 1 Subdivision, out of the Simon Contreras Survey A-220. <b>Parcels SY8-093 and VY9-021</b>	<b>Page</b> <u>1 of 2</u>	<b>Agenda Item #</b>  <div style="text-align: right; font-size: 2em; font-weight: bold;">15</div>
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<b>FROM (Department or other point of origin):</b>  Department of Public Works and Engineering	<b>Origination Date</b>	<b>Agenda Date</b>  DEC 03 2008
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<b>DIRECTOR'S SIGNATURE:</b>   Michael S. Marcotte, P.E., D.WRE, BCEE, Director	<b>Council District affected:</b> B Jf
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<b>For additional information contact:</b>   Nancy P. Collins Phone: (713) 837-0881 Senior Assistant Director-Real Estate	<b>Key Map:</b> 372Z  <b>Date and identification of prior authorizing Council Action:</b>  C.M. 2008-0700 (9/10/08)
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**RECOMMENDATION: (Summary)** It is recommended City Council approve an Ordinance authorizing the abandonment and sale of Wagon Road from ±50 feet south of Millstream Lane to Buckboard Drive, in exchange for the conveyance to the City of a full-width utility easement, located within the Imperial Valley Commercial Development, Section Subdivision, out of the Simon Contreras Survey A-220. **Parcels SY8-093 and VY9-021**

<b>Amount and Source of Funding:</b> Not Applicable	
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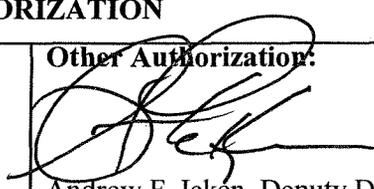
**SPECIFIC EXPLANATION:**

By Council Motion 2008-0700, City Council authorized the abandonment and sale of Wagon Road between Millstream Lane and Buckboard Drive, in exchange for the conveyance to the City of a full-width utility easement, located within the Imperial Valley Commercial Development, Section 1 Subdivision, out of the Simon Contreras Survey A-220. Thereafter, it was determined that the abandoned portion of Wagon Road should begin ± 50 feet south of Millstream Lane. This change was made and the transaction was processed accordingly. Aldine Independent School District and James D. Kuehn, Trustee, Greater Greenspoint Redevelopment Authority, the property owners, plans to construct a Pre-Kindergarten Center at this location.

Greater Greenspoint Redevelopment Authority has complied with the council motion requirements, has accepted the City's offer, and has rendered payment in full. The City will sell to Greater Greenspoint Redevelopment Authority:

<b>Parcel SY8-093</b>	
33,446-square-foot portion of Wagon Road	\$234,122.00
Valued at \$7.00 per square foot	
Wagon Road improvements	\$22,657.00
<b>TOTAL ABANDONMENT AND SALE</b>	<b><u>\$256,779.00</u></b>
In exchange, Greater Greenspoint Redevelopment Authority will pay	
Cash	\$139,718.00
Plus convey to the City	
<b>Parcel VY9-021</b>	
33,446-square-foot full width utility easement	\$117,061.00
Valued at \$3.50 per square foot	
<b>TOTAL CASH AND CONVEYANCE</b>	<b><u>\$256,779.00</u></b>

tj\sy8-093.rcl.doc	CUIC #20TJ004
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REQUIRED AUTHORIZATION		
<b>Finance Department:</b>	<b>Other Authorization:</b>	<b>Other Authorization:</b>   Andrew F. Icken, Deputy Director Planning and Development Services Division

<b>Date:</b>	<b>Subject:</b> Ordinance authorizing the abandonment and sale of Wagon Road from ±50 feet south of Millstream Lane to Buckboard Drive, in exchange for the conveyance to the City of a full-width utility easement, located within the Imperial Valley Commercial Development, Section 1 Subdivision, out of the Simon Contreras Survey A-220. <b>Parcels SY8-093 and VY9-021</b>	<b>Originator's Initials</b>	<b>Page</b> <u>2</u> of <u>2</u>
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Therefore, it is recommended City Council approve an ordinance authorizing the abandonment and sale of Wagon Road between Millstream Lane and Buckboard Drive, in exchange for the consideration of \$139,718.00 plus the conveyance to the City of a full-width utility easement, located within the Imperial Valley Commercial Development, Section 1 Subdivision, out of the Simon Contreras Survey A-220.

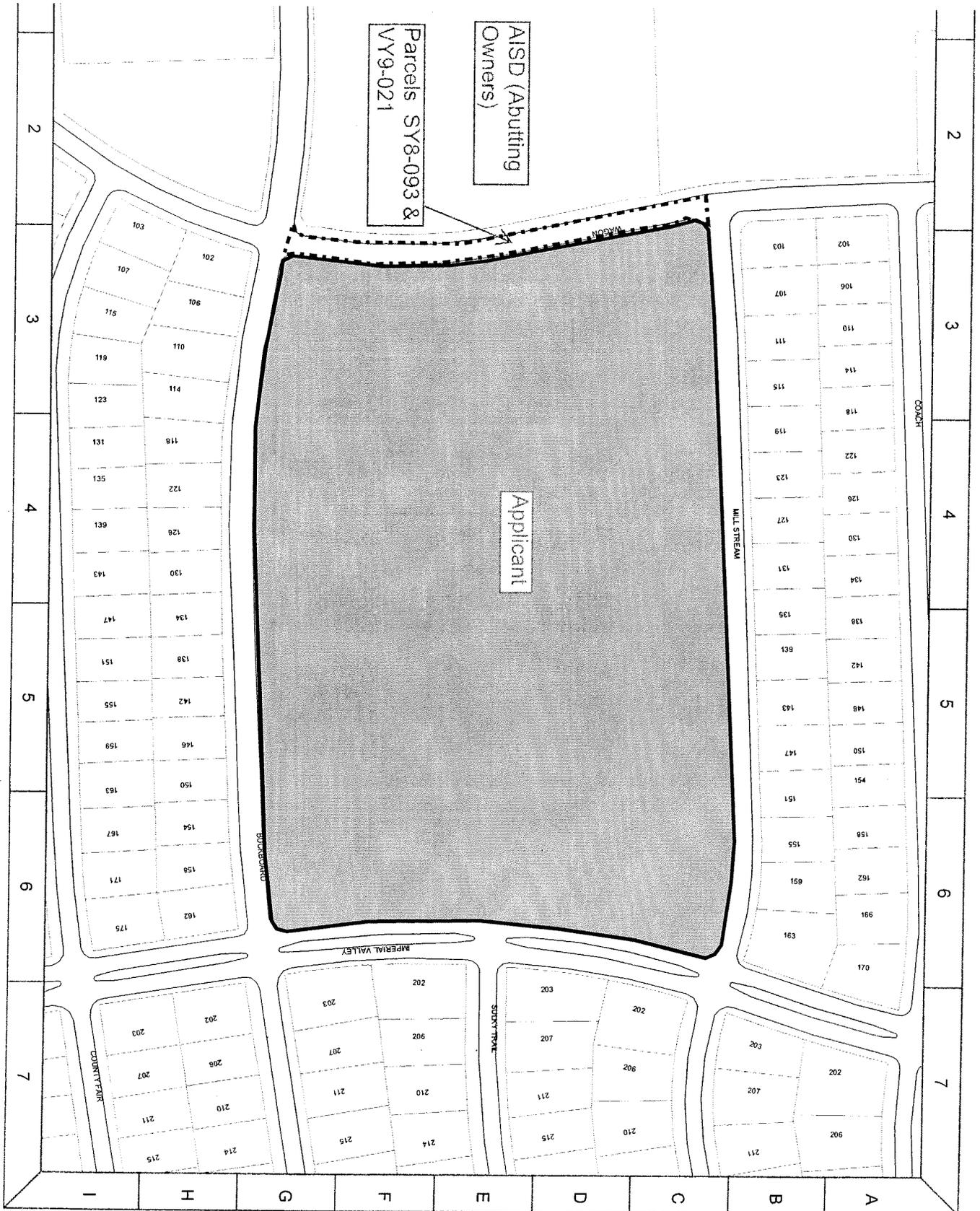
MSM:NPC:tj

c: Marty Stein  
Marlene Gafrick  
Daniel Menendez, P.E.  
Jeff Taylor

PARCEL MAP

SUBJECT: Abandonment and sale of Wagon Road between Millstream Lane and Buckboard Drive, in exchange for the conveyance to the City of a full-width utility easement, located within the Imperial Valley Commercial Development, Section 1 Subdivision, out of the Simon Contreras Survey A-220.

Parcels SY8-093 and VY9-021



**CITY OF HOUSTON**

**Department of Public Works & Engineering**

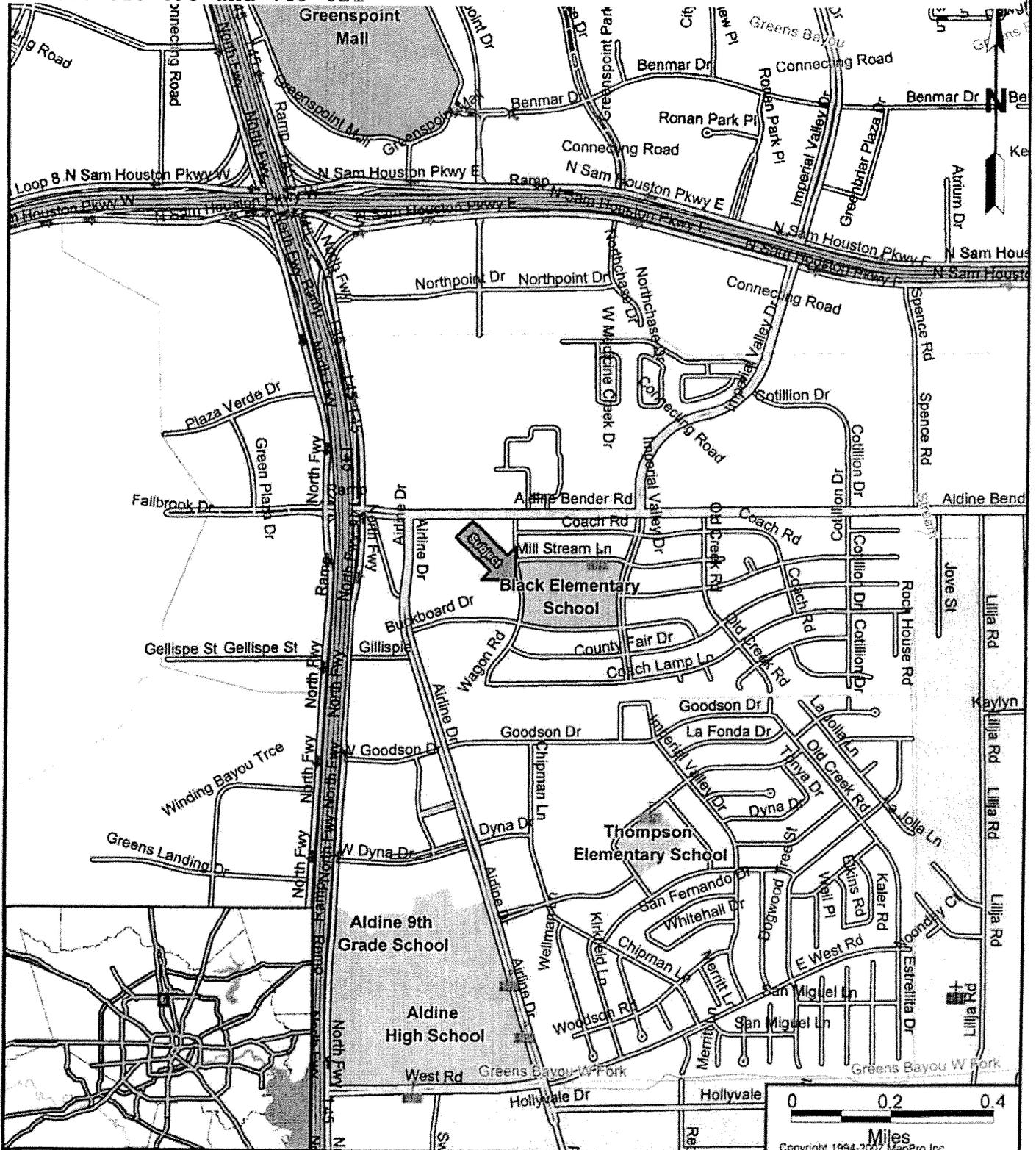
**Geographic Information & Management System (GIMS)**

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



LOCATION MAP

SUBJECT: Abandonment and sale of Wagon Road between Millstream Lane and Buckboard Drive, in exchange for the conveyance to the City of a full-width utility easement, located within the Imperial Valley Commercial Development, Section 1 Subdivision, out of the Simon Contreras Survey. Parcels SY8-093 and VY9-021



**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.

MOTION NO. 2008 0700

MOTION by Council Member Khan 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 Sally Bradford of Greater Greenspoint Redevelopment Authority (TIRZ 11), 450 Gears Road, Suite 200, Houston, Texas 77067, for the abandonment and sale of Wagon Road between Millstream Lane and Buckboard Drive, located within the Imperial Valley Commercial Development, Section 1 Subdivision, out of the Simon Contreras Survey A-220, Parcels SY8-093 and VY9-021, be adopted as follows:

1. The City abandon and sell Wagon Road between Millstream Lane and Buckboard Drive, located within the Imperial Valley Commercial Development, Section 1 Subdivision, out of the Simon Contreras Survey A-220;
2. The applicant be required to furnish the Department of Public Works and Engineering with a durable, reproducible (Mylar) survey plat and field notes of the affected property;
3. The applicant be required to (a) eliminate the public street appearance of Wagon Road at both Millstream Lane and at Buckboard Drive by extending curbs and sidewalks across Wagon Road, (b) coordinate with Centerpoint Energy to convert the existing street lights along Wagon Road to private service;

4. 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;
5. The Legal Department be authorized to prepare the necessary transaction documents; and
6. Inasmuch as the value of the City's property interest is not expected to exceed \$1,000,000.00, that the value be established by an appraiser, appointed by the Director of Public Works and Engineering.

Seconded by Council Member Garcia and carried.

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

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

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



City Secretary

<b>SUBJECT:</b> Ordinance authorizing the abandonment and sale of a 10-foot-wide sanitary sewer easement, from Shearn Street to Spring Street, located in the Shearn Street Addition, out of the John Austin Survey, A-1. <b>Parcel SY8-094</b>	Page <u>1</u> of <u>1</u>	Agenda Item #  <div style="text-align: right; font-size: 2em;">16</div>
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<b>FROM (Department or other point of origin):</b>  Department of Public Works and Engineering	<b>Origination Date</b>  11-19-08	<b>Agenda Date</b>  DEC 03 2008
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<b>DIRECTOR'S SIGNATURE:</b>  Michael S. Marcotte, P.E., D.WRE, BCEE, Director	<b>Council District affected: H</b>  Key Map 493F <span style="font-size: 1.5em; vertical-align: middle;">P57M</span>
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<b>For additional information contact:</b>  Nancy P. Collins <b>Phone:</b> (713) 837-0881  Senior Assistant Director-Real Estate	<b>Date and identification of prior authorizing Council Action:</b>  C.M. 2008-0543 (07/01/08)
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**RECOMMENDATION: (Summary)** It is recommended City Council approve an ordinance authorizing the abandonment and sale of a 10-foot-wide sanitary sewer easement, from Shearn Street to Spring Street, located in the Shearn Street Addition, out of the John Austin Survey, A-1. **Parcel SY8-094**

<b>Amount and Source of Funding:</b> Not Applicable	
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**SPECIFIC EXPLANATION:**

By Motion 2008-0543, City Council authorized the subject transaction. Sawyer Heights Village, Ltd. (SHV-GP, LLC, a Texas limited liability company [S. Jay Williams, sole member], General Partner), the property owner, built a Target store and is in the process of building other retail establishments and restaurants in the Interstate Highway 10/Taylor Street area.

Sawyer Heights Village, Ltd. has completed the transaction requirements, has accepted the City's offer, and has rendered payment in full.

The City will abandon and sell to Sawyer Heights Village, Ltd.:

<b>Parcel SY8-094</b>	
1,490-square-foot sanitary sewer easement	\$22,350.00
Valued at \$15.00 per square foot	

**\$22,350.00**

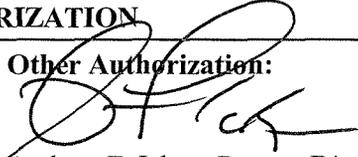
TOTAL ABANDONMENTS

Therefore, it is recommended City Council approve an ordinance authorizing the abandonment and sale of a 10-foot-wide sanitary sewer easement, from Shearn Street to Spring Street, located in the Shearn Street Addition, out of the John Austin Survey, A-1.

MSM:NPC:psm

c: Jun Chang, P.E.  
 Daniel Menendez, P.E.  
 Marty Stein

s:\psm\sy8-094.rc2.doc	CUIC #20PSM224
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REQUIRED AUTHORIZATION		
<b>Finance Department:</b>	<b>Other Authorization:</b>	<b>Other Authorization:</b>  Andrew F. Icken, Deputy Director Planning and Development Services Division



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 Creative Consulting 1517 Monarch Oaks, Houston, Texas 77055, on behalf of 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 a 10-foot-wide sanitary sewer easement, from Shearn Street to Spring Street, located in the Shearn Street Addition, out of the John Austin Survey, A-1, Parcel SY8-094, be adopted as follows:

1. The City abandon and sell a 10-foot-wide sanitary sewer easement, from Shearn Street to Spring Street, located in the Shearn Street 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 Legal Department be authorized to prepare the necessary transaction documents; and
4. Mr. Michael Copland and Mr. Frank Flores, independent real estate appraisers, are hereby appointed to establish the value, inasmuch as the value of the property interest is expected to exceed \$25,000.00.

Seconded by Council Member Green and carried.

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

Council Member Noriega out of the City on personal business

PASSED AND ADOPTED this 1st day of July, 2008.

Pursuant to Article VI, Section 6 of the City Charter, the effective date of the foregoing motion is July 7, 2008.

  
City Secretary

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

<b>SUBJECT:</b> Petition for the City's consent to the addition of 3.999 acres of land to Harris County Municipal Utility District No. 189 (Key Map No. 332X)	<b>Category #</b>	<b>Page</b> 1 of 1	<b>Agenda Item #</b>  17
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<b>FROM (Department or other point of origin):</b> Department of Public Works and Engineering	<b>Origination Date</b> 11-13-08	<b>Agenda Date</b> DEC 03 2008
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<b>DIRECTOR'S SIGNATURE</b> <i>Michael S. Marcotte</i> Michael S. Marcotte, P.E., D.WRE, BCEE	<b>Council District affected:</b> "ETJ"
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<b>FOR ADDITIONAL INFORMATION CONTACT:</b> Ann Marie Sheridan, P.E. Supervising Engineer (713)837-9142	<b>Date and identification of prior authorizing Council action:</b>
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**RECOMMENDATION: (Summary)**  
The petition for the addition of 3.999 acres of land to Harris County Municipal Utility District No. 189 be approved.

<b>Amount of Funding:</b> NONE REQUIRED
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**SOURCE OF FUNDING:**     General Fund     Grant Fund     Enterprise Fund  
 Other (Specify)

**SPECIFIC EXPLANATION:**

Harris County Municipal Utility District No. 189 has petitioned the City of Houston for consent to add 3.999 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 Airtex Boulevard, Kuykendahl Road, Richey Road and Interstate Highway 45 North . The district desires to add 3.999 acres, thus yielding a total of 509.147 acres. The district is served by a regional plant, Harris County Municipal Utility District No. 189 Wastewater Treatment Plant. The other districts served by this plant are Harris County Municipal Utility District No. 205 and Harris County Municipal Utility District No. 399. The nearest major drainage facility for Harris County Municipal District No. 189 is Cypress Creek which flows into Spring Creek and then into the San Jacinto River and finally into Lake Houston .

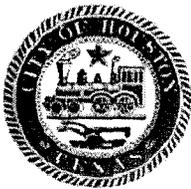
Potable water is provided by the district. By executing the Petition for Consent, the district has acknowledged that all plans for the construction of water conveyance, wastewater collection, and storm water collection systems within the district must be approved by the City of Houston prior to their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

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

**Attachments**

cc: Marty Stein Marlene Gafrick Jun Chang Mark Loethen  
Bill Zrioka Waynette Chan Deborah McAbee Gary Norman

<b>REQUIRED AUTHORIZATION</b> 20JZC486	<b>Other Authorization:</b>
Finance Department	<i>Andrew F. Icken</i> Andrew F. Icken Deputy Director Planning & Development Services Div.



# CITY OF HOUSTON



Department of Public Works and Engineering  
Water District Consent Application Form

11-05-08 10:30 OUT *DMS*

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

Application is hereby made for consent of the City of Houston to the  creation/  addition of 3.999 acres to Harris County MUD No. 189 under the provisions of Chapters 49 and 54 Texas Water Code.

*Neil Thomas*  
Attorney for the District

**Attorney: Neil Thomas, Fulbright & Jaworski L.L.P.**

Address: 1301 McKinney, Suite 5100, Houston, Texas Zip: 77010 Phone: 713-651-3613

**Engineer: Jerry Hlozek, Van DeWiele Engineers**

Address: 2925 Briarpark Drive, Suite 275, Houston, Texas Zip: 77042 Phone: 713-782-0042

**Owners: Ed Owens or Danny Cantrell**

Address: email: eowens@bigstate.org or dcantrell@bigstate.org Zip: \_\_\_\_\_ Phone: \_\_\_\_\_

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

### LOCATION

INSIDE CITY  OUTSIDE CITY

Survey J.W. Bryan, C. Richey, C. Walter

NAME OF COUNTY (S) Harris  
Abstract A-159, A-1021, A-868

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

North of: Airtex Blvd East of: Kuykendahl Rd  
South of: Richey Road West of: Interstate Highway 45 N

### WATER DISTRICT DATA

Total Acreage of District: 505.148 Existing Plus Proposed Land 509.147

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

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

Commercial 100% Industrial \_\_\_\_\_ Institutional \_\_\_\_\_

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

Sewage Treatment Plant Name: Harris County MUD No. 189 WWTF

NPDES/TPDES Permit No: WQ0012237001 TCEQ Permit No: TX0083712



# CITY OF HOUSTON



Department of Public Works and Engineering  
Water District Consent Application Form

Existing Capacity (MGD): 0.81

Ultimate Capacity (MGD): 1.25

Size of treatment plant site: 3.168 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: 0.81

MGD of (Regional Plant).

Name of District: HCMUD#189

MGD Capacity Allocation 0.49

or property owner(s)

Name of District: HCMUD#205, HCMUD#399

MGD Capacity Allocation 0.21, 0.11

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

Water Treatment Plant Address: 15103 Darbydale Dr. & 16123 Deer Lick Dr.

Well Permit No: 132803 & 132739

### Existing Capacity:

Well(s): 500 & 1,500

GPM

Booster Pump(s): 4,000 & 3,000

GPM

Tank(s): 0.55 & 0.43

MG

### Ultimate Capacity:

Well(s): 1,000 & 1,500

GPM

Booster Pump(s): 4,000 & 4,000

GPM

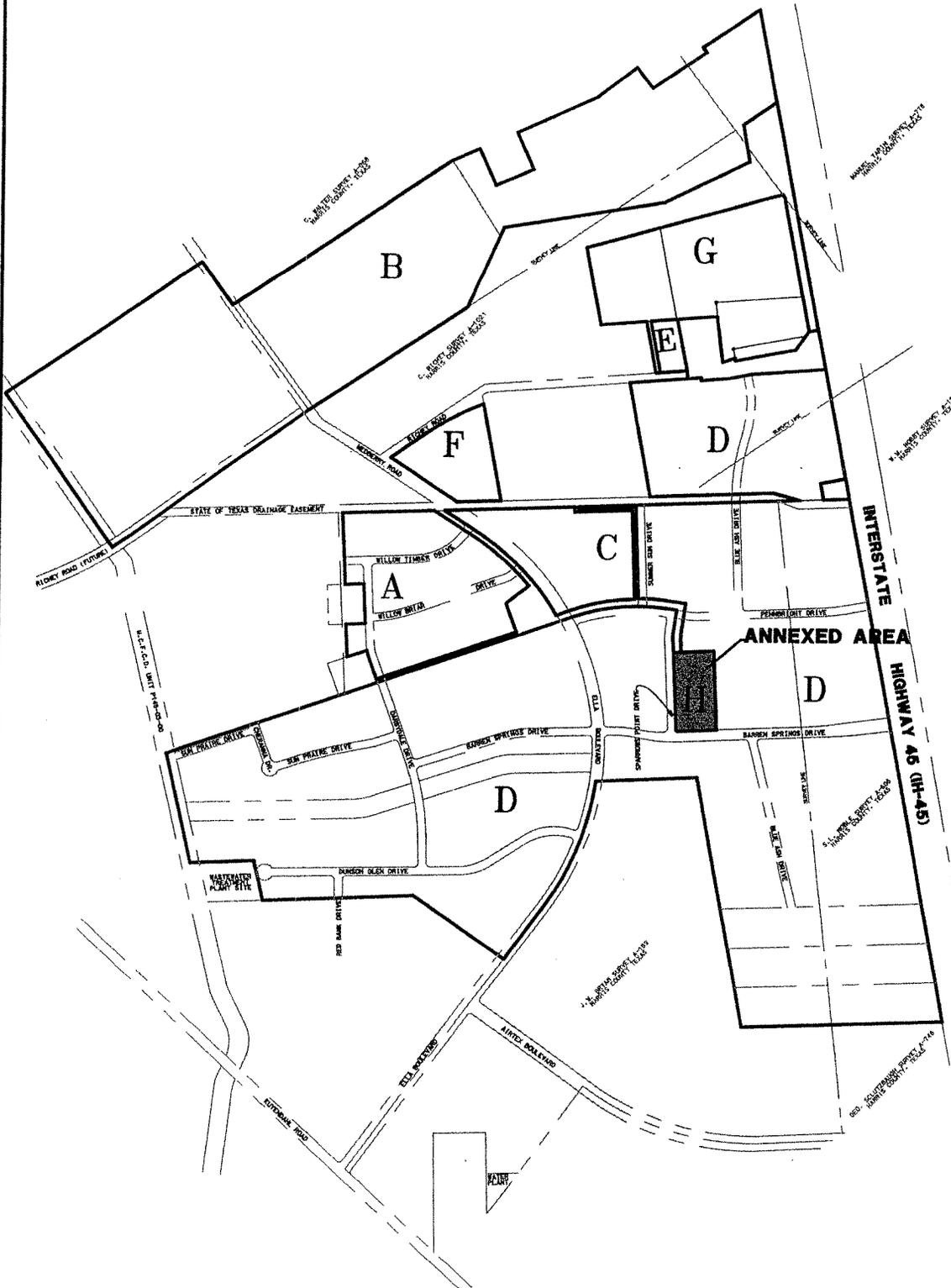
Tank(s): 0.55 & 0.86

MG

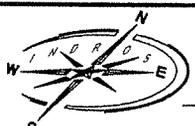
Size of Treatment Plant Site: 1.136 & 0.824

square feet/acres.

Comments or Additional Information: The District operates two water treatment facilities



**H.C.M.U.D. NO. 189  
VICINITY MAP**



Windrose Land Services, Inc.  
3628 Weetchase  
Houston, Texas 77042  
Phone (713) 458-2281 Fax (713) 461-1151

**Professional Surveying & Engineering Services**

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

<b>SUBJECT:</b> Petition for the City's consent to the addition of two (2) tracts of land totaling 191.0964 acres to Newport Municipal Utility District (Key Map No. 379-T, U; & 419-B, C)	<b>Category #</b>	<b>Page</b> 1 of <u>1</u>	<b>Agenda Item #</b>  <b>18</b>
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<b>FROM (Department or other point of origin):</b> Department of Public Works and Engineering	<b>Origination Date</b> 10/30/08	<b>Agenda Date</b> DEC 03 2008
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<b>DIRECTOR'S SIGNATURE</b> <i>Michael S. Marcotte</i> Michael S. Marcotte, P.E., DEE	<b>Council District affected:</b> "ETJ"
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<b>For additional information contact:</b> Ann Marie Sheridan, P.E. <i>AMS</i> Supervising Engineer (713) 837-9142	<b>Date and identification of prior authorizing Council action:</b>
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**RECOMMENDATION: (Summary)**  
The petition for the addition of 191.0964 acres of land to Newport Municipal Utility District be approved.

<b>Amount of Funding:</b> NONE REQUIRED
--

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

**SPECIFIC EXPLANATION:**

Newport Municipal Utility District has petitioned the City of Houston for consent to add 191.0964 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.

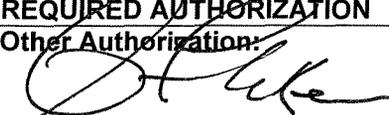
The district is located in the vicinity of Hare Road, FM 2100, Hare-Cook Road, and Miller Wilson Road. The district desires to add 191.0964 acres, thus yielding a total of 2,119.0667 acres. The district is served by the Newport Municipal Utility District Wastewater Treatment Plant, which is owned and operated by the district. The nearest major drainage facility for Newport Municipal Utility District is Gum Gully which flows to Jackson Bayou, then to the San Jacinto River which flows to the Houston Ship Channel and finally to Galveston Bay.

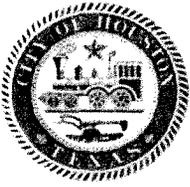
Potable water is provided by the district. By executing the Petition for Consent, the district has acknowledged that all plans for the construction of water conveyance, wastewater collection, and storm water collection systems within the district must be approved by the City of Houston prior to their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

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

Attachments

cc: Marty Stein   Marlene Gafrick   Jun Chang   Mark Loethen  
Bill Zrioka   Waynette Chan   Deborah McAbee   Gary Norman

<b>REQUIRED AUTHORIZATION</b> 20JZC481	<b>Other Authorization:</b>
Finance Department	 Andrew F. Icken Deputy Director Planning & Development Services Div.



# CITY OF HOUSTON



Department of Public Works and Engineering  
Water District Consent Application Form



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

Application is hereby made for consent of the City of Houston to the  creation/  addition of 191.0964 acres to Newport M.U.D. under the provisions of 49 & 54, Texas Water Code.

*[Handwritten Signature]*  
\_\_\_\_\_  
Attorney for the District

**Attorney: Smith, Murdaugh, Little & Bonham, L.L.P.**

Address: 1100 Louisiana St., Suite 400 Zip: 77002 Phone: 713-652-6500

**Engineer: Claunch & Miller, Inc.**

Address: 4635 Southwest Freeway, Suite 1000 Zip: 77027 Phone: 713-622-9264

**Owners: See attached**

Address: \_\_\_\_\_ Zip: \_\_\_\_\_ Phone: \_\_\_\_\_

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

### LOCATION

INSIDE CITY  OUTSIDE CITY  NAME OF COUNTY (S) Harris County  
Survey H. Jackson, J. Callahan, L.A. Levy, W. Wilson Abstract No. 37, 199, 517, 838

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

North of: Hare Road East of: FM 2100  
South of: Hare-Cook Road West of: Miller Wilson Road

### WATER DISTRICT DATA

Total Acreage of District: 1927.9703 Existing Plus Proposed Land 2119.0667

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

Single Family Residential 95% Multi-Family Residential 0%  
Commercial 5% Industrial 0% Institutional 0%

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

Sewage Treatment Plant Name: Newport M.U.D. Wastewater Treatment Plant

NPDES/TPDES Permit No: 11329-001 TCEQ Permit No: TX0023230



# CITY OF HOUSTON



Department of Public Works and Engineering  
Water District Consent Application Form

Existing Capacity (MGD): 0.99

Ultimate Capacity (MGD): 1.33

Size of treatment plant site: 19.72 acres square feet/acres.

If the treatment plant is to serve the District only, indicate the permitted capacity of the plant: 1.33 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: Newport Surface Water Treatment Plant

Water Treatment Plant Address: 16703 Golf Club Drive

Well Permit No: 1792 & 3232

**Existing Capacity:**

Well(s): 2,800 GPM

Booster Pump(s): 2,800 GPM

Tank(s): 1.6 MG

**Ultimate Capacity:**

Well(s): 2,800 GPM

Booster Pump(s): 5,950 GPM

Tank(s): 2.1 MG

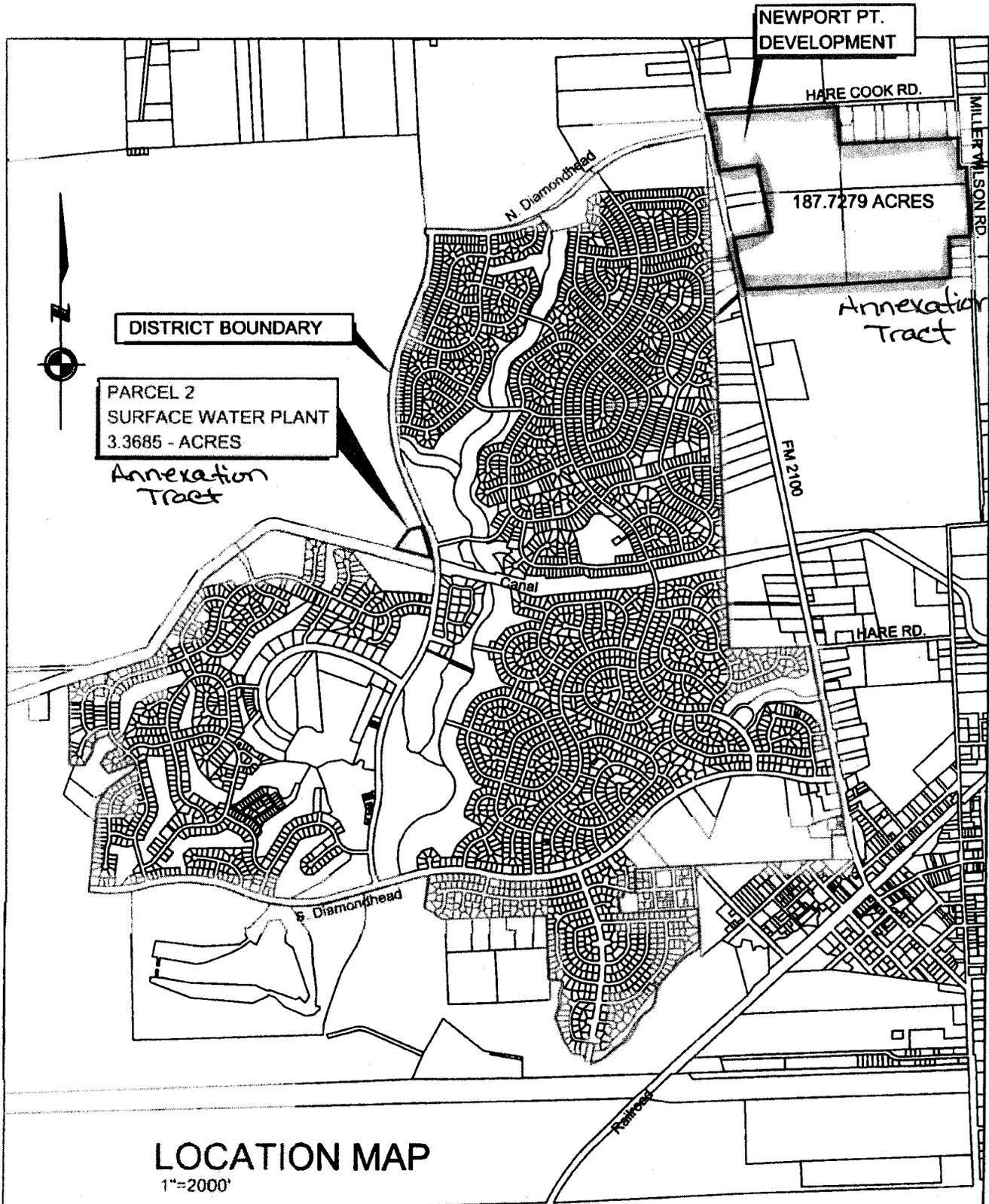
Size of Treatment Plant Site: 6 acres square feet/acres.

Comments or Additional Information: Surface Water Plant existing capacity is 850 gpm. Surface

Water Plant Expansion to 1,700 gpm is in design phase. Bond application is presently underway by the T.C.E.Q.

Attachment to Water District Consent Application Form

Owner	Address	Acreage
Newport Municipal Utility District	1100 Louisiana Street, Suite 400 Houston, Texas 77002 713/652-6500	3.3685
Newport Pointe, Ltd. By Compass Land Holdings, LLC By Nino R. Corbett, Mgr	Nino Corbett 2114 Tangley Houston, TX 77005 281-647-6119	187.7279



**LOCATION MAP**  
1"=2000'



**CLAUNCH & MILLER, INC.**  
**Engineering Consultants**

4635 Southwest Freeway, Suite 1000 • Houston, Texas 77027 • (713) 622-9264

187

**REQUEST FOR COUNCIL ACTION**

**TO: Mayor via City Secretary**

**RCA #**

**SUBJECT:** An ordinance approving an Historic Site Tax Exemption for the property located at 2960 Lazy Lane, 77019.

**Category #**

**Page 1 of 1**

**Agenda Item#**

**19**

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

Michelle Mitchell, Director  
Finance Department

Marlene Gafrick, Director  
Planning and Development

**Origination Date**

November 14, 2008

**Agenda Date**

DEC 03 2008

**DIRECTOR'S SIGNATURE:**

*Michelle Mitchell* | *Marlene Gafrick*

**Council Districts affected:**

G

**For additional information contact:**

Tom Mesa  
Julia Gee

**Phone:** (713) 837-9857  
**Phone:** (713) 837-7828

**Date and identification of prior authorizing**

**Council Action:** Ordinance 2007-658, 12/6/2007  
Designation Resolution 2008-5, 2/20/2008

**RECOMMENDATION: (Summary)**

That City Council adopt an ordinance approving an Historic Site Tax Exemption for the property located at 2960 Lazy Lane, 77019, which meets the relevant eligibility requirements of Section 44-5 of the Code of Ordinances.

**Amount of Funding:** No funding required

**Finance Budget:**

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

**SPECIFIC EXPLANATION:**

Section 44-5 of the Code of Ordinances authorizes City Council to grant tax relief in the form of an exemption for historic sites. The only statutory prerequisite to granting a historic site tax exemption is prior City Council designation of the property as a historic site. The property owner must then demonstrate to the Director of Finance that sufficient qualifying restoration and preservation expenditures were made within the time frames prescribed in the Ordinance, before the tax exemption is approved.

On October 15, 2008, a sworn application for a Historic Site Tax Exemption was submitted by the owner of the property located at 2960 Lazy Lane, 77019, which meets the criteria set out in the Code of Ordinances. The Restoration and Preservation (R&P) work began in July 2003. The 2003 base year value of the historic structure was \$1,380,500 and the property owner spent in excess of \$1,995,070 to restore it, thus qualifying the owner for a 100% exemption on the improvements.

Based on HCAD's 2008 property valuation and the City's current property tax rate, the taxes foregone on the improvements are approximately \$11,123 the first year of the exemption and a total loss of approximately \$166,845 for the full 15-year period of the exemption (15 x \$11,123 = \$166,845).

Since the property has been designated as a historic site, it is recommended that City Council grant the property an exemption from ad valorem taxation.

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

**REQUIRED AUTHORIZATION**

**Finance Director:**

**Other Authorization:**

**Other Authorization:**

*Tom Mesa*

*Arturo Michel*

## 2960 Lazy Lane Blvd.

### HISTORIC SITE TAX EXEMPTION 15 YEAR ANALYSIS

Initial Exemption Criteria				
2003 Values (base year)		R&P Expenditures	2008 Values	
Land	Structure		Land	Structure
\$4,867,000	\$1,380,500	\$1,995,070	\$6,965,730	\$1,741,433

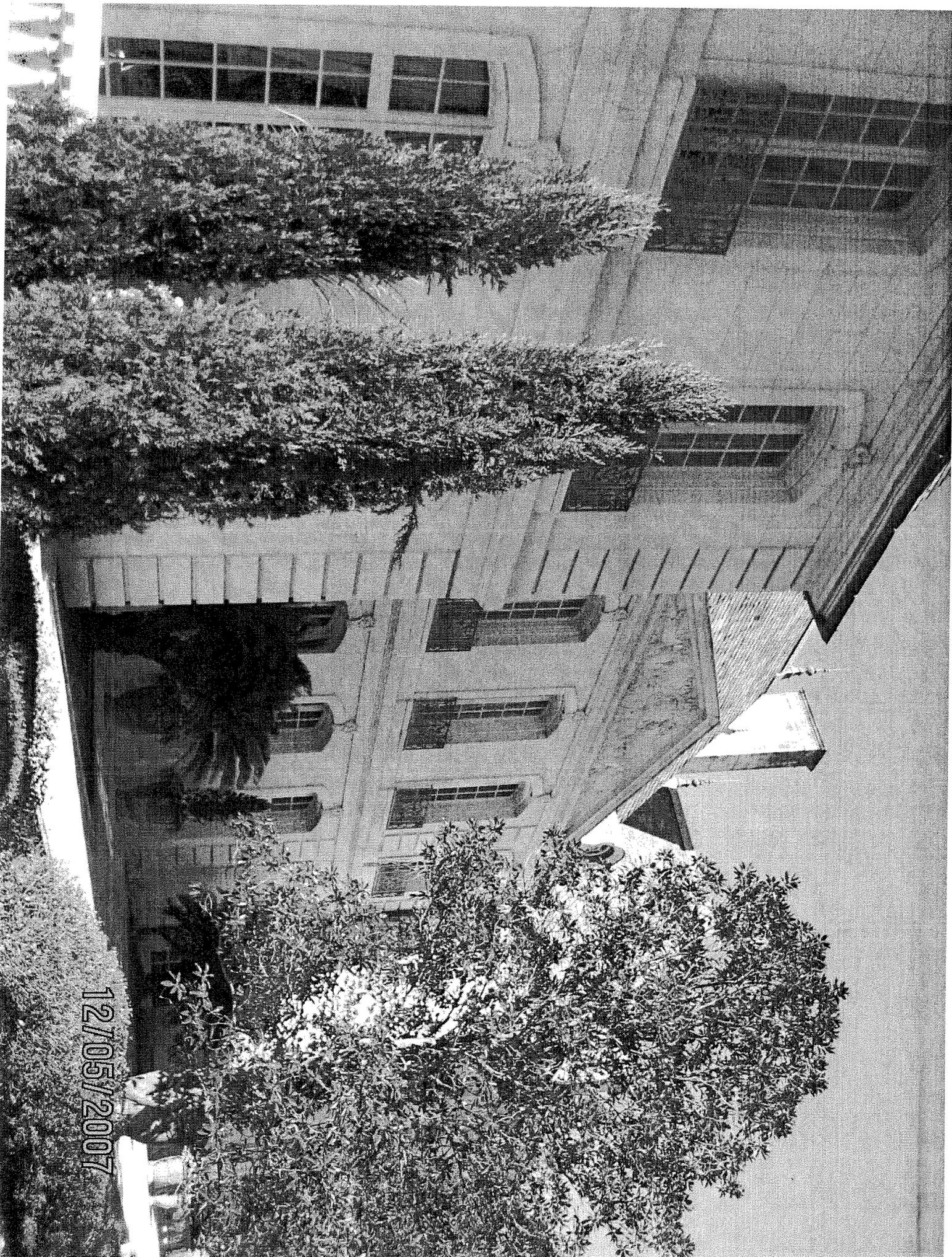
Expenditures as % of Base Value                      145%

Maximum Exemption on Structure/Improvement, beginning TY2009

Projected Annual Tax Revenue Gain / (Loss) (Based upon 100% of Improvements)				
Year	Tax Year	Land	Improvement (structure)	Net
1	2009	\$44,494	(\$11,123)	\$33,371
2	2010	\$46,274	(\$11,123)	\$35,151
3	2011	\$48,125	(\$11,123)	\$37,002
4	2012	\$50,050	(\$11,123)	\$38,927
5	2013	\$52,052	(\$11,123)	\$40,929
6	2014	\$54,134	(\$11,123)	\$43,011
7	2015	\$56,299	(\$11,123)	\$45,176
8	2016	\$58,551	(\$11,123)	\$47,428
9	2017	\$60,893	(\$11,123)	\$49,770
10	2018	\$63,329	(\$11,123)	\$52,206
11	2019	\$65,862	(\$11,123)	\$54,739
12	2020	\$68,496	(\$11,123)	\$57,373
13	2021	\$71,236	(\$11,123)	\$60,113
14	2022	\$74,085	(\$11,123)	\$62,962
15	2023	\$77,048	(\$11,123)	\$65,925
<b>Total</b>		<b>\$890,928</b>	<b>(\$166,845)</b>	<b>\$724,083</b>

Projection based on latest rate (Tax Year 2008): \$.63875 per \$100 of taxable value

Assumes a 4% increase in land value each year. The tax exemption for the Improvement remains the same after the first year pursuant to the ordinance.



12/05/2007

**REQUEST FOR COUNCIL ACTION**

**TO: Mayor via City Secretary**

**RCA #**

**SUBJECT:** An ordinance approving an Historic Site Tax Exemption for the property located at 2 West 11th Place, 77005.

**Category #**

**Page 1 of 1**

**Agenda Item#**

20

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

Michelle Mitchell, Director  
Finance Department

Marlene Gafnick, Director  
Planning and Development

**Origination Date**

November 7, 2008

**Agenda Date**

DEC 03 2008

**DIRECTOR'S SIGNATURE:**

*Michelle Mitchell* *Marlene Gafnick*

**Council Districts affected:**

C

**For additional information contact:**

Tom Mesa  
Julia Gee

**Phone:** (713) 837-9857  
**Phone:** (713) 837-7828

**Date and identification of prior authorizing**

**Council Action:** Ordinance 2007-658, 12/6/2007  
Designation Resolution 2007-47, 12/12/2007

**RECOMMENDATION: (Summary)**

That City Council adopt an ordinance approving an Historic Site Tax Exemption for the property located at 2 West 11th Place, 77005, which meets the relevant eligibility requirements of Section 44-5 of the Code of Ordinances.

**Amount of Funding:** No funding required

**Finance Budget:**

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

**SPECIFIC EXPLANATION:**

Section 44-5 of the Code of Ordinances authorizes City Council to grant tax relief in the form of an exemption for historic sites. The only statutory prerequisite to granting a historic site tax exemption is prior City Council designation of the property as a historic site. If the tax exemption is granted, the property owner must then demonstrate to the Director of Finance that sufficient qualifying restoration and preservation expenditures were made within the time frames prescribed in the Ordinance, before the tax exemption may go into effect.

On August 1, 2008, a sworn application for a Historic Site Tax Exemption was submitted by the owner of the property located at 2 West 11th Place, 77005, which meets the criteria set out in the Code of Ordinances. The Restoration and Preservation (R&P) work began in October 2006. The 2006 base year value of the historic structure was \$155,876 and the property owner spent in excess of \$315,000 to restore it, thus qualifying the owner for a 100% exemption on the improvements.

Based on HCAD's 2008 property valuation and the City's current property tax rate, the taxes foregone on the improvements are approximately \$2,574 the first year of the exemption and a total loss of approximately \$38,610 for the full 15-year period of the exemption (15 x \$2,574 = \$38,610).

Since the property has been designated as a historic site, it is recommended that City Council grant the property an exemption from ad valorem taxation.

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

**REQUIRED AUTHORIZATION**

**Finance Director:**

**Other Authorization:**

**Other Authorization:**

*Tom Mesa*

*AB Russell*

## 2 West 11th Place

### HISTORIC SITE TAX EXEMPTION 15 YEAR ANALYSIS

Initial Exemption Criteria				
2006 Values (base year)		R&P Expenditures	2008 Values	
Land	Structure		Land	Structure
\$382,800	\$155,876	\$315,284	\$487,200	\$403,037

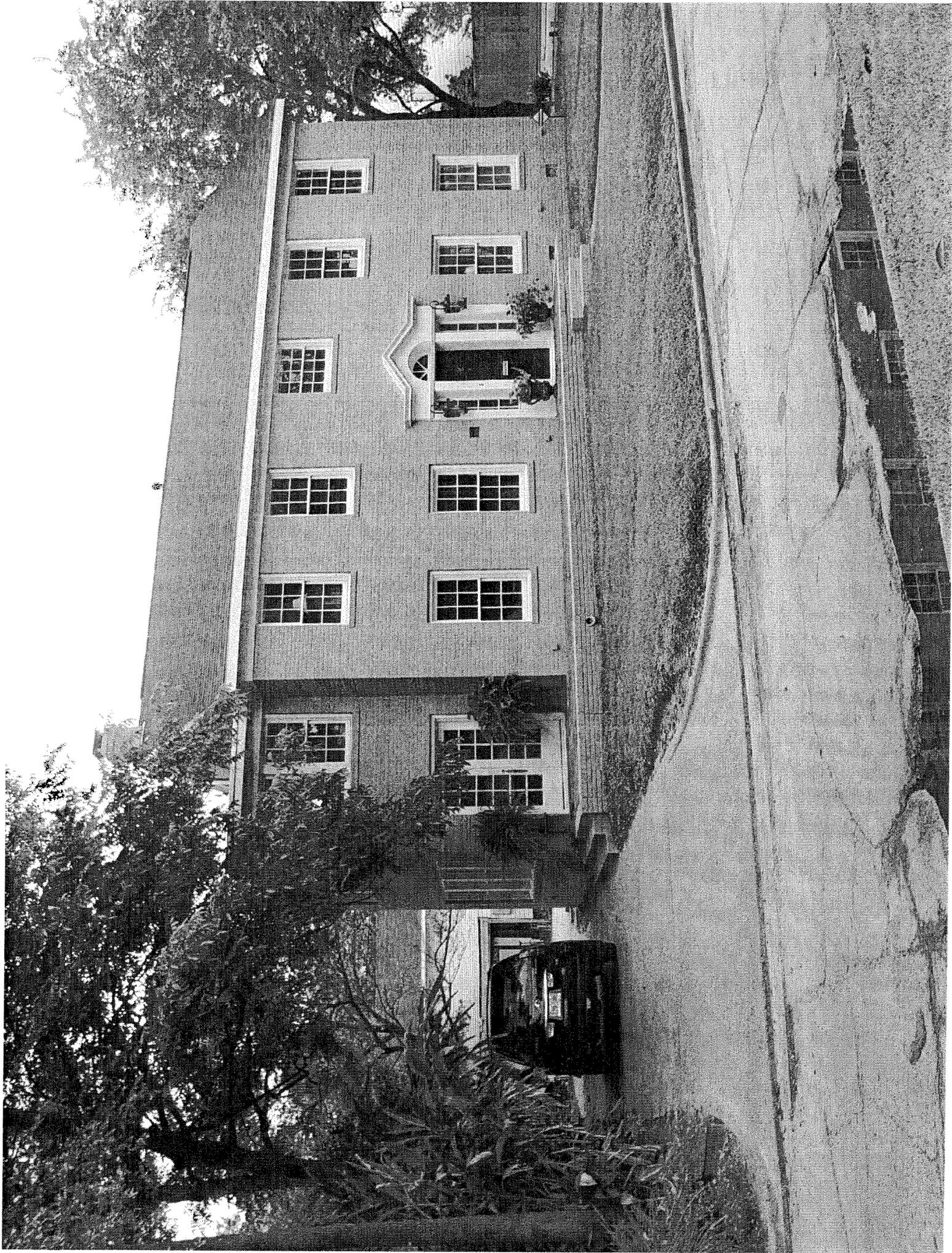
Expenditures as % of Base Value                      202%

Maximum Exemption on Structure/Improvement, beginning TY2009

Projected Annual Tax Revenue Gain / (Loss) (Based upon 100% of Improvements)				
Year	Tax Year	Land	Improvement (structure)	Net
1	2009	\$3,112	(\$2,574)	\$538
2	2010	\$3,236	(\$2,574)	\$662
3	2011	\$3,365	(\$2,574)	\$791
4	2012	\$3,500	(\$2,574)	\$926
5	2013	\$3,640	(\$2,574)	\$1,066
6	2014	\$3,786	(\$2,574)	\$1,212
7	2015	\$3,937	(\$2,574)	\$1,363
8	2016	\$4,094	(\$2,574)	\$1,520
9	2017	\$4,258	(\$2,574)	\$1,684
10	2018	\$4,428	(\$2,574)	\$1,854
11	2019	\$4,605	(\$2,574)	\$2,031
12	2020	\$4,789	(\$2,574)	\$2,215
13	2021	\$4,981	(\$2,574)	\$2,407
14	2022	\$5,180	(\$2,574)	\$2,606
15	2023	\$5,387	(\$2,574)	\$2,813
<b>Total</b>		<b>\$62,298</b>	<b>(\$38,610)</b>	<b>\$23,688</b>

Projection based on latest rate (Tax Year 2008): \$.63875 per \$100 of taxable value

Assumes a 4% increase in land value each year. The tax exemption for the Improvement remains the same after the first year pursuant to the ordinance.



**REQUEST FOR COUNCIL ACTION**

<b>TO: Mayor via City Secretary</b>		<b>RCA #</b>	
<b>SUBJECT:</b> An ordinance approving an Historic Site Tax Exemption for the property located at 3000 Del Monte Drive, 77019.		<b>Category #</b>	<b>Page 1 of 1</b>
<b>FROM: (Department or other point of origin):</b> Michelle Mitchell, Director Finance Department		<b>Origination Date</b> November 13, 2008	<b>Agenda Item#</b> <i>21</i> <b>Agenda Date</b> DEC 0 3 2008
<b>DIRECTOR'S SIGNATURE:</b> <i>Michelle Mitchell</i>   <i>Marlene Gafnick</i>		<b>Council Districts affected:</b> G	
<b>For additional information contact:</b> Tom Mesa Julia Gee		<b>Phone:</b> (713) 837-9857 <b>Phone:</b> (713) 837-7828	<b>Date and identification of prior authorizing Council Action:</b> Ordinance 2007-658, 12/6/2007 Designation Resolution 2006-17, 10/04/2006

**RECOMMENDATION: (Summary)**  
That City Council adopt an ordinance approving an Historic Site Tax Exemption for the property located at 3000 Del Monte Drive, 77019, which meets the relevant eligibility requirements of Section 44-5 of the Code of Ordinances.

**Amount of Funding:** No funding required **Finance Budget:**

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

**SPECIFIC EXPLANATION:**  
Section 44-5 of the Code of Ordinances authorizes City Council to grant tax relief in the form of an exemption for historic sites. The only statutory prerequisite to granting a historic site tax exemption is prior City Council designation of the property as a historic site. The property owner must then demonstrate to the Director of Finance that sufficient qualifying restoration and preservation expenditures were made within the time frames prescribed in the Ordinance, before the tax exemption is approved.

On October 14, 2008, a sworn application for a Historic Site Tax Exemption was submitted by the owner of the property located at 3000 Del Monte Drive, 77019, which meets the criteria set out in the Code of Ordinances. The Restoration and Preservation (R&P) work began in September 2006. The 2006 base year value of the historic structure was \$1,223,772 and the property owner spent in excess of \$1,250,000 to restore it, thus qualifying the owner for a 100% exemption on the improvements.

Based on HCAD's 2008 property valuation and the City's current property tax rate, the taxes foregone on the improvements are approximately \$8,348 the first year of the exemption and a total loss of approximately \$125,220 for the full 15-year period of the exemption (15 x \$8,348 = \$125,220).

Since the property has been designated as a historic site, it is recommended that City Council grant the property an exemption from ad valorem taxation.

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

**REQUIRED AUTHORIZATION**

<b>Finance Director:</b>	<b>Other Authorization:</b> <i>[Signature]</i>	<b>Other Authorization:</b> <i>[Signature]</i>
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## 3000 Del Monte Drive

### HISTORIC SITE TAX EXEMPTION 15 YEAR ANALYSIS

Initial Exemption Criteria				
2006 Values (base year)		R&P Expenditures	2008 Values	
Land	Structure		Land	Structure
\$1,908,154	\$1,223,772	\$1,256,891	\$2,684,353	\$1,306,942

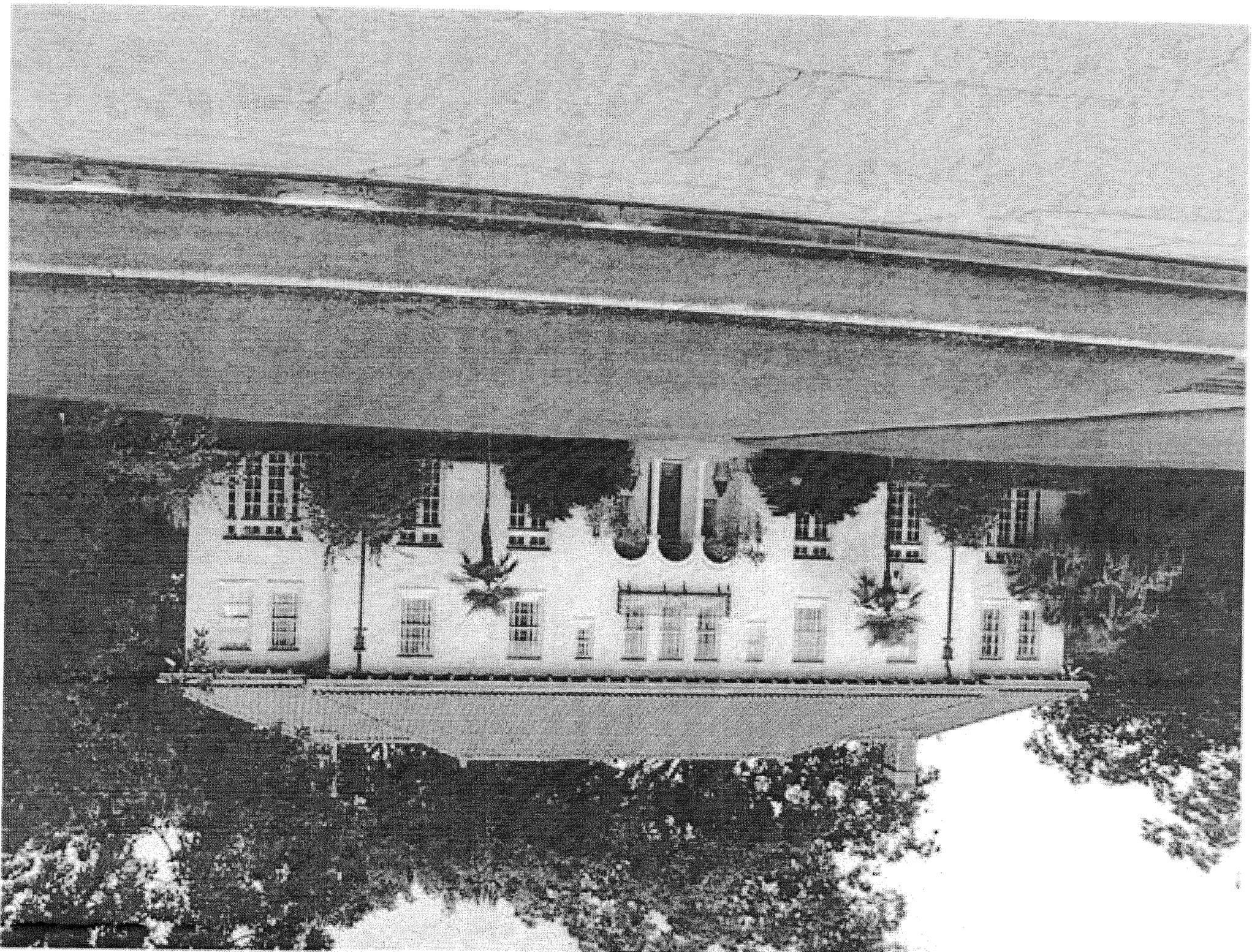
Expenditures as % of Base Value                      103%

Maximum Exemption on Structure/Improvement, beginning TY2009

Projected Annual Tax Revenue Gain / (Loss)				
(Based upon 100% of Improvements)				
Year	Tax Year	Land	Improvement (structure)	Net
1	2009	\$17,146	(\$8,348)	\$8,798
2	2010	\$17,832	(\$8,348)	\$9,484
3	2011	\$18,545	(\$8,348)	\$10,197
4	2012	\$19,287	(\$8,348)	\$10,939
5	2013	\$20,058	(\$8,348)	\$11,710
6	2014	\$20,860	(\$8,348)	\$12,512
7	2015	\$21,694	(\$8,348)	\$13,346
8	2016	\$22,562	(\$8,348)	\$14,214
9	2017	\$23,464	(\$8,348)	\$15,116
10	2018	\$24,403	(\$8,348)	\$16,055
11	2019	\$25,379	(\$8,348)	\$17,031
12	2020	\$26,394	(\$8,348)	\$18,046
13	2021	\$27,450	(\$8,348)	\$19,102
14	2022	\$28,548	(\$8,348)	\$20,200
15	2023	\$29,690	(\$8,348)	\$21,342
<b>Total</b>		<b>\$343,312</b>	<b>(\$125,220)</b>	<b>\$218,092</b>

Projection based on latest rate (Tax Year 2008): \$.63875 per \$100 of taxable value

Assumes a 4% increase in land value each year. The tax exemption for the Improvement remains the same after the first year pursuant to the ordinance.



**REQUEST FOR COUNCIL ACTION**

**TO: Mayor via City Secretary**

**RCA #**

**SUBJECT:** An ordinance approving an Historic Site Tax Exemption for the property located at 1624 Kirby Drive, 77019.

**Category #**

**Page 1 of 1**

**Agenda Item#**

*22*

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

Michelle Mitchell, Director  
Finance Department

Marlene Gafrick, Director  
Planning and Development

**Origination Date**

November 10, 2008

**Agenda Date**

DEC 03 2008

**DIRECTOR'S SIGNATURE:**

*Michelle Mitchell*

*Marlene Gafrick*

**Council Districts affected:**

G

**For additional information contact:**

Tom Mesa  
Julia Gee

**Phone:** (713) 837-9857  
**Phone:** (713) 837-7828

**Date and identification of prior authorizing**

**Council Action:** Ordinance 2007-658, 12/6/2007;  
Designation Resolution 2008-25, 10/08/2008

**RECOMMENDATION: (Summary)**

That City Council adopt an ordinance approving an Historic Site Tax Exemption for the property located at 1624 Kirby Drive, 77019, which meets the relevant eligibility requirements of Section 44-5 of the Code of Ordinances.

**Amount of Funding:** No funding required

**Finance Budget:**

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

**SPECIFIC EXPLANATION:**

Section 44-5 of the Code of Ordinances authorizes City Council to grant tax relief in the form of an exemption for historic sites. The only statutory prerequisite to granting a historic site tax exemption is prior City Council designation of the property as a historic site. The property owner must then demonstrate to the Director of Finance that sufficient qualifying restoration and preservation expenditures were made within the time frames prescribed in the Ordinance, before the tax exemption is approved.

On September 25, 2008, a sworn application for a Historic Site Tax Exemption was submitted by the owner of the property located at 1624 Kirby Drive, 77019, which meets the criteria set out in the Code of Ordinances. The Restoration and Preservation (R&P) work began in April 2004. The 2004 base year value of the historic structure was \$456,800 and the property owner spent in excess of \$547,000 to restore it, thus qualifying the owner for a 100% exemption on the improvements.

Based on HCAD's 2008 property valuation and the City's current property tax rate, the taxes foregone on the improvements are approximately \$2,932 the first year of the exemption and a total loss of approximately \$43,980 for the full 15-year period of the exemption (15 x \$2,932 = \$43,980).

Since the property has been designated as a historic site, it is recommended that City Council grant the property an exemption from ad valorem taxation.

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

**REQUIRED AUTHORIZATION**

**Finance Director:**

**Other Authorization:**

**Other Authorization:**

*Tom Mesa*

*Arturo Michel*

<b>1624 Kirby Drive</b>
<b>HISTORIC SITE TAX EXEMPTION 15 YEAR ANALYSIS</b>

Initial Exemption Criteria				
2004 Values (base year)		R&P Expenditures	2008 Values	
Land	Structure		Land	Structure
\$763,200	\$456,800	\$547,472	\$1,166,000	\$459,000

Expenditures as % of Base Value                      120%

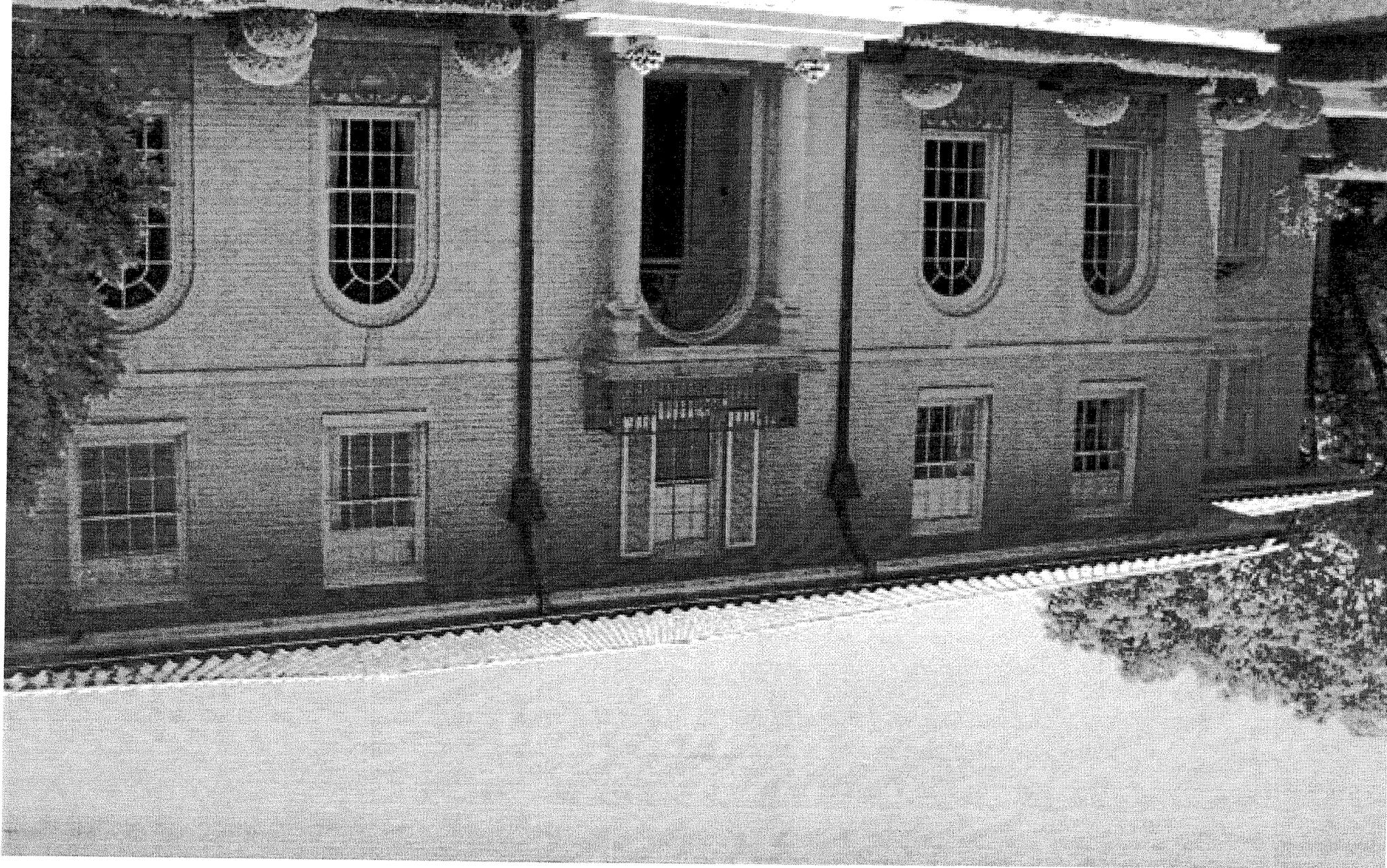
Maximum Exemption on Structure/Improvement, beginning TY2009

Projected Annual Tax Revenue Gain / (Loss) (Based upon 100% of Improvements)				
Year	Tax Year	Land	Improvement (structure)	Net
1	2009	\$7,448	(\$2,932)	\$4,516
2	2010	\$7,746	(\$2,932)	\$4,814
3	2011	\$8,056	(\$2,932)	\$5,124
4	2012	\$8,378	(\$2,932)	\$5,446
5	2013	\$8,713	(\$2,932)	\$5,781
6	2014	\$9,062	(\$2,932)	\$6,130
7	2015	\$9,424	(\$2,932)	\$6,492
8	2016	\$9,801	(\$2,932)	\$6,869
9	2017	\$10,193	(\$2,932)	\$7,261
10	2018	\$10,601	(\$2,932)	\$7,669
11	2019	\$11,025	(\$2,932)	\$8,093
12	2020	\$11,466	(\$2,932)	\$8,534
13	2021	\$11,925	(\$2,932)	\$8,993
14	2022	\$12,402	(\$2,932)	\$9,470
15	2023	\$12,898	(\$2,932)	\$9,966
<b>Total</b>		<b>\$149,138</b>	<b>(\$43,980)</b>	<b>\$105,158</b>

Projection based on latest rate (Tax Year 2008): \$.63875 per \$100 of taxable value

Assumes a 4% increase in land value each year. The tax exemption for the Improvement remains the same after the first year pursuant to the ordinance.

04/29/2008



**REQUEST FOR COUNCIL ACTION**

**TO: Mayor via City Secretary**

**RCA #**

**SUBJECT:** An ordinance approving an Historic Site Tax Exemption for the property located at 3214 Locke Lane, 77019.

**Category #**

**Page 1 of 1**

**Agenda Item#**

**23**

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

Michelle Mitchell, Director  
Finance Department

Marlene Gafrick, Director  
Planning and Development

**Origination Date**

November 13, 2008

**Agenda Date**

DEC 03 2008

**DIRECTOR'S SIGNATURE:**

*Michelle Mitchell* *Marlene Gafrick*

**Council Districts affected:**

G

**For additional information contact:**

Tom Mesa  
Julia Gee

**Phone:** (713) 837-9857

**Phone:** (713) 837-7828

**Date and identification of prior authorizing**

**Council Action:** Ordinance 2007-658, 12/6/2007  
Designation Resolution 2008-26, 10/08/2008

**RECOMMENDATION: (Summary)**

That City Council adopt an ordinance approving an Historic Site Tax Exemption for the property located at 3214 Locke Lane, 77019, which meets the relevant eligibility requirements of Section 44-5 of the Code of Ordinances.

**Amount of Funding:** No funding required

**Finance Budget:**

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

**SPECIFIC EXPLANATION:**

Section 44-5 of the Code of Ordinances authorizes City Council to grant tax relief in the form of an exemption for historic sites. The only statutory prerequisite to granting a historic site tax exemption is prior City Council designation of the property as a historic site. The property owner must then demonstrate to the Director of Finance that sufficient qualifying restoration and preservation expenditures were made within the time frames prescribed in the Ordinance, before the tax exemption is approved.

On September 25, 2008, a sworn application for a Historic Site Tax Exemption was submitted by the owner of the property located at 3214 Locke Lane, 77019, which meets the criteria set out in the Code of Ordinances. The Restoration and Preservation (R&P) work began in July 2006. The 2006 base year value of the historic structure was \$218,922 and the property owner spent in excess of \$505,000 to restore it, thus qualifying the owner for a 100% exemption on the improvements.

Based on HCAD's 2008 property valuation and the City's current property tax rate, the taxes foregone on the improvements are approximately \$2,536 the first year of the exemption and a total loss of approximately \$38,040 for the full 15-year period of the exemption (15 x \$2,536 = \$38,040).

Since the property has been designated as a historic site, it is recommended that City Council grant the property an exemption from ad valorem taxation.

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

**REQUIRED AUTHORIZATION**

**Finance Director:**

**Other Authorization:**

**Other Authorization:**

*[Signature]*

*[Signature]*

## 3214 Locke Lane

### HISTORIC SITE TAX EXEMPTION 15 YEAR ANALYSIS

Initial Exemption Criteria				
2006 Values (base year)		R&P Expenditures	2008 Values	
Land	Structure		Land	Structure
\$487,278	\$218,922	\$505,371	\$676,144	\$397,101

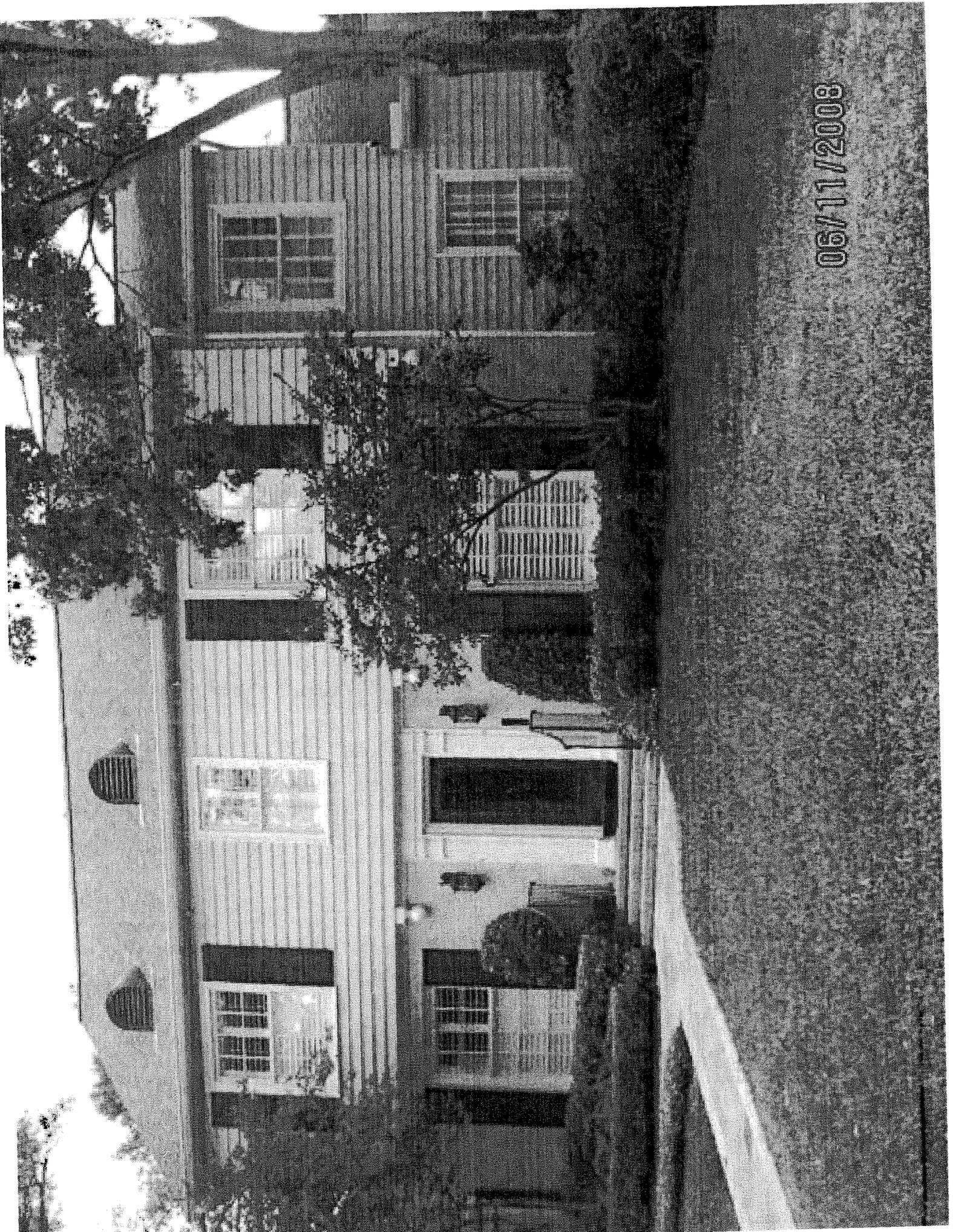
Expenditures as % of Base Value                      231%

Maximum Exemption on Structure/Improvement, beginning TY2009

Projected Annual Tax Revenue Gain / (Loss)				
(Based upon 100% of Improvements)				
Year	Tax Year	Land	Improvement (structure)	Net
1	2009	\$4,319	(\$2,536)	\$1,783
2	2010	\$4,492	(\$2,536)	\$1,956
3	2011	\$4,672	(\$2,536)	\$2,136
4	2012	\$4,859	(\$2,536)	\$2,323
5	2013	\$5,053	(\$2,536)	\$2,517
6	2014	\$5,255	(\$2,536)	\$2,719
7	2015	\$5,465	(\$2,536)	\$2,929
8	2016	\$5,684	(\$2,536)	\$3,148
9	2017	\$5,911	(\$2,536)	\$3,375
10	2018	\$6,147	(\$2,536)	\$3,611
11	2019	\$6,393	(\$2,536)	\$3,857
12	2020	\$6,649	(\$2,536)	\$4,113
13	2021	\$6,915	(\$2,536)	\$4,379
14	2022	\$7,192	(\$2,536)	\$4,656
15	2023	\$7,480	(\$2,536)	\$4,944
<b>Total</b>		<b>\$86,486</b>	<b>(\$38,040)</b>	<b>\$48,446</b>

Projection based on latest rate (Tax Year 2008): \$.63875 per \$100 of taxable value

Assumes a 4% increase in land value each year. The tax exemption for the Improvement remains the same after the first year pursuant to the ordinance.



06/11/2008

**REQUEST FOR COUNCIL ACTION**

**TO: Mayor via City Secretary**

**RCA #**

**SUBJECT:** An ordinance approving an Historic Site Tax Exemption for the property located at 12923 Memorial Drive, 77079.

**Category #**

**Page 1 of 1**

**Agenda Item#**

**24**

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

Michelle Mitchell, Director  
Finance Department

Marlene Gafrick, Director  
Planning and Development

**Origination Date**

November 5, 2008

**Agenda Date**

DEC 03 2008

**DIRECTOR'S SIGNATURE:**

*Michelle Mitchell* | *Marlene Gafrick*

**Council Districts affected:**

G

**For additional information contact:**

Tom Mesa  
Julia Gee

**Phone:** (713) 837-9857  
**Phone:** (713) 837-7828

**Date and identification of prior authorizing**

**Council Action:** Ordinance 2007-658, 12/6/2007;  
Designation Resolution 2007-47, 12/10/2007

**RECOMMENDATION: (Summary)**

That City Council adopt an ordinance approving an Historic Site Tax Exemption for the property located at 12923 Memorial Drive, 77079, which meets the relevant eligibility requirements of Section 44-5 of the Code of Ordinances.

**Amount of Funding:** No funding required

**Finance Budget:**

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

**SPECIFIC EXPLANATION:**

Section 44-5 of the Code of Ordinances authorizes City Council to grant tax relief in the form of an exemption for historic sites. The only statutory prerequisite to granting a historic site tax exemption is prior City Council designation of the property as a historic site. The property owner must then demonstrate to the Director of Finance that sufficient qualifying restoration and preservation expenditures were made within the time frames prescribed in the Ordinance, before the tax exemption is approved.

On October 31, 2008, a sworn application for a Historic Site Tax Exemption was submitted by the owner of the property located at 12923 Memorial Drive, 77079, which meets the criteria set out in the Code of Ordinances. The Restoration and Preservation (R&P) work began in June 2007. The 2007 base year value of the historic structure was \$53,591 and the property owner spent in excess of \$188,000 to restore it, thus qualifying the owner for a 100% exemption on the improvements.

Based on HCAD's 2008 property valuation and the City's current property tax rate, the taxes foregone on the improvements are approximately \$712 the first year of the exemption and a total loss of approximately \$10,680 for the full 15-year period of the exemption (15 x \$712 = \$10,680).

Since the property has been designated as a historic site, it is recommended that City Council grant the property an exemption from ad valorem taxation.

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

**REQUIRED AUTHORIZATION**

**Finance Director:**

**Other Authorization:**

**Other Authorization:**

*[Signature]*

*[Signature]*

# 12923 Memorial Dr.

## HISTORIC SITE TAX EXEMPTION 15 YEAR ANALYSIS

Initial Exemption Criteria				
2007 Values (base year)		R&P Expenditures	2008 Values	
Land	Structure		Land	Structure
\$167,520	\$53,591	\$198,214	\$209,400	\$111,472

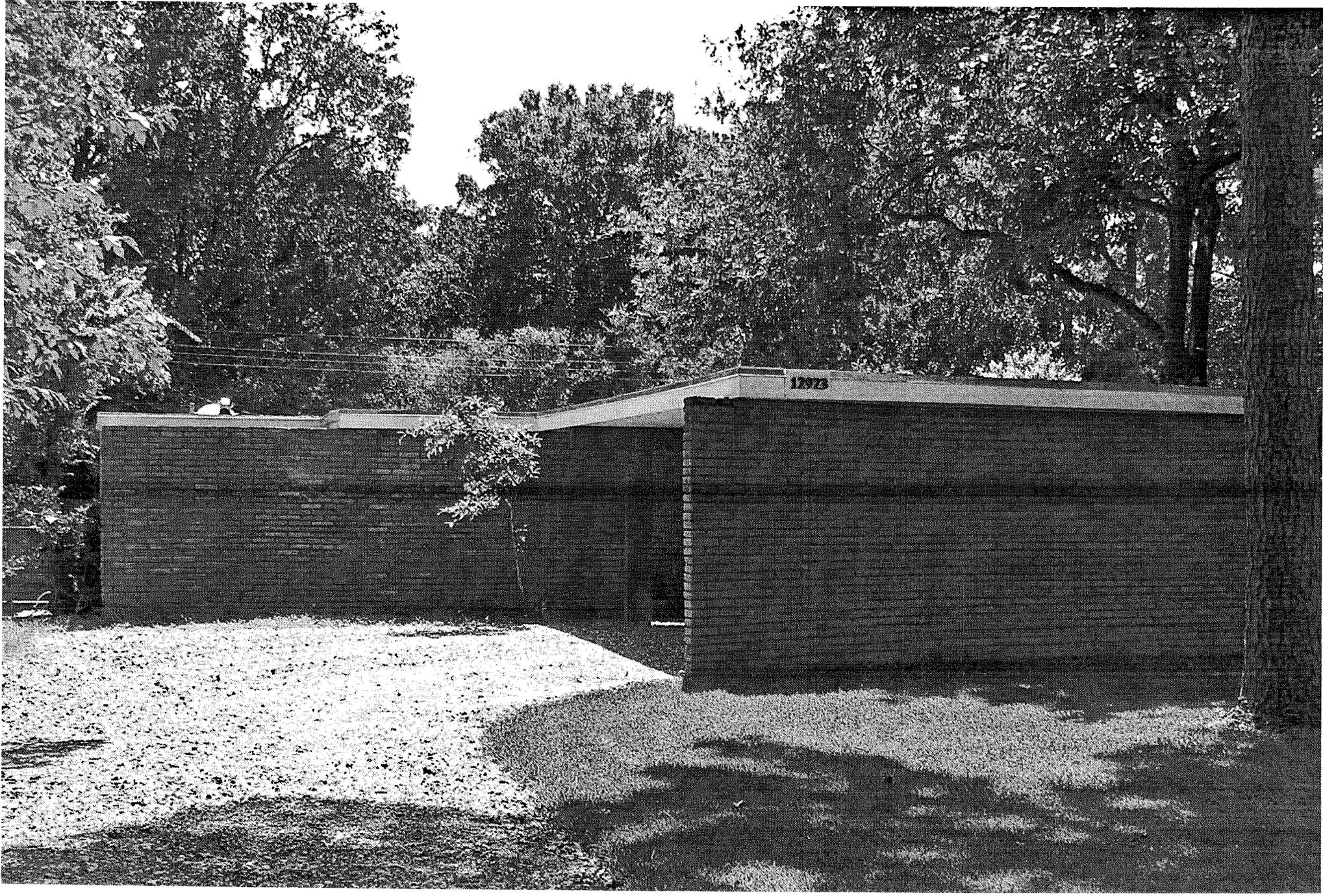
Expenditures as % of Base Value                      370%

Maximum Exemption on Structure/Improvement, beginning TY2009

Projected Annual Tax Revenue Gain / (Loss) (Based upon 100% of Improvements)				
Year	Tax Year	Land	Improvement (structure)	Net
1	2009	\$1,338	(\$712)	\$626
2	2010	\$1,392	(\$712)	\$680
3	2011	\$1,448	(\$712)	\$736
4	2012	\$1,506	(\$712)	\$794
5	2013	\$1,566	(\$712)	\$854
6	2014	\$1,629	(\$712)	\$917
7	2015	\$1,694	(\$712)	\$982
8	2016	\$1,762	(\$712)	\$1,050
9	2017	\$1,832	(\$712)	\$1,120
10	2018	\$1,905	(\$712)	\$1,193
11	2019	\$1,981	(\$712)	\$1,269
12	2020	\$2,060	(\$712)	\$1,348
13	2021	\$2,142	(\$712)	\$1,430
14	2022	\$2,228	(\$712)	\$1,516
15	2023	\$2,317	(\$712)	\$1,605
<b>Total</b>		<b>\$26,800</b>	<b>(\$10,680)</b>	<b>\$16,120</b>

Projection based on latest rate (Tax Year 2008): \$.63875 per \$100 of taxable value

Assumes a 4% increase in land value each year. The tax exemption for the Improvement remains the same after the first year pursuant to the ordinance.



**REQUEST FOR COUNCIL ACTION**

<b>TO: Mayor via City Secretary</b>		<b>RCA #</b>	
<b>SUBJECT:</b> An ordinance approving an Historic Site Tax Exemption for the property located at 1544 Tulane Street, 77008.		<b>Category #</b>	<b>Page 1 of 1</b>
<b>FROM: (Department or other point of origin):</b> Michelle Mitchell, Director Finance Department		<b>Agenda Item#</b> <i>25</i>	
Marlene Gafrick, Director Planning and Development		<b>Origination Date</b> November 7, 2008	<b>Agenda Date</b> DEC 03 2008
<b>DIRECTOR'S SIGNATURE:</b> <i>Michelle Mitchell</i> <i>Marlene Gafrick</i>		<b>Council Districts affected:</b> H	
<b>For additional information contact:</b> Tom Mesa Julia Gee		<b>Phone:</b> (713) 837-9857 <b>Phone:</b> (713) 837-7828	<b>Date and identification of prior authorizing Council Action:</b> Ordinance 2007-658, 12/6/2007; Designation Resolution 2007-48, 12/19/2007

**RECOMMENDATION: (Summary)**  
That City Council adopt an ordinance approving an Historic Site Tax Exemption for the property located at 1544 Tulane Street, 77008, which meets the relevant eligibility requirements of Section 44-5 of the Code of Ordinances.

**Amount of Funding:** No funding required **Finance Budget:**

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

**SPECIFIC EXPLANATION:**  
Section 44-5 of the Code of Ordinances authorizes City Council to grant tax relief in the form of an exemption for historic sites. The only statutory prerequisite to granting a historic site tax exemption is prior City Council designation of the property as a historic site. The property owner must then demonstrate to the Director of Finance that sufficient qualifying restoration and preservation expenditures were made within the time frames prescribed in the Ordinance, before the tax exemption is approved.

On March 18, 2008, a sworn application for a Historic Site Tax Exemption was submitted by the owner of the property located at 1544 Tulane Street, 77008, which meets the criteria set out in the Code of Ordinances. The Restoration and Preservation (R&P) work began in February 2005. The 2005 base year value of the historic structure was \$20,000 and the property owner spent in excess of \$97,000 to restore it, thus qualifying the owner for a 100% exemption on the improvements.

Based on HCAD's 2008 property valuation and the City's current property tax rate, the taxes foregone on the improvements are approximately \$450 the first year of the exemption and a total loss of approximately \$6,750 for the full 15-year period of the exemption (15 x \$450 = \$6,750).

Since the property has been designated as a historic site, it is recommended that City Council grant the property an exemption from ad valorem taxation.

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

**REQUIRED AUTHORIZATION**

<b>Finance Director:</b>	<b>Other Authorization:</b> <i>[Signature]</i>	<b>Other Authorization:</b> <i>[Signature]</i>
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## 1544 Tulane Street

### HISTORIC SITE TAX EXEMPTION 15 YEAR ANALYSIS

Initial Exemption Criteria				
2005 Values (base year)		R&P Expenditures	2008 Values	
Land	Structure		Land	Structure
\$115,500	\$20,000	\$97,683	\$192,500	\$70,500

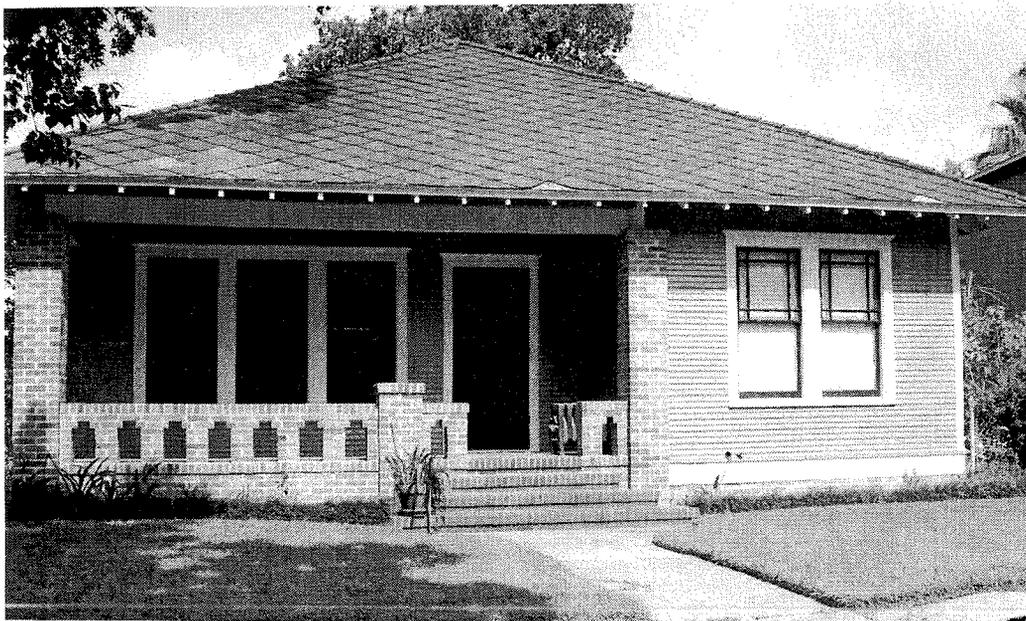
Expenditures as % of Base Value                      488%

Maximum Exemption on Structure/Improvement, beginning TY2009

Projected Annual Tax Revenue Gain / (Loss)				
(Based upon 100% of Improvements)				
Year	Tax Year	Land	Improvement (structure)	Net
1	2009	\$1,230	(\$450)	\$780
2	2010	\$1,279	(\$450)	\$829
3	2011	\$1,330	(\$450)	\$880
4	2012	\$1,383	(\$450)	\$933
5	2013	\$1,438	(\$450)	\$988
6	2014	\$1,496	(\$450)	\$1,046
7	2015	\$1,556	(\$450)	\$1,106
8	2016	\$1,618	(\$450)	\$1,168
9	2017	\$1,683	(\$450)	\$1,233
10	2018	\$1,750	(\$450)	\$1,300
11	2019	\$1,820	(\$450)	\$1,370
12	2020	\$1,893	(\$450)	\$1,443
13	2021	\$1,969	(\$450)	\$1,519
14	2022	\$2,048	(\$450)	\$1,598
15	2023	\$2,130	(\$450)	\$1,680
<b>Total</b>		<b>\$24,623</b>	<b>(\$6,750)</b>	<b>\$17,873</b>

Projection based on latest rate (Tax Year 2008): \$.63875 per \$100 of taxable value

Assumes a 4% increase in land value each year. The tax exemption for the Improvement remains the same after the first year pursuant to the ordinance.



**REQUEST FOR COUNCIL ACTION**

**TO: Mayor via City Secretary**

**RCA #**

**SUBJECT:** An ordinance approving an Historic Site Tax Exemption for the property located at 4 Shadow Lawn Street, 77005.

**Category #**

**Page 1 of 1**

**Agenda Item#**

**26**

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

Michelle Mitchell, Director  
Finance Department

Marlene Gafrick, Director  
Planning and Development

**Origination Date**

November 13, 2008

**Agenda Date**

DEC 03 2008

**DIRECTOR'S SIGNATURE:**

*Michelle Mitchell* | *Marlene Gafrick*

**Council Districts affected:**

C

**For additional information contact:**

Tom Mesa  
Julia Gee

**Phone:** (713) 837-9857  
**Phone:** (713) 837-7828

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

Ordinance 2007-658, 12/6/2007;  
Designation Resolution 2008-24, 9/10/2008

**RECOMMENDATION: (Summary)**

That City Council adopt an ordinance approving an Historic Site Tax Exemption for the property located at 4 Shadow Lawn Street, 77005, which meets the relevant eligibility requirements of Section 44-5 of the Code of Ordinances.

**Amount of Funding:** No funding required

**Finance Budget:**

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

**SPECIFIC EXPLANATION:**

Section 44-5 of the Code of Ordinances authorizes City Council to grant tax relief in the form of an exemption for historic sites. The only statutory prerequisite to granting a historic site tax exemption is prior City Council designation of the property as a historic site. The property owner must then demonstrate to the Director of Finance that sufficient qualifying restoration and preservation expenditures were made within the time frames prescribed in the Ordinance, before the tax exemption is approved.

On September 2, 2008, a sworn application for a Historic Site Tax Exemption was submitted by the owner of the property located at 4 Shadow Lawn Street, 77005, which meets the criteria set out in the Code of Ordinances. The Restoration and Preservation (R&P) work began in 2003. The 2003 base year value of the historic structure was \$466,810 and the property owner spent in excess of \$614,000 to restore it, thus qualifying the owner for a 100% exemption on the improvements.

Based on HCAD's 2008 property valuation and the City's current property tax rate, the taxes foregone on the improvements are approximately \$3,924 the first year of the exemption and a total loss of approximately \$58,860 for the full 15-year period of the exemption (15 x \$3,924 = \$58,860).

Since the property has been designated as a historic site, it is recommended that City Council grant the property an exemption from ad valorem taxation.

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

**REQUIRED AUTHORIZATION**

**Finance Director:**

**Other Authorization:**

**Other Authorization:**

*Tom Mesa*

*Arturo Michel*

## 4 Shadow Lawn Street

### HISTORIC SITE TAX EXEMPTION 15 YEAR ANALYSIS

Initial Exemption Criteria				
2003 Values (base year)		R&P Expenditures	2008 Values	
Land	Structure		Land	Structure
\$414,000	\$466,810	\$614,380	\$721,200	\$614,356

Expenditures as % of Base Value                      132%

Maximum Exemption on Structure/Improvement, beginning TY2009

Projected Annual Tax Revenue Gain / (Loss)				
(Based upon 100% of Improvements)				
Year	Tax Year	Land	Improvement (structure)	Net
1	2009	\$4,607	(\$3,924)	\$683
2	2010	\$4,791	(\$3,924)	\$867
3	2011	\$4,983	(\$3,924)	\$1,059
4	2012	\$5,182	(\$3,924)	\$1,258
5	2013	\$5,389	(\$3,924)	\$1,465
6	2014	\$5,605	(\$3,924)	\$1,681
7	2015	\$5,829	(\$3,924)	\$1,905
8	2016	\$6,062	(\$3,924)	\$2,138
9	2017	\$6,304	(\$3,924)	\$2,380
10	2018	\$6,556	(\$3,924)	\$2,632
11	2019	\$6,818	(\$3,924)	\$2,894
12	2020	\$7,091	(\$3,924)	\$3,167
13	2021	\$7,375	(\$3,924)	\$3,451
14	2022	\$7,670	(\$3,924)	\$3,746
15	2023	\$7,977	(\$3,924)	\$4,053
<b>Total</b>		<b>\$92,239</b>	<b>(\$58,860)</b>	<b>\$33,379</b>

Projection based on latest rate (Tax Year 2008): \$.63875 per \$100 of taxable value

Assumes a 4% increase in land value each year. The tax exemption for the Improvement remains the same after the first year pursuant to the ordinance.



**REQUEST FOR COUNCIL ACTION**

**TO: Mayor via City Secretary** **RCA #**

<b>SUBJECT:</b> An ordinance approving an Historic Site Tax Exemption for the property located at 706 W. Sawyer Street, 77008.	<b>Category #</b>	<b>Page 1 of 1</b>	<b>Agenda Item#</b>  <span style="font-size: 2em; font-weight: bold;">27</span>
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<b>FROM: (Department or other point of origin):</b> Michelle Mitchell, Director Finance Department	Marlene Gafrick, Director Planning and Development	<b>Origination Date</b> November 13, 2008	<b>Agenda Date</b> DEC - 8 2008
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<b>DIRECTOR'S SIGNATURE:</b> 	<b>Council Districts affected:</b> H
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<b>For additional information contact:</b> Tom Mesa <span style="float: right;">Phone: (713) 837-9857</span> Julia Gee <span style="float: right;">Phone: (713) 837-7828</span>	<b>Date and identification of prior authorizing Council Action:</b> Ordinance 2007-658, 12/6/2007 Designation Resolution 2007-855, 8/1/2007
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**RECOMMENDATION: (Summary)**  
That City Council adopt an ordinance approving an Historic Site Tax Exemption for the property located at 706 W. Sawyer Street, 77008, which meets the relevant eligibility requirements of Section 44-5 of the Code of Ordinances.

<b>Amount of Funding:</b> No funding required	<b>Finance Budget:</b>
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**SOURCE OF FUNDING:**      General Fund      Grant Fund      Enterprise Fund      Other (Specify)

**SPECIFIC EXPLANATION:**  
Section 44-5 of the Code of Ordinances authorizes City Council to grant tax relief in the form of an exemption for historic sites. The only statutory prerequisite to granting a historic site tax exemption is prior City Council designation of the property as a historic site. The property owner must then demonstrate to the Director of Finance that sufficient qualifying restoration and preservation expenditures were made within the time frames prescribed in the Ordinance, before the tax exemption is approved.

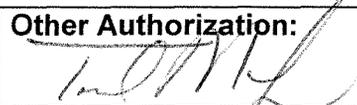
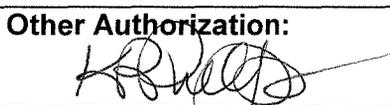
On July 11, 2008, a sworn application for a Historic Site Tax Exemption was submitted by the owner of the property located at 706 W. Sawyer Street, 77008, which meets the criteria set out in the Code of Ordinances. The Restoration and Preservation (R&P) work began in September 2007. The 2007 base year value of the historic structure was \$16,656 and the property owner spent in excess of \$103,000 to restore it, thus qualifying the owner for a 100% exemption on the improvements.

Based on HCAD's 2008 property valuation and the City's current property tax rate, the taxes foregone on the improvements are approximately \$731 the first year of the exemption and a total loss of approximately \$10,965 for the full 15-year period of the exemption (15 x \$731 = \$10,965).

Since the property has been designated as a historic site, it is recommended that City Council grant the property an exemption from ad valorem taxation.

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

**REQUIRED AUTHORIZATION**

<b>Finance Director:</b>	<b>Other Authorization:</b> 	<b>Other Authorization:</b> 
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## 706 W. Sawyer Street

### HISTORIC SITE TAX EXEMPTION 15 YEAR ANALYSIS

Initial Exemption Criteria				
2007 Values (base year)		R&P Expenditures	2008 Values	
Land	Structure		Land	Structure
\$62,146	\$16,656	\$103,936	\$93,218	\$114,500

Expenditures as % of Base Value                      624%

Maximum Exemption on Structure/Improvement, beginning TY2009

Projected Annual Tax Revenue Gain / (Loss)				
(Based upon 100% of Improvements)				
Year	Tax Year	Land	Improvement (structure)	Net
1	2009	\$595	(\$731)	(\$136)
2	2010	\$619	(\$731)	(\$112)
3	2011	\$644	(\$731)	(\$87)
4	2012	\$670	(\$731)	(\$61)
5	2013	\$697	(\$731)	(\$34)
6	2014	\$725	(\$731)	(\$6)
7	2015	\$754	(\$731)	\$23
8	2016	\$784	(\$731)	\$53
9	2017	\$815	(\$731)	\$84
10	2018	\$848	(\$731)	\$117
11	2019	\$882	(\$731)	\$151
12	2020	\$917	(\$731)	\$186
13	2021	\$954	(\$731)	\$223
14	2022	\$992	(\$731)	\$261
15	2023	\$1,032	(\$731)	\$301
<b>Total</b>		<b>\$11,928</b>	<b>(\$10,965)</b>	<b>\$963</b>

Projection based on latest rate (Tax Year 2008): \$.63875 per \$100 of taxable value

Assumes a 4% increase in land value each year. The tax exemption for the Improvement remains the same after the first year pursuant to the ordinance.



**REQUEST FOR COUNCIL ACTION**

**TO: Mayor via City Secretary**

**RCA #**

**SUBJECT:** An ordinance approving a Significant Historic Structure Tax Exemption for the property located at 310 Main Street, 77002.

**Category #**

**Page 1 of 1**

**Agenda Item#**

*28*

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

Michelle Mitchell, Director  
Finance Department

Marlene Gafrick, Director  
Planning and Development

**Origination Date**

November 13, 2008

**Agenda Date**

DEC 03 2008

**DIRECTOR'S SIGNATURE:**

*Michelle Mitchell Marlene Gafrick*

**Council Districts affected:**

1

**For additional information contact:**

Tom Mesa  
Julia Gee

**Phone:** (713) 837-9857

**Phone:** (713) 837-7828

**Date and identification of prior authorizing**

**Council Action:** Ordinance 2007-658, 12/6/2007  
Designation Resolution 2008-27, 10/8/2008

**RECOMMENDATION: (Summary)**

That City Council adopt an ordinance approving a Significant Historic Structure Tax Exemption for the property located at 310 Main Street, 77002, which meets the relevant eligibility requirements of Section 44-29 of the Code of Ordinances.

**Amount of Funding:** No funding required

**Finance Budget:**

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

**SPECIFIC EXPLANATION:**

Section 44-29 of the Code of Ordinances authorizes City Council to grant tax relief in the form of an exemption for significant historic structures. The only statutory prerequisite to granting a significant historic structure tax exemption is prior City Council designation of the property as a significant historic structure.

On October 24, 2008, a sworn application for a Historic Structure Tax Exemption was submitted by the owner of the property located at 310 Main Street, 77002, which meets the criteria set out in the Code of Ordinances.

Based on HCAD's 2008 property valuation and the City's current property tax rate, the taxes foregone on the property are approximately \$4,067 the first year of the exemption. The duration of the exemption and future foregone taxes shall be for the duration of compliance as a significant historic structure.

Since the property has been designated as a significant historic structure, it is recommended that City Council grant the property an exemption from ad valorem taxation.

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

**REQUIRED AUTHORIZATION**

**Finance Director:**

**Other Authorization:**

**Other Authorization:**

*Michelle Mitchell*

*Tom Mesa*

*Anna Russell*

<b>310 Main Street</b>
<b>SIGNIFICANT HISTORIC STRUCTURE TAX EXEMPTION ANALYSIS</b>

<b>Initial Exemption Criteria</b>		
<b>2008 Values</b>		
<b>Land</b>	<b>Structure</b>	<b>Total</b>
\$318,750	\$318,037	\$636,787

Maximum reduction of tax revenue allowed per year \$30,000  
 Maximum Exemption on Total Assessed Value, beginning TY2009 \$4,696,673

<b>Projected Annual Tax Revenue Loss</b>				
<b>(Based upon 100% exemption)</b>				
<b>Year</b>	<b>Tax Year</b>	<b>Land</b>	<b>Structure</b>	<b>Total</b>
1	2009	(\$2,036)	(\$2,031)	(\$4,067)
2	2010	(\$2,117)	(\$2,112)	(\$4,229)
3	2011	(\$2,202)	(\$2,196)	(\$4,398)
4	2012	(\$2,290)	(\$2,284)	(\$4,574)
5	2013	(\$2,382)	(\$2,375)	(\$4,757)
↓				
for the duration of compliance as a significant historic structure (in perpetuity)				

**Projection based on latest rate (Tax Year 2008): \$.63875 per \$100 of taxable value**

**Assumes a 4% increase in property value each year.**

05/15/2008

GRUBER

PASSPORT



**REQUEST FOR COUNCIL ACTION**

**TO: Mayor via City Secretary**

**RCA #**

**SUBJECT:** An ordinance approving a Significant Historic Structure Tax Exemption for the property located at 715 Franklin Avenue (also known as 120 Milam Street), 77002.

**Category #**

**Page 1 of 1**

**Agenda Item#**

*29*

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

Michelle Mitchell, Director  
Finance Department

Marlene Gafrick, Director  
Planning and Development

**Origination Date**

November 13, 2008

**Agenda Date**

DEC 03 2008

**DIRECTOR'S SIGNATURE:**

*Michelle Mitchell* | *Marlene Gafrick*

**Council Districts affected:**

1

**For additional information contact:**

Tom Mesa  
Julia Gee

**Phone:** (713) 837-9857  
**Phone:** (713) 837-7828

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

Ordinance 2007-658, 12/6/2007  
Designation Resolution 2006-5, 5/10/2006

**RECOMMENDATION: (Summary)**

That City Council adopt an ordinance approving a Significant Historic Structure Tax Exemption for the property located at 715 Franklin Avenue (also known as 120 Milam Street), 77002, which meets the relevant eligibility requirements of Section 44-29 of the Code of Ordinances.

**Amount of Funding:** No funding required

**Finance Budget:**

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

**SPECIFIC EXPLANATION:**

Section 44-29 of the Code of Ordinances authorizes City Council to grant tax relief in the form of an exemption for significant historic structures. The only statutory prerequisite to granting a significant historic structure tax exemption is prior City Council designation of the property as a significant historic structure.

On December 31, 2007, a sworn application for a Historic Structure Tax Exemption was submitted by the owner of the property located at 715 Franklin Avenue (also known as 120 Milam Street), 77002, which meets the criteria set out in the Code of Ordinances.

Based on HCAD's 2008 property valuation and the City's current property tax rate, the taxes foregone on the property are approximately \$7,026 the first year of the exemption. The duration of the exemption and future foregone taxes shall be for the duration of compliance as a significant historic structure.

Since the property has been designated as a significant historic structure, it is recommended that City Council grant the property an exemption from ad valorem taxation.

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

**REQUIRED AUTHORIZATION**

**Finance Director:**

**Other Authorization:**

**Other Authorization:**

*[Signatures]*

**715 Franklin Avenue  
(also known as 120 Milam Street)**

**SIGNIFICANT HISTORIC STRUCTURE  
TAX EXEMPTION ANALYSIS**

Initial Exemption Criteria		
2008 Values		
Land	Structure	Total
\$569,550	\$530,450	\$1,100,000

Maximum reduction of tax revenue allowed per year \$30,000  
 Maximum Exemption on Total Assessed Value, beginning TY2009 \$4,696,673

Projected Annual Tax Revenue Loss (Based upon 100% exemption)				
Year	Tax Year	Land	Structure	Total
1	2009	(\$3,638)	(\$3,388)	(\$7,026)
2	2010	(\$3,784)	(\$3,524)	(\$7,308)
3	2011	(\$3,935)	(\$3,665)	(\$7,600)
4	2012	(\$4,092)	(\$3,812)	(\$7,904)
5	2013	(\$4,256)	(\$3,964)	(\$8,220)
↓				
for the duration of compliance as a significant historic structure (in perpetuity)				

Projection based on latest rate (Tax Year 2008): \$.63875 per \$100 of taxable value

Assumes a 4% increase in value each year. The tax exemption for the Improvement remains the same after the first year pursuant to the ordinance.



**REQUEST FOR COUNCIL ACTION**

TO: Mayor via City Secretary

RCA# 8105

**Subject:** Ordinance to amend the Fire Classified Personnel Ordinance to add eight Engineer Operator positions, eight Firefighter positions and abolish the Classified Mechanic position per the terms of the 2005-2008 Collective Bargaining Agreement.

Category #  
3

Page 1 of 1

Agenda Item

**30**

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

Candy Clarke Aldridge  
Acting Director  
*Human Resources*

**Origination Date**

November 13, 2008

**Agenda Date**

DEC 03 2008

**DIRECTOR'S SIGNATURE**

*CC Aldridge*

**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)**

The Houston Fire Department recommends City Council approve an Ordinance amending the Fire Classified Personnel Ordinance to increase the number of Engineer Operator and Firefighter positions to staff new EMS transport units being placed in service. HFD further requests City Council approve the abolition of the Classified Mechanic position per the terms of the 2005-2008 CBA.

Funding for these positions was approved in the FY09 Budget.

**Finance Budget**

**SPECIFIC EXPLANATION:**

The Houston Fire Department requests City Council approve an Ordinance amending the Classified Personnel Ordinance to increase the number of Engineer Operators and Firefighter positions. HFD further requests City Council also approve the abolition of the position of Classified Mechanic per the terms of the 2005-2008 Collective Bargaining Agreement (CBA).

This request is consistent with our operational plan as presented in the FY09 Budget. We are increasing our Ambulance transport fleet by two transport units and require an expanded personnel roster to staff these units. We experience an average daily run volume throughout the City of 800 calls for service in a 24 hour period. Calls are not necessarily evenly distributed throughout the City. Some areas of town have a significantly higher demand for our service than others. Placing these units in service at this time will provide a more even distribution of call volume in a specific area and will potentially yield a small reduction in response times throughout the system.

Four Engineer Operators and four Firefighters will be assigned to Medic 47 to be located at 2615 Tidewater until completion of Station 24. Construction on Fire Station 24 is currently ongoing at 2000 Reed Rd, and is expected to be complete in early FY10. Once the new station is completed this unit is scheduled to move into the new station. Four Engineer Operators and four Firefighters will be assigned to Ambulance 67 located at 1616 W. Little York Rd.

Title	Present Positions	Amount Change	Proposed Total	FY09 Cost
Engineer/Operator	1034	8	1042	\$144,036
Firefighter	2114	8	2122	\$141,789

Note: Cost figures above include base pay, assignment pays and fringe benefits.

The Classified Mechanic position is vacant and there is not a current list or pending test to fill this vacancy as abolition of this position was agreed upon in the CBA. The individual occupying the last remaining Ordinance Classified Mechanic position has promoted to Shop Supervisor leaving a vacancy that can now be abolished per terms of the 2005-2008 CBA.

**REQUIRED AUTHORIZATION**

Finance Department:

*Michelle Mitchell*

Other Authorization:

*Dr. Bob NRP WFB*

Other Authorization:

<b>SUBJECT:</b> First Amendment to Lease Agreement with RMC 2004 Portfolio I, LP, and related entities, Landlord, for space at 50 Briar Hollow West, Suite 290, for the Employee Assistance Program of the Human Resources Department	<b>Page</b> 1 of 1	<b>Agenda Item</b>  31
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<b>FROM (Department or other point of origin):</b> General Services Department	<b>Origination Date</b> 11-20-08	<b>Agenda Date</b> DEC 03 2008
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<b>DIRECTOR'S SIGNATURE:</b> <i>Issa Z. Dadoush</i> 12/27/08 Issa Z. Dadoush, P.E.	<b>Council District affected:</b> G
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<b>For additional information contact:</b> Jacquelyn L. Nisby Phone: 832-393-8023	<b>Date and identification of prior authorizing Council action:</b> Ordinance No. 2007-0005; 01/03/07
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**RECOMMENDATION:** Approve and authorize First Amendment to Lease Agreement with RMC 2004 Portfolio I, LP, and related entities, Landlord, for space at 50 Briar Hollow West, Suite 290, for the Employee Assistance Program of the Human Resources Department and allocate funds.

<b>Amount and Source of Funding:</b> Health Benefits Fund (9000): \$171,265.60 Initial Base Term	<b>Finance Budget:</b>
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**SPECIFIC EXPLANATION:** The General Services Department recommends that City Council approve a First Amendment to Lease Agreement with RMC 2004 Portfolio I, LP, and related entities, Landlord, for 2,416 square feet of space at 50 Briar Hollow West, Suite 290, for the Employee Assistance Program (EAP) of the Human Resources Department.

EAP's current lease space at 1900 N. Loop West, Suite 480, suffered extensive roof damage as a result of Hurricane Ike. Therefore, the landlord and EAP desire to amend the lease to relocate EAP to a new location at 50 Briar Hollow West, Suite 290, and increase the square footage from 2,296 to 2,416.

The new lease term will commence three days after the leased premises are ready for occupancy, and expire April 28, 2012, in accordance with the original lease. The rental rate will remain the same at \$1.20 psf per month/\$14.38 psf per year. The monthly rental for the increased square footage is \$2,895.17.

The Landlord will cover all relocation expenses and will build-out the leased space to meet the requirements of EAP. The landlord will provide maintenance, janitorial services and utilities.

The original lease commenced on April 21, 2007. All other terms and conditions of the original lease remain the same during the initial lease term.

IZD:BC:JLN:RB:rdg

xc: Marty Stein, Jacquelyn L. Nisby, Anna Russell and Gerri Walker

**REQUIRED AUTHORIZATION**

CUIC ID# 25 RB 35

<b>General Services Department:</b>  <i>Forest R. Christy, Jr.</i> Forest R. Christy, Jr., Director Real Estate Division		<b>Human Resources Department:</b>  <i>Candy Aldridge</i> Candy Aldridge Acting Director
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<b>SUBJECT:</b> Amendment No. 2 – Lease Agreement between the City of Houston and Marathon Oil Company – George Bush Intercontinental Airport/Houston (IAH).	<b>Category #</b>	<b>Page</b> 1 of 2	<b>Agenda Item #</b> <b>32</b>
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<b>FROM (Department or other point of origin):</b> Houston Airport System	<b>Origination Date</b> November 10, 2008	<b>Agenda Date</b> DEC 03 2008
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<b>DIRECTOR'S SIGNATURE:</b> <i>[Handwritten Signature]</i>	<b>Council District affected:</b> B
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<b>For additional information contact:</b> Janet Schafer <i>[Handwritten Initials]</i> Phone: 281/233-1796 Lucy S. Ortiz	<b>Date and identification of prior authorizing Council action:</b> 11/09/77 (O) 77-2360; 12/06/83 (O) 83-1968; 03/31/99 (O) 99-289
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<b>AMOUNT &amp; SOURCE OF FUNDING:</b>  <b>REVENUE:</b> \$220,802.76 per year (\$18,400.23 monthly) <i>[Handwritten Initials]</i>	<b>Prior appropriations:</b> N/A
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**RECOMMENDATION: (Summary)**  
Enact an ordinance approving and authorizing the execution of Amendment No. 2 to a Lease Agreement between the City of Houston and Marathon Oil Company at George Bush Intercontinental Airport/Houston (IAH).

**SPECIFIC EXPLANATION:**

On November 9, 1977, the City approved a Lease Agreement with El Paso Natural Gas Company (EPNG) in which EPNG leased unimproved land at 17281 John F. Kennedy Blvd., at George Bush Intercontinental Airport (IAH) for the construction of a corporate aviation hangar facility. EPNG was required to make improvements to the leased premises, which EPNG subsequently made. On December 06, 1983, the City consented to the assignment of the Lease Agreement from EPNG to Gulf States Toyota, Inc. On March 31, 1999, the City amended the Lease Agreement to establish new rental rates for years 21 to 30 of the primary term of the Lease Agreement and to allow the Director to approve future assignments. On May 12, 1999, the Director consented to the assignment of the Lease Agreement from Gulf States Toyota, Inc. to Marathon Oil Company (Lessee). Lessee and the Director now request that the City establish the rental rates for Lessee's ten-year renewal option.

The pertinent terms and condition of this Amendment are as follows:

1. Term: The term remains unchanged, ending December 30, 2018.
2. Early Termination: Should Lessee elect to make major improvements to the Leased Premises and notifies the Director, Lessee may terminate the Lease Agreement early and the parties will coordinate negotiations of a new lease agreement.

REQUIRED AUTHORIZATION		
<b>Finance Department:</b>	<b>Other Authorization:</b>	<b>Other Authorization:</b>

<b>Date</b> November 10, 2008	<b>Subject:</b> Amendment No. 2 – Lease Agreement between the City of Houston and Marathon Oil Company – George Bush Intercontinental Airport/Houston (IAH).	<b>Originator's Initials</b>	<b>Page 2 of 2</b>
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3. Leased Premises: Effective on countersignature, the leased premises remain unchanged, approximately 279,000 square feet (approximately 6.405 acres) of improved land.
4. Rent: Based on appraisal, rent, effective on December 31, 2008, will be \$18,400.23 monthly. The rental amount will increase by 15 percent on December 31, 2013.
5. Use: Corporate Aviation.

All other terms and conditions of the Lease Agreement will remain in full force and effect.

RMV:lso

- cc: Ms. Marty Stein  
Mr. Anthony W. Hall, Jr.  
Mr. Arturo G. Michel  
Ms. Kathy Elek  
Mr. Aleks Mraovic  
Mr. Ian N. Wadsworth  
Mr. David K. Arthur  
Ms. Monica R. Newhouse  
Ms. Roxanne Butler  
Ms. Marlene McClinton  
Ms. Janet Schafer  
Mr. Charles Wall  
Ms. Mary Case  
Mr. Brian Rinehart  
Ms. Jan Clark

<b>SUBJECT:</b> A Municipal Setting Designation Ordinance prohibiting the use of designated groundwater for Houston Pavilions, L.P. for the Site located at 1210 San Jacinto Street. (MSD # 2008-007-HP)	<b>Page</b> 1 of 1	<b>Agenda Item #</b> 33
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<b>FROM (Department or other point of origin):</b> Department of Public Works and Engineering	<b>Origination Date</b> 11-21-08	<b>Agenda Date</b> DEC 03 2008
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<b>DIRECTOR'S SIGNATURE:</b>  Michael S. Marcotte, P.E., D.WRE, BCEE, Director	<b>Council District affected:</b> D
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<b>For additional information contact:</b> Carol A. Ellinger, P.E. Senior Assistant Director (713) 837-7658 Richard J. Chapin, Senior Project Manager (713) 837-0421	<b>Date and identification of prior authorizing Council action:</b> 8/22/2007 – 2007-0959 10/8/2008 – 2008-0756
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**RECOMMENDATION: (Summary)**  
It is recommended that City Council adopt a Municipal Setting Designation (MSD) Ordinance prohibiting the used of designated groundwater at the Houston Pavilions, L.P. site located at 1210 San Jacinto Street and supporting issuance of a MSD by the Texas Commission on Environmental Quality

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

**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. On August 22, 2007, City Council approved an Ordinance amending Chapter 47 of the Code of Ordinances by adding Article XIII relating to groundwater, which provides a process to support or not support a MSD application to the State. This Ordinance requires a written public notice be mailed to property owners within 2,500 feet of a proposed MSD and owners/operators of potable water wells within 5 miles of a proposed MSD. In addition, a public meeting and a public hearing are required to be held prior to City Council consideration of support.

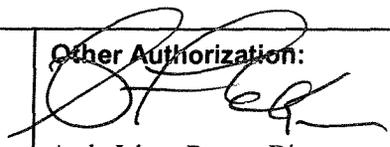
**HOUSTON PAVILIONS, L.P. APPLICATION:** Houston Pavilions, L.P. is seeking a MSD for 4-acres of land located at 1210 San Jacinto Street . The contamination consists of tetrachloroethene (PCE), trichloroethene (TCE), cis-1,2-dichloroethane (cis-1,2-DCE), and vinyl chloride (VC). In the 1950s the site had multi-use operations including auto repair and paint shops, and a printing shop. Recently the site was used for 24-hour parking. The source for the contamination is believed to be caused by historic operations at the site. In 2006, excavation of contaminated soil was performed and no further response actions are needed for soil. Since the soil removal action, the groundwater concentrations in the same area have significantly decreased. Affected groundwater is confined vertically to the shallow groundwater-bearing unit and shows indications of natural attenuation based on the presence of degradation compounds.

Houston Pavilions, L.P. is seeking a MSD for this property to restrict access to groundwater to protect the public against exposure to contaminants. There is a public drinking water supply system that meets state requirements that supplies or is capable of supplying drinking water to the MSD property and all properties within one-half mile of the MSD property. In addition, a public meeting (held on 9/24/2008 6:30:00 PM) and a public hearing (held on 11/19/2008) are required to be held prior to City Council consideration of support.

**RECOMMENDATIONS:** It is recommended that City Council adopt a Municipal Setting Designation Ordinance prohibiting the used of designated groundwater at the Houston Pavilions, L.P. site located at 1210 San Jacinto Street and supporting issuance of a MSD by the Texas Commission on Environmental Quality.

MSM:AFI:CAE  
P:\PLANNING BRANCH\MSD\DATABASE\GENERIC RCA - ORDINANCE SUPPORT.DOC  
C: Marty Stein, Waynette Chan, Gary Norman, Ceil Price

**REQUIRED AUTHORIZATION** **CUIC ID# 20CAE30**

<b>Other Authorization:</b>	<b>Other Authorization:</b>	<b>Other Authorization:</b>  Andy Icken, Deputy Director Planning & Development Services Division
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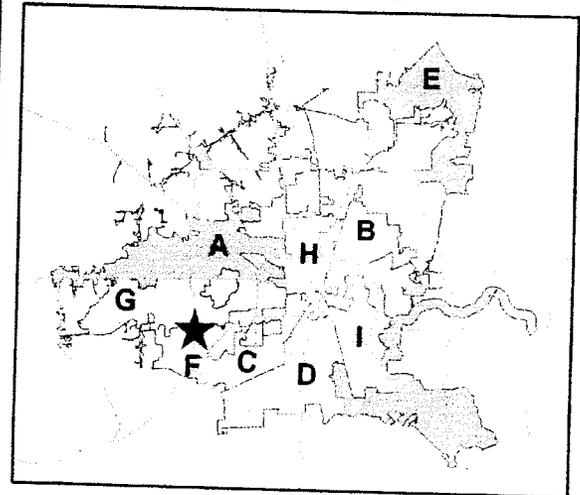
# Municipal Settings Designation Application

2008-007-HP  
Vicinity Map

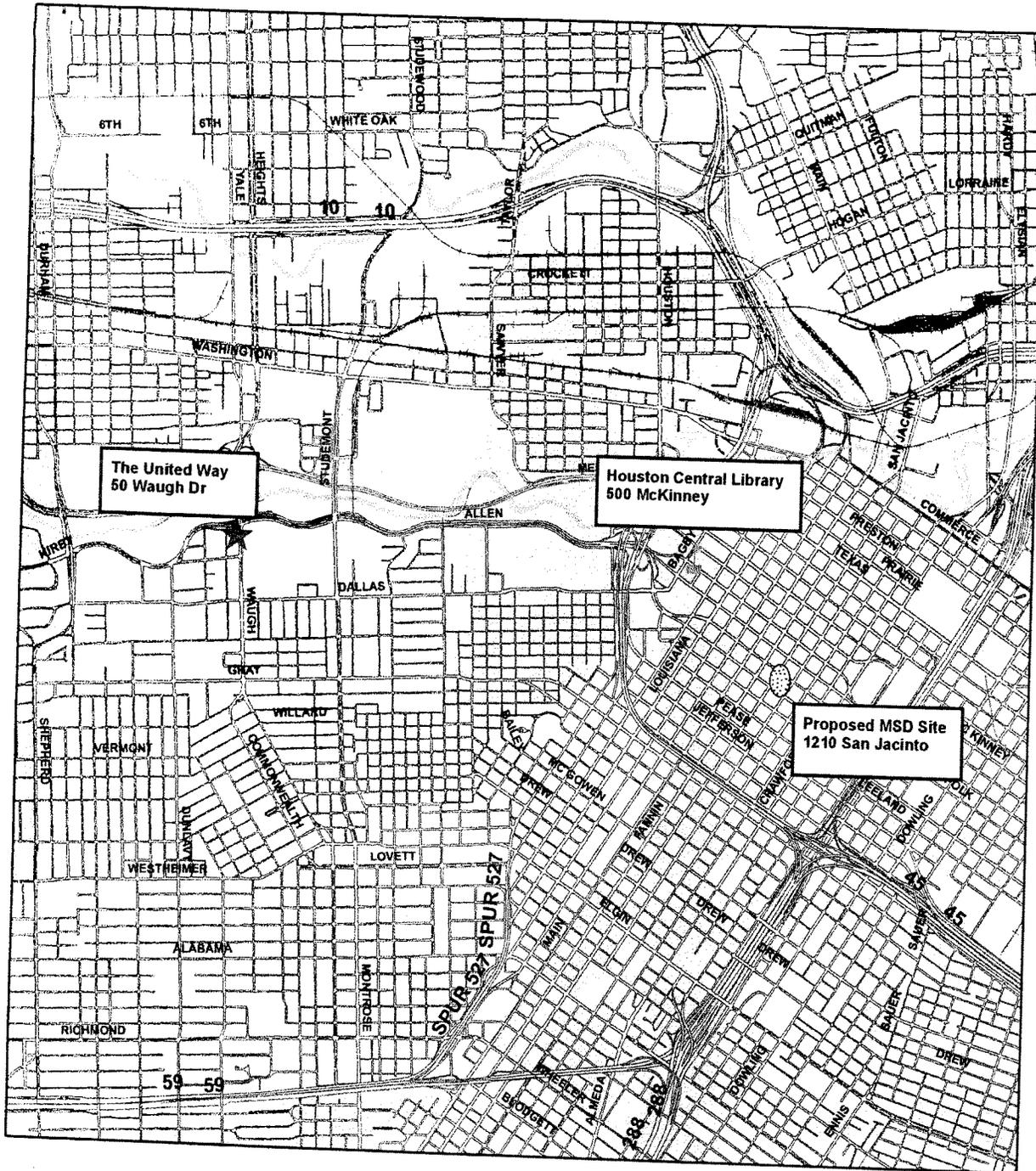
## Legend

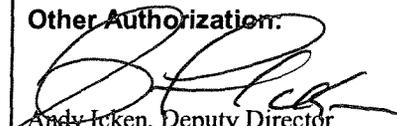
-  Railroad
-  Application Site Location
-  Waterways

## Locational Map



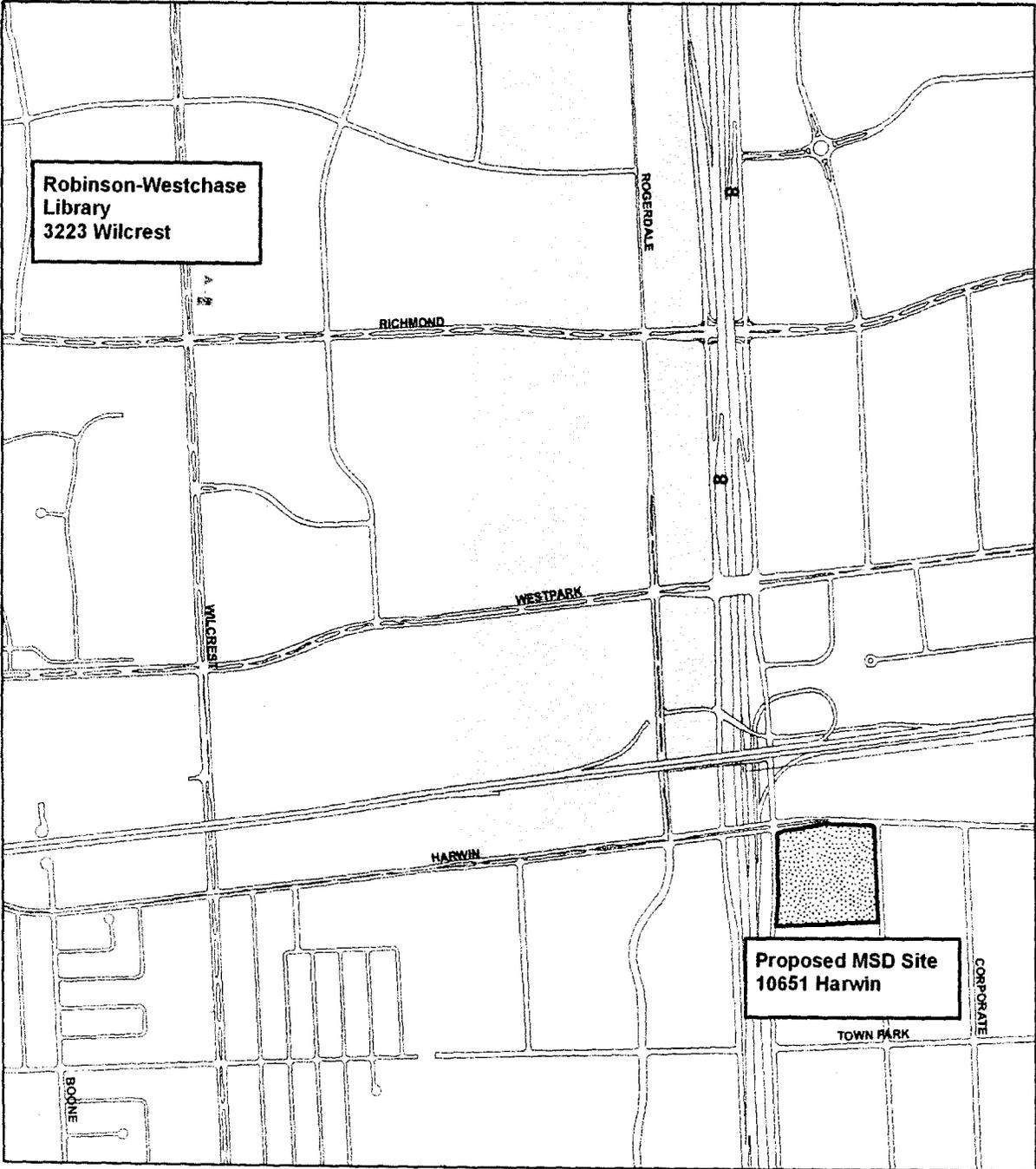
This map represents the best information available to the City. The City does not warrant its accuracy or completeness. Field verifications should be performed as necessary.



<b>SUBJECT:</b> A Municipal Setting Designation Ordinance prohibiting the use of designated groundwater for InSite West Belt. L.P. for the Site located at 10651 Harwin Drive. (MSD # 2008-006-WBBP)		<b>Page</b> 1 of 1	<b>Agenda Item</b> # 34
<b>FROM (Department or other point of origin):</b> Department of Public Works and Engineering		<b>Origination Date</b> 11-21-08	<b>Agenda Date</b> DEC 03 2008
<b>DIRECTOR'S SIGNATURE:</b>  Michael S. Marcotte, P.E., D.WRE, BCEE, Director		<b>Council District affected:</b> F	
<b>For additional information contact:</b> Carol A. Ellinger, P.E. Senior Assistant Director (713) 837-7658 Richard J. Chapin, Senior Project Manager (713) 837-0421		<b>Date and identification of prior authorizing Council action:</b> 8/22/2007 - 2007-0959 10/8/2008 - 2008-0757	
<b>RECOMMENDATION: (Summary)</b> It is recommended that City Council adopt a Municipal Setting Designation (MSD) Ordinance prohibiting the used of designated groundwater at the InSite West Belt. L.P. site located at 10651 Harwin Drive and supporting issuance of a MSD by the Texas Commission on Environmental Quality			
<b>Amount and Source of Funding:</b> N/A			
<b>BACKGROUND:</b> 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. On August 22, 2007, City Council approved an Ordinance amending Chapter 47 of the Code of Ordinances by adding Article XIII relating to groundwater, which provides a process to support or not support a MSD application to the State. This Ordinance requires a written public notice be mailed to property owners within 2,500 feet of a proposed MSD and owners/operators of potable water wells within 5 miles of a proposed MSD. In addition, a public meeting and a public hearing are required to be held prior to City Council consideration of support.			
<b>INSITE WEST BELT. L.P. APPLICATION:</b> InSite West Belt. L.P. is seeking a MSD for 15-acres of land located at 10651 Harwin Drive. The contamination consists of trichloroethene (TCE), 1,1-dichloroethane (1,1-DCE), vinyl chloride (VC), and 1,2-dichloroethane (1,2-DCA). The Site previously had manufacturing facilities that used chlorinated hydrocarbons as cleaning solvents. The manufacturing facilities have been removed and the site is currently used as a storage and distribution center. A site investigation performed in 2003 identified a variety of chlorinated hydrocarbons in groundwater. Subsequent investigations installed permanent monitoring wells in two shallow water bearing units on the Site to delineate the extent of impact. The groundwater impact has been horizontally delineated in all directions. The results of the groundwater monitoring confirm impacted groundwater has not migrated off-site and appears to be stable over the sampling history of the site.			
InSite West Belt. L.P. is seeking a MSD for this property to restrict access to groundwater to protect the public against exposure to contaminants. There is a public drinking water supply system that meets state requirements that supplies or is capable of supplying drinking water to the MSD property and all properties within one-half mile of the MSD property. In addition, a public meeting (held on 9/29/2008 6:00:00 PM) and a public hearing (held on 11/19/2008) are required to be held prior to City Council consideration of support.			
<b>RECOMMENDATIONS:</b> It is recommended that City Council adopt a Municipal Setting Designation Ordinance prohibiting the used of designated groundwater at the InSite West Belt. L.P. site located at 10651 Harwin Drive and supporting issuance of a MSD by the Texas Commission on Environmental Quality.			
MSM:AFI:CAE P:\PLANNING BRANCH\MSD\DATABASE\GENERIC RCA - ORDINANCE SUPPORT.DOC C: Marty Stein, Waynette Chan, Gary Norman, Ceil Price			
<b>REQUIRED AUTHORIZATION</b>		<b>CUIC ID# 20CAE29</b>	
<b>Other Authorization:</b>	<b>Other Authorization:</b>	<b>Other Authorization:</b>  Andy Icken, Deputy Director Planning & Development Services Division	

# Municipal Settings Designation Application

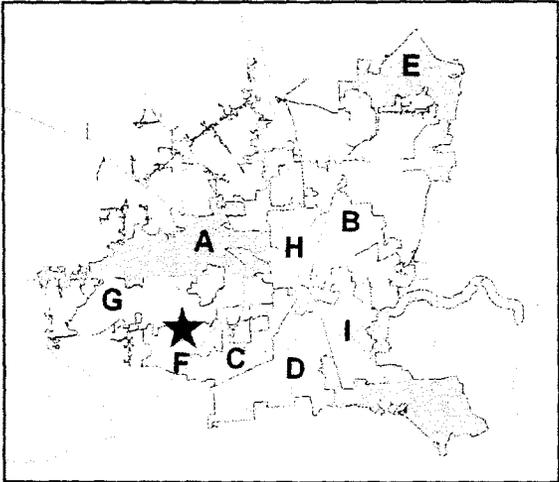
2008-006-WBBP  
Vicinity Map



### Legend

-  Railroad
-  Application Site Location
-  Waterways

### 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.

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

<b>SUBJECT:</b> An ordinance approving an Interlocal Agreement between the City of Houston and Harris County for the provision of services in support of the Ryan White HIV/AIDS Treatment Modernization Act of 2006 Special Projects of National Significance Program	<b>Category #</b> 9	<b>Page</b> 1 of 1	<b>Agenda Item #</b> 35
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<b>FROM (Department or other point of origin):</b> Houston Department of Health and Human Services	<b>Origination Date</b> 9/22/08	<b>Agenda Date</b> DEC 03 2008
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<b>DIRECTOR'S SIGNATURE:</b> 	<b>Council District affected:</b> ALL
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<b>For additional information contact:</b> Kathy Barton Telephone: 713-794-9998 ; 713-826-5801	<b>Date and identification of prior authorizing Council action:</b> 5-24-05; 05-0651, 10-11-06; 1039, 03-28-07; 07-0402
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**RECOMMENDATION: (Summary)**  
**Approval of an Interlocal Agreement between the City of Houston (City) and Harris County for the provision of services in support of the Ryan White HIV/AIDS Treatment Modernization Act of 2006 Special Projects of National Significance (SPNS) Program**

<b>Amount of Funding:</b> \$94,430.00 Federal State Local – Pass Through Fund (5030)	<b>Finance Department:</b>
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<b>SOURCE OF FUNDING:</b> <input type="checkbox"/> General Fund <input checked="" type="checkbox"/> Grant Fund <input type="checkbox"/> Enterprise Fund <input type="checkbox"/> Other ( Specify)
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**SPECIFIC EXPLANATION:**

The Houston Department of Health and Human Services (HDHHS) requests City Council to approve an ordinance authorizing an Interlocal Agreement between the City and Harris County for the provision of services in support of the Ryan White HIV/AIDS Treatment Modernization Act of 2006 Special Projects of National Significance Program to eligible seropositive young men of color who have sex with men (YCMSM).

The Harris County Interlocal Agreement regarding Ryan White Title I was first established in April of 2001 to fill a gap in linkage services determined to exist between clients receiving notification of their HIV status through post-test counseling and the clients receiving HIV services, more importantly, primary care and case management.

This interlocal agreement will support the development and evaluation of an innovative service model designed to reach HIV seropositive YCMSM not engaged in clinical care and to link them to appropriate clinical, supportive, and preventive services. The specific objectives of this initiative are to: 1) conduct outreach to assist seropositive YCMSM learn their HIV status; 2) link HIV-infected YCMSM with primary care services; and 3) prevent transmission of HIV infection from targeted clients. The following goals will be the major focus of the project during this grant year: 1) increase testing; 2) find persons in the target population who have known HIV infection but are not in care; and 3) retention and care.

Harris County will reimburse the City for a total cost of services of up to \$94,430.00 for the contract period of September 1, 2008 through August 31, 2009.

cc: Finance Department  
 Legal Department  
 Agenda Director

**REQUIRED AUTHORIZATION**

<b>Finance Department</b>	<b>Other Authorization:</b>	<b>Other Authorization:</b>
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<b>SUBJECT: An Ordinance authorizing an amendment to the Community Development Block Grant (CDBG) in the 2005 Consolidated Annual Plan</b>	<b>Category #</b>	<b>Page 1 of 2</b>	<b>Agenda Item #</b> <b>36</b>
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<b>FROM (Department or other point of origin):</b> Richard S. Celli, Director Housing and Community Development	<b>Origination Date</b> Nov. 17, 2008	<b>Agenda Date</b> DEC 03 2008
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<b>DIRECTOR'S SIGNATURE:</b> <i>Richard S. Celli</i>	<b>Council District affected:</b> ALL
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<b>For additional information contact:</b> Virginia Vinson Phone: 713-865-4206	<b>Date and identification of prior authorizing Council action:</b> Ordinance 2007-0082 Jan. 17, 2007
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**RECOMMENDATION: (Summary)**  
The Housing and Community Development Department recommends approval of an ordinance authorizing an amendment to the Community Development Block Grant (CDBG) in the 2005 Consolidated Annual Plan to fund a Business Stabilization Program for small business owners to provide interim operating assistance.

**Amount of Funding:** \$328,000.00  
**Finance Budget:** *Approved*

<b>SOURCE OF FUNDING</b>	<input type="checkbox"/> General Fund	<input checked="" type="checkbox"/> Grant Fund	<input type="checkbox"/> Enterprise Fund
<input type="checkbox"/> Other (Specify)	Community Development Block Grant (CDBG) Fund 5000		

**SPECIFIC EXPLANATION:**

The Housing and Community Development Department (HCDD) proposed to fund a Business Stabilization Program for small business owners that are either (1) located in low income communities that meet the HUD requirement for providing an "area-wide benefit" to residents and/or (2) qualifies as a micro-enterprise as established by HUD.

City Council approved funding via an amendment to the 2004 Consolidated Plan but HCDD did not allocate the funding of the business stabilization loan. An amendment of the 2005 Plan is required to comply with HUD requirements and 24 CFR 91.505 regarding amendments to the Consolidated Plan.

HCDD is requesting approval of an amendment to the Community Development Block Grant in the 2005 Consolidated Annual Plan to:

- Decrease public service by \$328,000
- Add Business Stabilization Loan program and fund it with \$328,000

<u>Required Action</u>	<u>Activity Project</u>	<u>Original Council District</u>	<u>Scope of Work</u>	<u>Cost</u>
Decrease	Public Services	All	Program costs for the Day Care Services Program	\$328,000
Add	Economic Development – Business Stabilization	All	Pilot Program to fund a Business Stabilization Program located in low and moderate income areas	\$328,000

**REQUIRED AUTHORIZATION**

<b>Finance Department Director:</b>	<b>Other Authorization:</b>	<b>Other Authorization:</b>
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<b>Date</b> Nov. 17, 2008	<b>Subject: An Ordinance authorizing an amendment to the Community Development Block Grant (CDBG) in the 2005 Consolidated Annual Plan</b>	<b>Originator's Initials</b> <i>PSH</i>	<b>Page</b> 2 of 2
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A summary of the program was published in the Houston Chronicle as stipulated by federal regulations and in compliance with the Citizen Participation Plan, residents were allowed 30 days to comment on the proposed program and amendment before it was presented for City Council approval. The thirty day period extended from Saturday, October 4, 2008 through Monday, November 3, 2008.

Approval of this ordinance is recommended.

CC: City Secretary  
Controller's Office  
Finance Department  
Legal Department  
Mayor's Office

To: Mayor Via City Secretary

REQUEST FOR COUNCIL ACTION

HCD08-120

<b>Subject:</b> An Ordinance Authorizing the Execution of a Contract Between the City of Houston and Houston SRO Housing Corporation for a HOPWA Community Residence.	<b>Category</b> 1,2	<b>Page 1 of 2</b>	<b>Agenda Item #</b>  37
<b>From (Department or other point of origin):</b> Richard S. Celli, Director Housing and Community Development Department	<b>Origination Date</b> 10/23/08	<b>Agenda Date</b> DEC 03 2008	
<b>Director's Signature:</b>  R. Celli	<b>Council District affected:</b>  District I		
<b>For additional information contact:</b> Keith Bynam Phone: 713.868.8396	<b>Date and Identification of prior authorizing Council action:</b>  NA		
<b>Recommendation: (Summary)</b> Approval of an ordinance authorizing the execution of a Contract between the City of Houston and the Houston SRO Housing Corporation to provide funding for the administration of a "SRO Community Residence " project under the Housing Opportunities for Persons with AIDS ("HOPWA") Program.			
<b>Amount of Funding:</b> \$153,452.00 \$76,726.00 First Year Grant \$76,726.00 Renewal Grant	<b>Finance Budget:</b>  [Signature]		
<b>Source of Funding</b> <input type="checkbox"/> General Fund <input checked="" type="checkbox"/> Grant Fund <input type="checkbox"/> Enterprise Fund  <input type="checkbox"/> Other (Specify)      Grant Funds (5000)      HOPWA			
<b>Specific Explanation:</b> The Housing and Community Development Department ("HCDD") recommends approval of a Contract between the City of Houston and Houston SRO Housing Corporation ("Houston SRO") to finance Houston SRO's operating costs associated with its HIV/AIDS program. This project provides permanent housing under the Housing Opportunities for Persons with AIDS Program.  Houston SRO's mission is to provide access to housing and supportive services for low-income individuals and families in the Greater Houston Area. Houston SRO is a subsidiary of The Housing Corporation of Greater Houston, Inc., which was formed in 1968 by then Mayor Louie Welch and the Chamber of Commerce. The Housing Corporation of Greater Houston has managed more than 1,400 apartment units and provided oversight of services at eight facilities housing low-income individuals. In 1998, Houston SRO Housing Corporation was created to meet the multiple, diverse needs of persons who are low-income or homeless.  Houston SRO currently manages the San Jacinto Apartments. Funds from the HOPWA program rehabilitated this project in 1998 for homeless veterans with HIV/AIDS. Located in Midtown, this facility provides permanent housing in efficiency apartments to 33 individuals and couples with HIV/AIDS. All participants are required to have an HIV Case Manager to assist residents in obtaining mainstream benefits, maintaining a healthy lifestyle and remaining compliant with the housing program. Houston SRO is requesting funding to support the housing operations at the project.			
<b>Required Authorization</b>			NDT
<b>Finance Director</b>  [Signature]	<b>Other Authorization</b>	<b>Other Authorization</b>	

**Date:**  
10/23/08

**Subject:**  
An Ordinance Authorizing the Execution of a Contract  
Between the City of Houston and Houston SRO Housing  
Corporation for a HOPWA Community Residence.

**Originator's  
Signature**  
*Ball*

**Page 2 of 2**

This agreement will provide up to \$153,452.00 in HOPWA funding for a one (1) year contract with a one (1) year renewal in order to provide the above-referenced services to a minimum of thirty-three (33) unduplicated, low-income HIV/AIDS individuals annually.

Total Funds and Sources: \$76,726 - HOPWA First Year Grant  
Number of Persons to be Served: 33 participants  
Number of Units Provided: 33 units  
Category of Persons: HIV/AIDS/Low-income

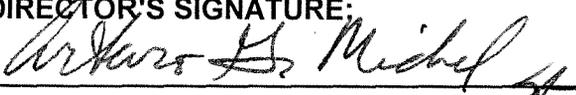
This contract will provide funding for the following HOPWA activities during a 12-month period.

Operating Costs	\$76,726.00
<b>Total</b>	<b>\$76,726.00</b>

Therefore, HCDD is requesting approval of a Contract providing up to \$153,452.00 in HOPWA funds, which sum includes a limitation of additional funding for \$76,726.00. Funds for the \$76,726.00 that cover the second year renewal option will be identified at the time of renewal.

RC:ab

**Cc: City Secretary  
Finance Department  
Legal Department  
Mayor's Office**

<b>SUBJECT:</b> That Council approve an ordinance authorizing a contract for professional litigation support services between the City of Houston and the Harrison Law Office, P.C.		<b>Category #</b> 1	<b>Page</b> 1 of 1	<b>Agenda Item #</b> 38
<b>FROM (Department or other point of origin):</b> Legal Department		<b>Origination Date</b>		<b>Agenda Date</b> DEC 03 2008
<b>DIRECTOR'S SIGNATURE:</b> 		<b>Council District affected:</b> All		
<b>For additional information contact:</b> Bertrand Pourteau Phone: 832.393.6456		<b>Date and identification of prior authorizing Council action:</b>		

**RECOMMENDATION: (Summary)**

That Council approve an ordinance authorizing a contract for professional litigation support services between the City of Houston and the Harrison Law Office, P.C.

<b>Amount and Source of Funding;</b> \$150,000.00 CIP Salary Recovery Fund No. 1001 <i>RC 11/18/08</i>	<b>Budget:</b>
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**SPECIFIC EXPLANATION:**

Several years ago, the City of Houston (the "City") contracted with Atser, L.P. ("Atser") to develop and deliver to the City a computer program to assist the Public Works & Engineering Department in managing the City's Capital Improvement Program and which became known as the "Capital Improvement Program Management System", or "CIPMS". Atser developed the program and delivered it to the Public Works & Engineering Department, but did not deliver the source code to the CIPMS to the City as it was required to do by the contract.

Atser has sued the City, alleging breach of contract and improper use of the CIPMS software. The Harrison Law Office has substantial expertise in intellectual property litigation involving software.

The City Attorney wishes to retain Harrison Law Office, P.C. to provide litigation support services to the Legal Department and therefore requests Council to approve an ordinance authorizing a contract with Harrison Law Office, P.C. for that purpose.

**REQUIRED AUTHORIZATION**

*90AH208*

<b>Finance Director:</b>	<b>Other Authorization:</b>	<b>Other Authorization:</b> 
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Director, Public Works & Engineering

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

<b>SUBJECT:</b> Disaster Debris Management Contract for Hurricane Ike with Beck Disaster Recovery, Inc. (BDR)	<b>Category</b>	<b>Page</b> 1 of 2	<b>Agenda Item #</b> 39
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<b>FROM</b> Department of Solid Waste Management	<b>Origination Date</b> November 18, 2008	<b>Agenda Date</b> DEC 03 2008
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<b>DIRECTOR'S SIGNATURE:</b> Harry J. Hayes <i>Harry J. Hayes</i>	<b>Council District affected:</b> ALL
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<b>For additional information contact:</b> Harry J. Hayes Phone: 713-837-9103	<b>Date and identification of prior authorizing Council action:</b> Ord. 207-883, 08/01/07; Ord. 2008-827, 09/17/08
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**RECOMMENDATION: (Summary)**

Adopt ordinance amending Ord. No. 2008-827 to increase the maximum contract amount for debris management contract with Beck Disaster Recovery, Inc. from \$15,000,000 to \$35,000,000

<b>Amount of Funding:</b> \$20,000,000	<b>Finance Budget:</b> <i>Michelle Mike Bell</i>
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<b>SOURCE OF FUNDING:</b>	<input type="checkbox"/> General Fund	<input type="checkbox"/> Grant Fund	<input type="checkbox"/> Enterprise Fund
<input checked="" type="checkbox"/> Other (Specify)	Hurricane Ike Aid and Recovery Fund (5206)		

**SPECIFIC EXPLANATION:**

The subject contract with Beck Disaster Recovery, Inc. (BDR) was approved by City Council on August 1, 2007, for the purpose of managing storm debris cleanup operations, should the need arise. BDR was selected as the result of an RFP process. On September 17, 2008, four days after Hurricane Ike hit Houston, Council adopted Ordinance 2008-827, which established a maximum contract amount of \$15,000,000 for management of the Ike debris cleanup. BDR's scope of services includes field inspection and monitoring of storm debris loading, transport and disposal. It includes managing and directing hauling contractors, executing, collecting, processing and correlating load tickets to invoices for proper payment. BDR prepares all payment documentation, verifies invoices against load tickets, performs liaison duties with FEMA and other government agencies, measures and validates loading and transport equipment used by contract haulers and in effect, manages the day-to-day activities of the debris cleanup operation.

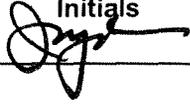
From the inception of the debris management effort it was the City's strategy to place overriding emphasis on cleaning up the debris fast. Both BDR and the hauling contractor, DRC, were instructed to gather all of the resources they could, as fast as they could. Accordingly, just thirteen days after commencement of field operations, the contractors were collecting over 200,000 cubic yards of debris daily – this is unprecedented in FEMA annals.

To operate at this speed and keep up with FEMA documentation required an immense ramp-up of resources not originally thought practical. Original plans called for an operation yielding 100,000 yards daily with a maximum of about five hundred vehicles in the field and six debris management sites. Instead, at its peak, over 2,400 vehicles were in city streets and twelve debris sites were in operation. This required BDR to reinforce its originally planned work force of 400 field personnel to about 1,000 and beef up its administrative staff to ensure FEMA documentation requirements were met.

Although the cost of the BDR contract is higher than estimated, the overall effect is beneficial. Because of the speed of the collection effort, about 90% of all waste collected to date is within the 100% cost reimbursement period FEMA designated. To date 75% of BDR costs are expected to be within the 100% FEMA reimbursement period. This percentage may increase pending future invoices. Due to the speed of this historic debris clearing operation, city costs are reduced because more than 90% of all major debris clearing completed to date has occurred within the 100% FEMA reimbursement period. Estimates show a \$4 - \$6 million dollar reduction in the city "20%" share of costs with FEMA after October 27, 2008.

**REQUIRED AUTHORIZATION**

<b>Finance Director:</b>	<b>Other Authorization:</b>	<b>Other Authorization:</b>
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<b>Date:</b> 11-18-08	<b>Subject:</b> Disaster Debris Management Contract for Hurricane Ike	<b>Originator's Initials</b> 	<b>Page</b> _ 2 _ of _ 2 _
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F&A 011.C REV. 1/92  
7530-0100402-00

The proposed increase to BDR's maximum contract amount will help ensure that the city maximizes FEMA reimbursement for ongoing debris clean-up, which otherwise could become a strain on the City's heavy trash removal resources. This request for a higher ceiling ensures that the department and city have the appropriate and necessary FEMA documentation covered for work yet to be fully implemented in the city's hundreds of parks and with an unknown quantity of debris which may appear at the public right-of-way once thousands of citizens begin to start work on households that were damaged and currently "blue tarped". Debris volumes and the need to document such debris may rise quickly and immediately should residents resolve their personal "blue tarp" insurance/FEMA issues.

**Current MWDBE participation percentages are as follows: BDR (Goal 11%): 14.71%      DRC (Goal 19%): 33.76%**

**REQUEST FOR COUNCIL ACTION**

TO: Mayor via City Secretary

RCA# 8139

Subject: Approval of an Ordinance to appropriate \$517,364.62 from the FY09 Equipment Acquisition Fund (Fund 1800) for the purchase of bunker gear for the Houston Fire Department

Category #  
1

Page 1 of 1

Agenda Item

40

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

Phil Boriskie  
Fire Chief  
Fire

**Origination Date**

November 19, 2008

**Agenda Date**

DEC 03 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)**

Approval of an Ordinance to appropriate \$517,364.62 from the FY09 Equipment Acquisition Fund (Fund 1800) for the purchase of bunker gear for the Houston Fire Department.

\$517,364.62  
FY09 Equipment Acquisition Funds (Fund 1800)

**Finance Budget**

*Mitchell Mitchell*

**SPECIFIC EXPLANATION:**

The Fire Chief requests City Council approve an Ordinance for the appropriation of \$517,364.62 from the FY09 Equipment Acquisition Fund (Fund 1800) for the purchase of bunker gear from the City's existing contract (C52538) with Lion Apparel.

The department purchases bunker gear as needed throughout the year to clothe all classified employees involved in fire suppression operations. Lion apparel is the current contract vendor that manufactures firefighting coats and pants specific to HFD requirements that exceed NFPA 1971 "Structural and Proximity Firefighting gear" minimum standards. Bunker gear is worn to protect personnel from the extremes of firefighting environments. It enables them to enter areas to affect rescue and fire suppression operations. One sixth of all bunker gear is replaced each year as part of a scheduled replacement strategy to maximize safety.

Funds to be appropriated are a line item in the approved FY09 Equipment Acquisition Plan.

**REQUIRED AUTHORIZATION**

Finance Department:

Other Authorization:

*[Handwritten signatures]*

Other Authorization:

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

R

<b>SUBJECT:</b> Amending Ordinance No. 2008-0921 to correct a clerical error to reallocate funds for professional architectural services for the Renovation and Expansion of Fifth Ward Multi-Service Center WBS No. H-000054-0001-4	<b>Page</b> 1 of 2	<b>Agenda Item</b> 41
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<b>FROM (Department or other point of origin):</b> General Services Department	<b>Origination Date</b> 11-19-08	<b>Agenda Date</b> DEC 03 2008
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<b>DIRECTOR'S SIGNATURE:</b> Issa Z. Dadoush, P.E. <i>Issa Z. Dadoush</i> 11/20/08	<b>Council District affected:</b> B
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<b>For additional information contact:</b> Jacquelyn L. Nisby <i>J. Nisby</i> Phone: (832) 393-8023	<b>Date and identification of prior authorizing Council action:</b> Ordinance 2008-0921, dated October 15, 2008
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**RECOMMENDATION:** Approve an Ordinance amending Ordinance No. 2008-0921 (passed October 15, 2008) to correct a clerical error to include professional architectural services for the Renovation and Expansion of Fifth Ward Multi-Service Center.

<b>Amount and Source of Funding:</b> N/A	<b>Finance Budget:</b>
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**SPECIFIC EXPLANATION:** On October 15, 2008, Ordinance No. 2008-0921, City Council approved a Second Amendment to the construction contract with Times Construction, Inc. and appropriated \$730,000.00 for construction services. The Ordinance should have included professional architectural services and split the appropriation between construction services and professional architectural services. The proposed amendment will correct the error and reallocate \$80,100.00 to the existing professional architectural services contract with Charles D. Gooden Consulting Engineers, Inc., and \$649,900.00 to the construction contract with Times Construction, Inc.

The additional design services are necessary due to the increased scope of work resulting from mold, slab failures, roof repairs and replacement of the interior and exterior walls. The architect will provide additional services to include redesign and analysis, altering existing drawings, re-permitting of the drawings and continued construction administration and construction management services as required to complete the project.

**PROJECT LOCATION:** 4014 Market Street (494F)

IZD:HB:JLN:MCP:KTH:kth

c : Marty Stein, Jacquelyn L. Nisby, Webb Mitchell, Velma Laws, Siria Harbour, Kim Nguyen, Celina Ridge, File

<b>REQUIRED AUTHORIZATION</b>		CUIC ID # 25CONS76
<b>General Services Department:</b>  <i>Humberto Bautista</i> Humberto Bautista Chief of Design and Construction Division		

<b>SUBJECT:</b> Award Construction Manager at Risk Contract J. E. Dunn South Central, Inc. Right-of-Way and Fleet Maintenance Facilities Expansion WBS No.N-00653C-0001-4	<b>Page</b> 1 of 2	<b>Agenda Item</b> 42
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<b>FROM (Department or other point of origin):</b> General Services Department	<b>Origination Date</b> 11-07-08	<b>Agenda Date</b> DEC 03 2008
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<b>DIRECTOR'S SIGNATURE:</b> Issa Z. Dadoush, P. E. <i>[Signature]</i>	<b>Council District(s) affected:</b> H, I
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<b>For additional information contact:</b> Jacquelyn L. Nisby <i>[Signature]</i> Phone: 832.393.8023	<b>Date and identification of prior authorizing Council action:</b> Motion No. 2008-0313; May 7, 2008
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**RECOMMENDATION:** Award Construction Manager at Risk contract and appropriate funds for the project.

<b>Amount and Source of Funding:</b> \$269,750.00 Street & Bridge Consolidated Construction Fund (4506)	<b>Finance Budget:</b> <i>[Signature]</i>
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**SPECIFIC EXPLANATION:** The General Services Department (GSD) recommends that City Council award a Construction Manager at Risk Contract (CMAR) to J. E. Dunn South Central, Inc., to provide pre-construction and construction phase services for the Right-of-Way and Fleet Maintenance Facilities for the Department of Public Works & Engineering. The requested appropriation will fund pre-construction phase services. City Council will be requested to appropriate funds for construction phase services under a separate Council action.

On May 7, 2008, City Council approved a Motion determining the CMAR method to be the best value for this project because the contractor's input during design will produce more accurate budget estimates and enhance the quality of design.

On June 13, 2008 and June 20, 2008, GSD advertised a Request for Qualifications containing selection criteria that ranked the respondents on experience, technical approach and its quality assurance program. The Statements of Qualifications were due on July 03, 2008, and six firms responded. GSD evaluated the respondents and short-listed the two highest ranked firms to submit proposals: Teal Construction and J. E. Dunn South Central, Inc. J. E. Dunn South Central, Inc., presented the lowest pre-construction and construction phase fees and offers the best value to the City based on the advertised criteria.

**PROJECT LOCATIONS:**

100 Japhet	Key Map (494L)	District H
5500 McCarty	Key Map (455Y)	District I
1700 E. Crosstimbers	Key Map (454J)	District H

**REQUIRED AUTHORIZATION**

CUIC ID # 25CONS75

<b>General Services Department:</b>  <i>[Signature]</i> Humberto Bautista Chief of Design & Construction Division	<b>Department of Public Works &amp; Engineering:</b>  <i>[Signature]</i> Michael S. Marcotte, P.E. DEE Director
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<b>Date</b>	<b>SUBJECT:</b> Award Construction Manager at Risk Contract J. E. Dunn South Central, Inc. Right-of-Way and Fleet Maintenance Facilities Expansion WBS No.N-00653C-0001-4	<b>Originator's Initials</b> AWP	<b>Page</b> 2 of 2
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**PROJECT DESCRIPTION:** The construction manager will provide pre-construction services during the design phase, which includes budgetary estimating, constructability reviews and material selection. The scope of work consists of renovating and expanding PWE's three existing fleet maintenance facilities to include heavy and light duty maintenance shop bays, as well as various support functions including fueling, administration, welding, car wash, and Emergency Response Center.

The project will utilize the Leadership in Energy & Environmental Design (LEED™) Green Building Rating System for New Construction & Major Renovations (LEED-NC) Version 2.2, developed by the U.S. Green Building Council, to improve occupant well-being, environmental performance and economic return of the facility.

**AWARD:** It is recommended that City Council award a CMAR Contract to J. E. Dunn South Central, Inc. and appropriate funds for pre-construction phase services.

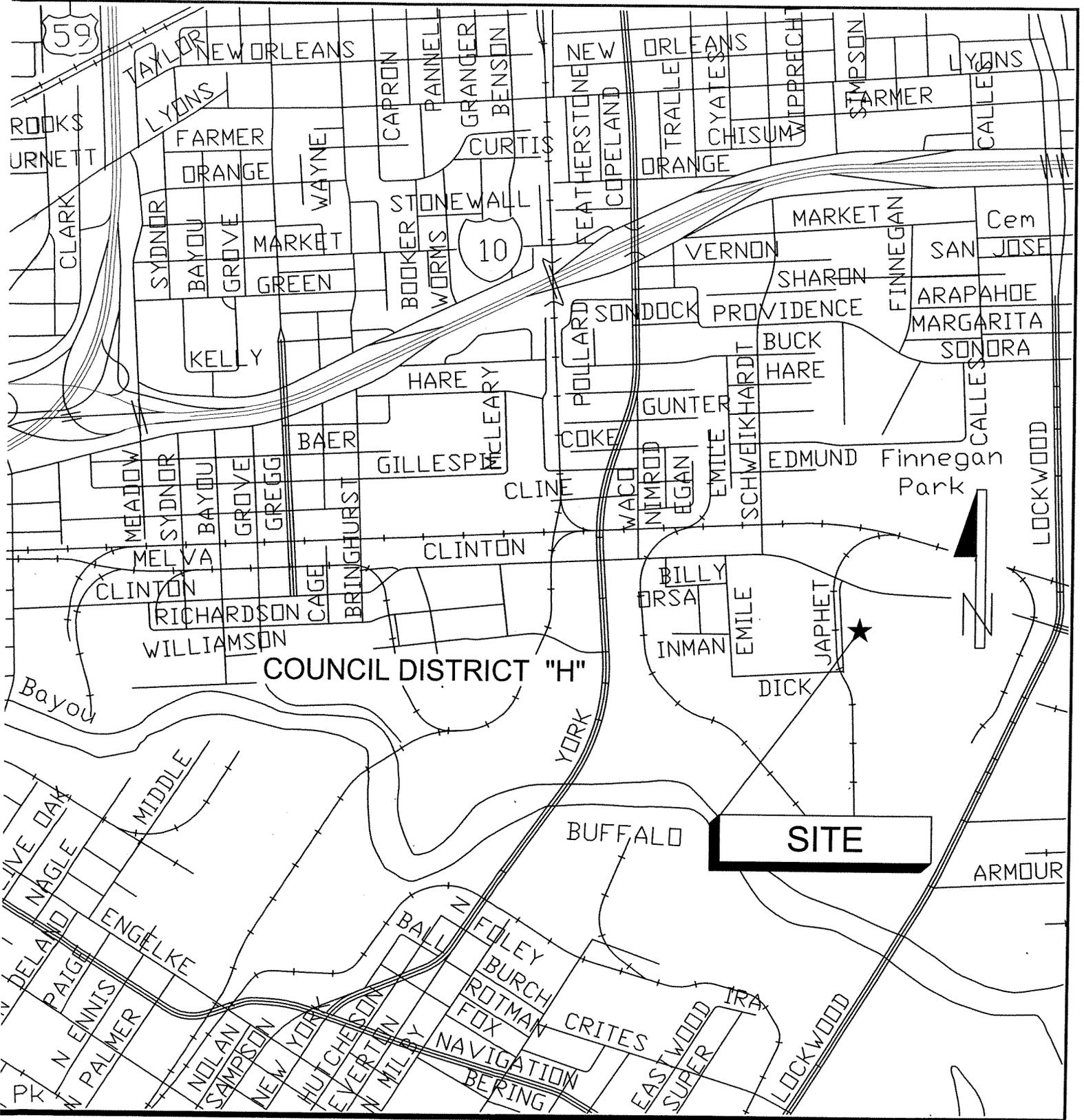
**FUNDING SUMMARY:**

\$ 99,750.00	Pre-Construction Services
\$ 20,000.00	Pre-Construction Phase Additional Services and Reimbursable Expenses
\$ 150,000.00	* Termination Fee
<b>\$ 269,750.00</b>	<b>Total Contract Services</b>

\* The contract provides for a Termination Fee of \$150,000.00. The termination fee is to be paid to the construction manager if the City elects not to proceed with construction at any location.

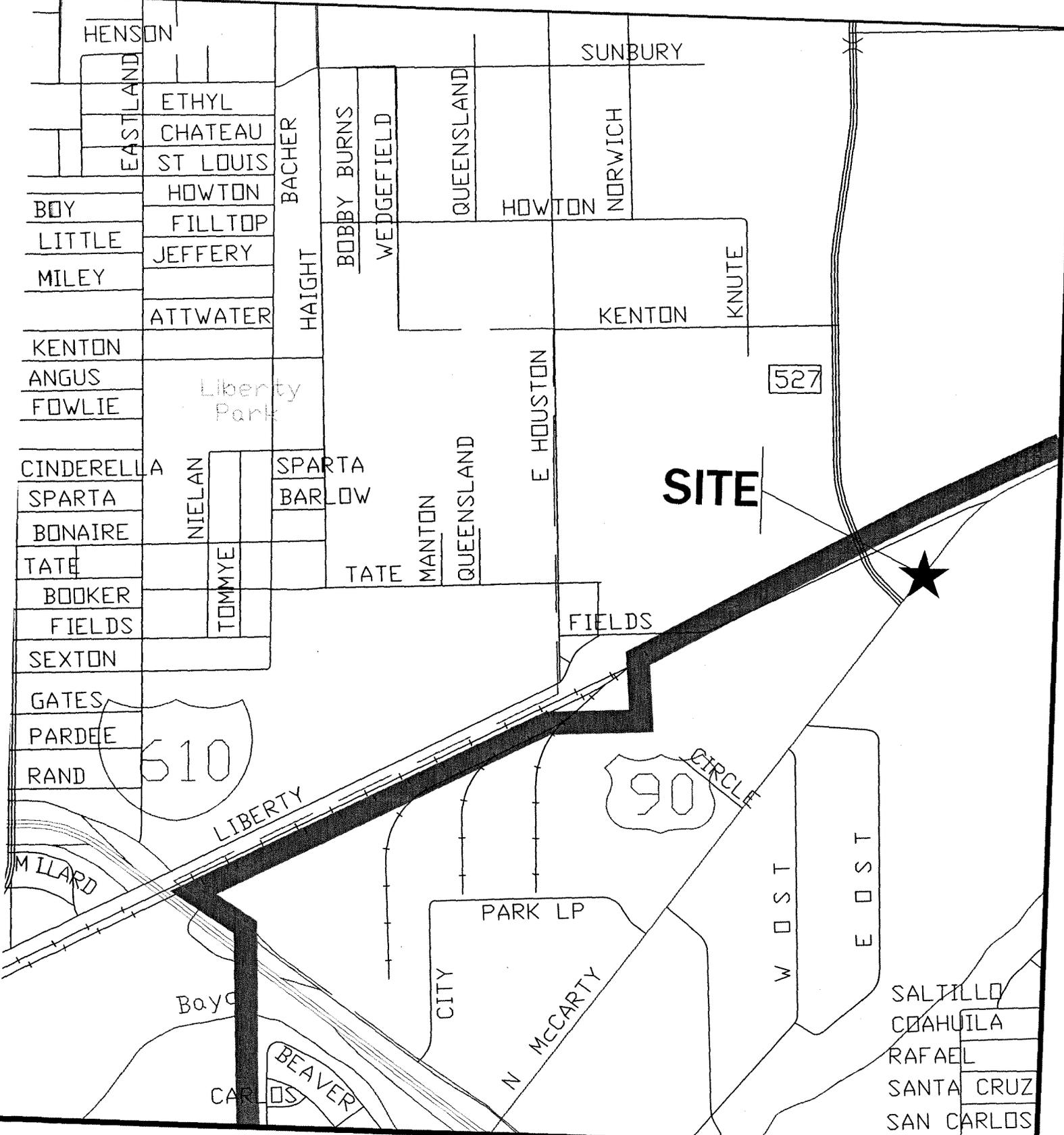
  
IZD:HB:JLN:MCP:AWP:awp

c: Marty Stein, Jacquelyn L. Nisby, Gary Norman, Webb Mitchell, File



Right-of-Way and Fleet Maintenance Facilities Expansion

100 JAPHET  
HOUSTON, TX 77020

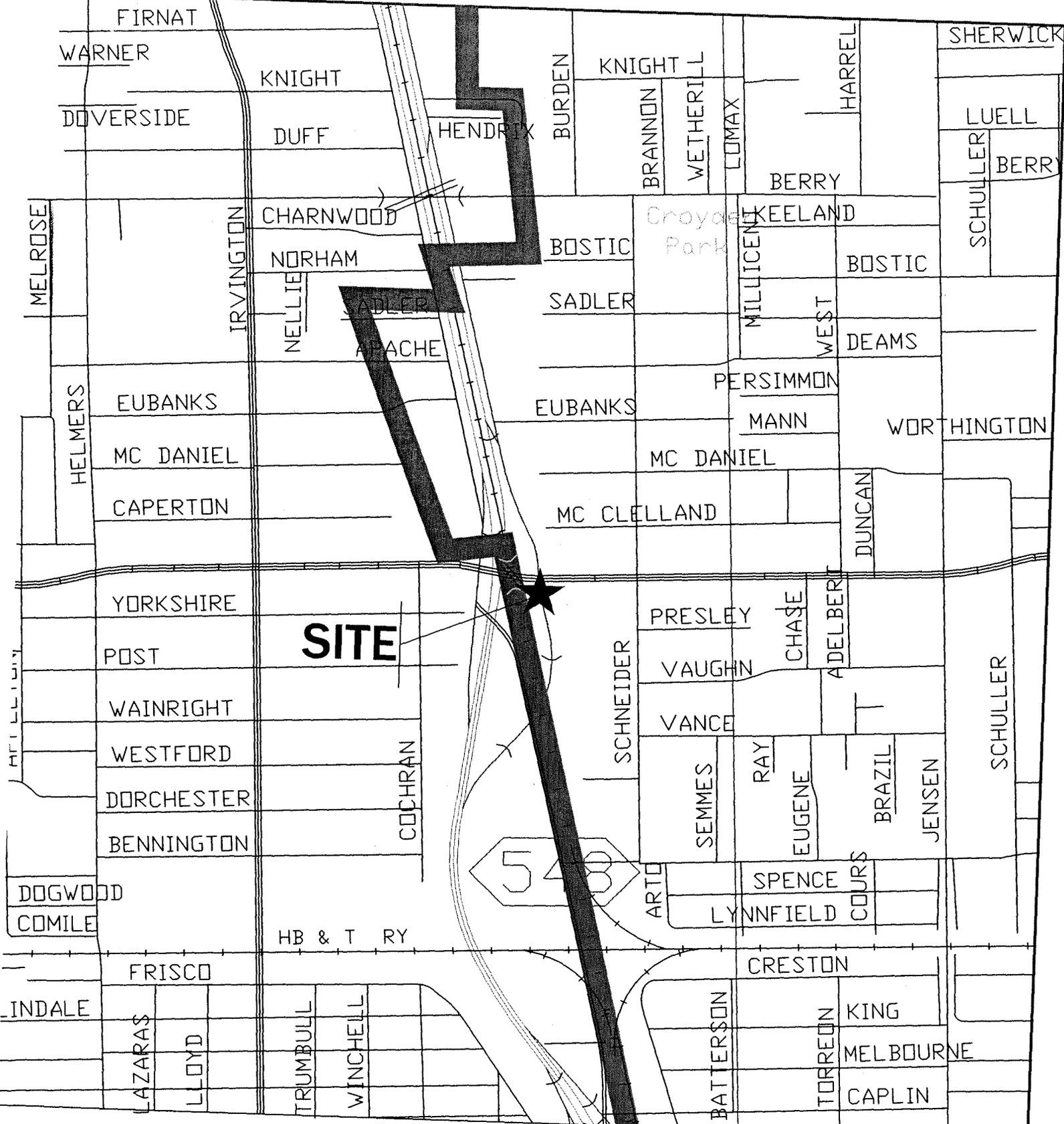


**Right-of-Way and Fleet Maintenance Facilities Expansion**

5500 McCARTY  
HOUSTON, TX 77013

COUNCIL DISTRICT "I"

KEY MAP NO. 455Y



Right-of-Way and Fleet Maintenance Facilities Expansion  
 1700 E. CROSSTIMBERS  
 HOUSTON, TX 77093

COUNCIL DISTRICT "H"

KEYMAP No. 454J

<b>SUBJECT:</b> Appropriate Funds BL Technology, Inc. for CCTV and Access Control Equipment and Installation for the Jesse H. Jones Central Library and Julia Ideson Building WBS No. E-000SEC-0001-4	<b>Page</b> 1 of 1	<b>Agenda Item</b>  <div style="text-align: right; font-size: 2em; font-weight: bold;">43</div>
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<b>FROM (Department or other point of origin):</b> General Services Department	<b>Origination Date</b> 11-20-08	<b>Agenda Date</b> DEC - 3 2008
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<b>DIRECTOR'S SIGNATURE</b> Issa Z. Dadoush, P.E. <i>Issa Dadoush</i>	<b>Council District(s) affected:  </b>
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<b>For additional information contact:</b> Jacquelyn L. Nisby <i>JLN</i> Phone: (832) 393-8023	<b>Date and identification of prior authorizing Council action:</b> Ordinance No. 2007-972; August 29, 2007
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**RECOMMENDATION:** Appropriate funds for the project.

<b>Amount and Source Of Funding:</b> \$200,000.00 Public Library Consolidated Construction Fund (4507)	<b>Finance Budget:</b> <i>Douglas Beck</i>
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**SPECIFIC DESCRIPTION:** The General Services Department recommends that City Council appropriate \$200,000.00 to the existing citywide contract with BL Technology, Inc. to furnish and install CCTV and access control security equipment at the Jesse H. Jones Central Library and Julia Ideson Building.

**PROJECT LOCATION:** 500 McKinney (Key Map 493L)

**PROJECT DESCRIPTION:** The project consists of the purchase and installation of CCTV and access control equipment to provide security for the Jesse H. Jones Central Library and Julia Ideson Building.

**PREVIOUS HISTORY AND PROJECT SCOPE:** On August 29, 2007, Ordinance No. 2007-972, City Council awarded a five-year work-order contract to BL Technology, Inc., in an amount not to exceed \$16,259,339, for the installation and repair of security systems citywide. The contract is funded through various appropriations/allocations for security system installation and repair services. To date, \$905,635.00 has been expended on the contract.

**MWE INFORMATION:** The contract contains an 11% M/WBE goal. Currently, BL Technology, Inc. has achieved 9.08% M/WBE participation.

IZD:JLN:TLE:pc  
 c: Marty Stein, Webb Mitchell, Thomas L. Edwards, Jacquelyn L. Nisby, File

**REQUIRED AUTHORIZATION** NOT

<b>General Services Department:</b> <div style="text-align: center;"><i>Thomas L. Edwards</i></div> Thomas L. Edwards Chief of Security Management Division	<b>Houston Public Library:</b> <div style="text-align: center;"><i>Rhea Brown Lawson</i></div> Rhea Brown Lawson, Ph.D. Director
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TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

<b>SUBJECT:</b> Appropriate Funds for the purchase of Security System Equipment, Computers and Telephones for the New HPD Property Room for the Houston Police Department WBS No. G-000101-0002-5	<b>Page</b> 1 of 1	<b>Agenda Item</b> <b>44</b>
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<b>FROM (Department or other point of origin):</b> General Services Department	<b>Origination Date</b> 11-20-08	<b>Agenda Date</b> DEC - 3 2008
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<b>DIRECTOR'S SIGNATURE:</b> Issa Z. Dadoush, P.E. <i>Issa Dadoush</i>	<b>Council District(s) affected:</b> All
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<b>For additional information contact:</b> Jacquelyn L. Nisby <i>JLN</i> Phone: 832-393-8023	<b>Date and identification of prior authorizing Council action:</b>
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**RECOMMENDATION:** Approve purchase of security system equipment, computers and telephones for the Houston Police Department and appropriate funds.

<b>Amount and Source Of Funding:</b> \$337,108.93 Police Consolidated Construction Fund (4504)	<b>Finance Budget:</b> <i>Michelle Mitchell</i>
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**SPECIFIC EXPLANATION:** The General Services Department recommends that City Council appropriate \$337,108.93 to purchase security system equipment, computers and telephones for the new HPD Property Room. The security system equipment in the amount of \$262,778.40 will be purchased from the existing citywide security contract with BL Technology, Inc. The computers and telephones will be purchased from various vendors through the Texas Department of Information Resources (DIR) contract in amounts of \$50,000 or less.

The following is a breakout of expected expenditures:

\$ 262,778.40	Security System Equipment
\$ 74,330.53	Computers and Telephones
<b>\$ 337,108.93</b>	<b>Total Appropriation</b>

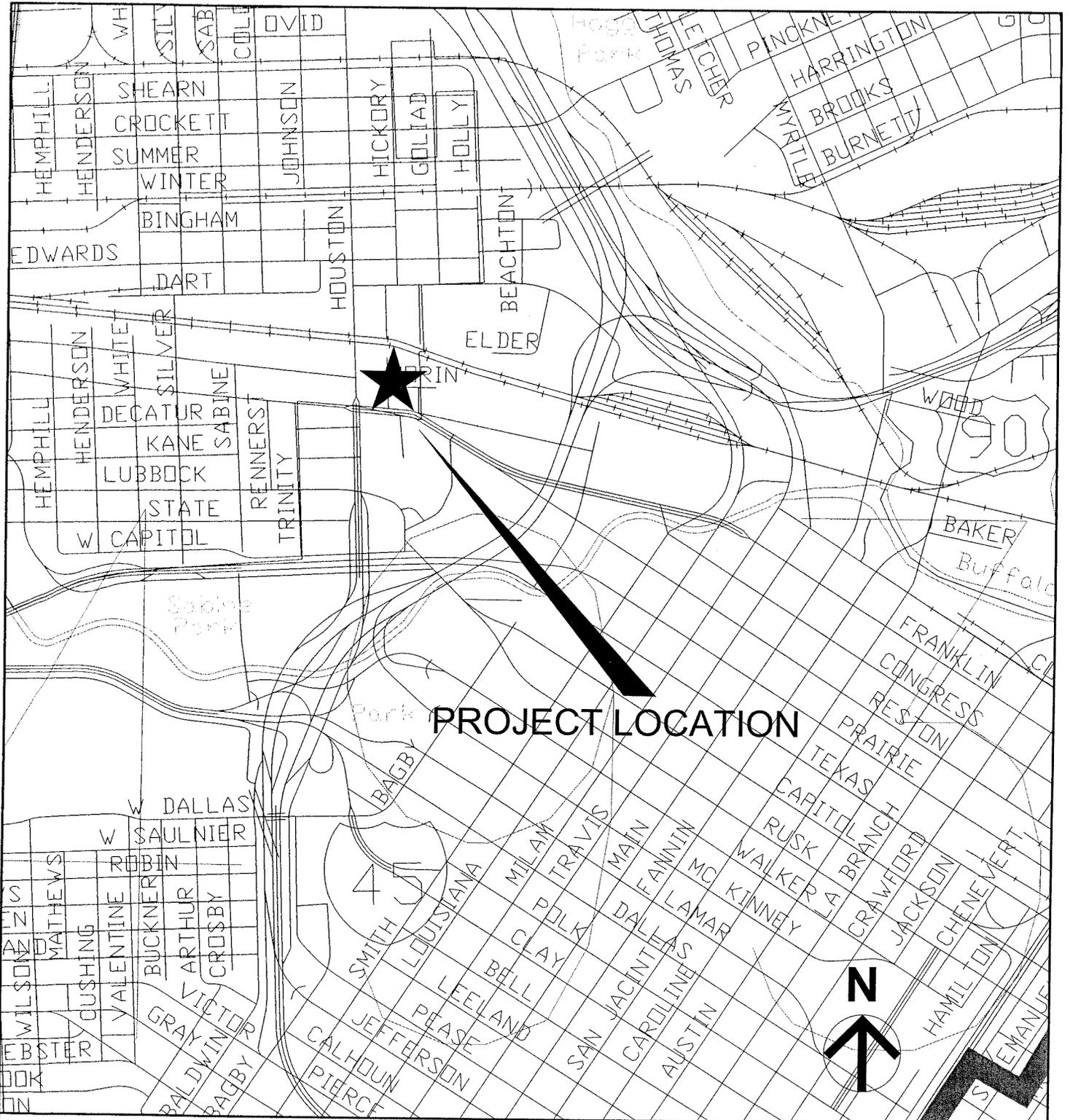
**PROJECT LOCATION:** 1202 Washington (493-L)

*IZD*  
 IZD: HB:JLN:RAV:VTN:vtn  
 c: Marty Stein, Kirk Munden, Webb Mitchell, Mary M. Villarreal, File

REQUIRED AUTHORIZATION

CUIC ID# 25DSGN31

<b>General Services Department:</b>  <i>H. Bautista</i> Humberto Bautista Chief of Design & Construction Division	<b>Houston Police Department:</b> <i>NO</i>  <i>H. Hurtt</i> Harold L. Hurtt Chief
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**PROJECT LOCATION**

**PROPERTY ROOM REPLACEMENT**

1202 WASHINGTON STREET  
 WBS No.: G-000101-0002-5

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

<b>SUBJECT:</b> Appropriate Funds for the purchase of Security System Equipment, Computers and Telephones for the New Mounted Patrol Facility for the Houston Police Department WBS No. G-000117-0002-5	<b>Page</b> 1 of 1	<b>Agenda Item</b> <span style="font-size: 2em; font-weight: bold;">45</span>
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<b>FROM (Department or other point of origin):</b> General Services Department	<b>Origination Date</b> 11-20-08	<b>Agenda Date</b> DEC - 3 2008
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<b>DIRECTOR'S SIGNATURE:</b> Issa Z. Dadoush, P.E.  11/12/08	<b>Council District(s) affected:</b> All
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<b>For additional information contact:</b> Jacquelyn L. Nisby  Phone: 832-393-8023	<b>Date and identification of prior authorizing Council action:</b>
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**RECOMMENDATION:** Approve purchase of security system equipment, computers and telephones for the Houston Police Department and appropriate funds.

<b>Amount and Source of Funding:</b> \$126,046.27 Police Consolidated Construction Fund (4504)	<b>Finance Budget:</b> 
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**SPECIFIC EXPLANATION:** The General Services Department recommends that City Council appropriate \$126,046.27 to purchase security system equipment, computers and telephones for the new HPD Mounted Patrol Facility. The security system equipment in the amount of \$65,508.00 will be purchased from the existing citywide security contract with BL Technology, Inc. The computers and telephones will be purchased from various vendors through the Texas Department of Information Resources (DIR) contract in amounts of \$50,000 or less.

The following is a breakout of expected expenditures:

\$ 65,508.00	Security System Equipment
<u>\$ 60,538.27</u>	Computers and Telephones
<b>\$126,046.27</b>	<b>Total Appropriation</b>

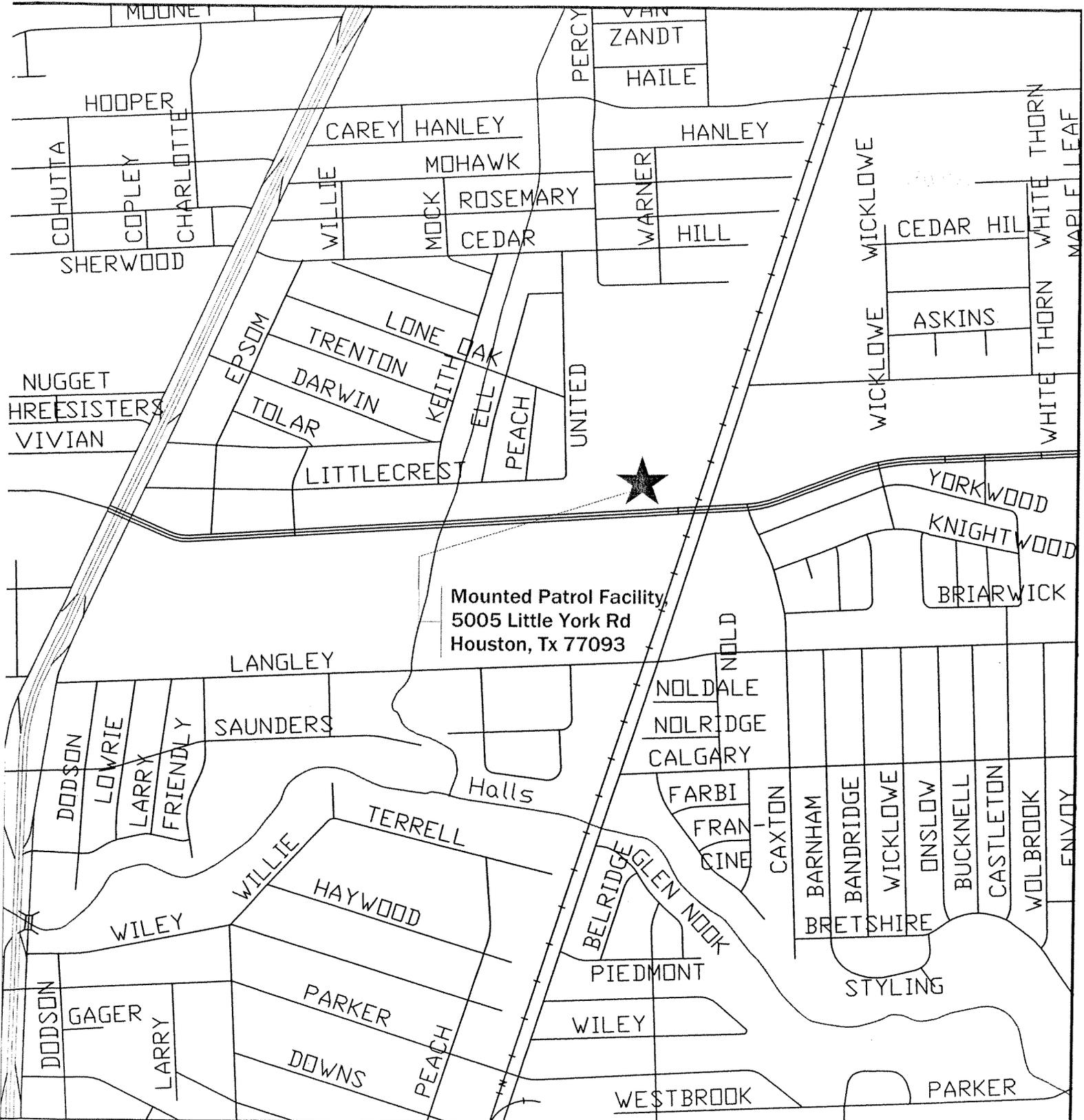
**PROJECT LOCATION:** 5005 Little York (414U)

IZD:JLN:HB:RAV:VTN:vtn

c: Marty Stein, Kirk Munden, Webb Mitchell, Mary M. Villarreal, File

**REQUIRED AUTHORIZATION                      CUIC ID # 25CONS70**

<b>General Services Department:</b>   Humberto Bautista Chief of Design & Construction Division	<b>Houston Police Department:</b>   Harold L. Hurtt Chief of Police
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**Mounted Patrol Facility Relocation**  
**5005 Little York Rd**  
**Houston, TX 77093**

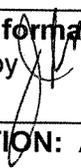
TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

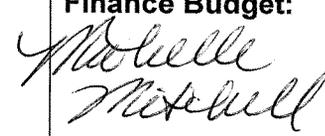
<b>SUBJECT:</b> First Amendment to Construction Contract Prime Contractors, Inc. Mounted Patrol Facility Relocation WBS No. G-000117-0001-4	<b>Page</b> 1 of 1	<b>Agenda Item</b> 46
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<b>FROM (Department or other point of origin):</b> General Services Department	<b>Origination Date</b> 11-13-08	<b>Agenda Date</b> DEC - 3 2008
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<b>DIRECTOR'S SIGNATURE:</b> Issa Z. Dadoush, P.E. 	<b>Council Districts affected:</b> All
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<b>For additional information contact:</b> Jacquelyn L. Nisby  Phone: 832-393-8023	<b>Date and identification of prior authorizing Council action:</b> Ordinance No. 2007-1299; dated November 28, 2007
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**RECOMMENDATION:** Approve First Amendment to Construction Contract and appropriate additional funds for the project.

<b>Amount and Source of Funding:</b> \$324,800.00— Police Consolidated Construction Fund (4504)	<b>Finance Budget:</b> 
<b>Previous Funding:</b> \$7,208,642.03—Police Consolidated Construction Fund (4504)	

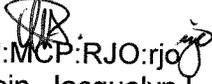
**SPECIFIC EXPLANATION:** The General Services Department recommends that City Council approve a First Amendment to the construction contract with Prime Contractors, Inc. to increase the director's authority to approve Change Orders up to 10.0% of the original contract price. This amendment and requested appropriation are necessary to provide the following additional improvements, which will exceed the original 5% contingency.

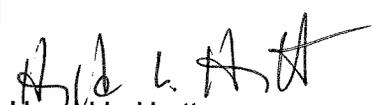
- Re-grade detention pond to avoid using gas pipeline easement for detention storage.
- Additional directional signage throughout facility and campus to accommodate public.
- Consolidate the need for multiple backflow prevention devices into one large central unit and provide new alignment for 6" Fire Line into building.
- Add masonry walls to Kennel Storage Facility to make rodent-proof for dog food storage.

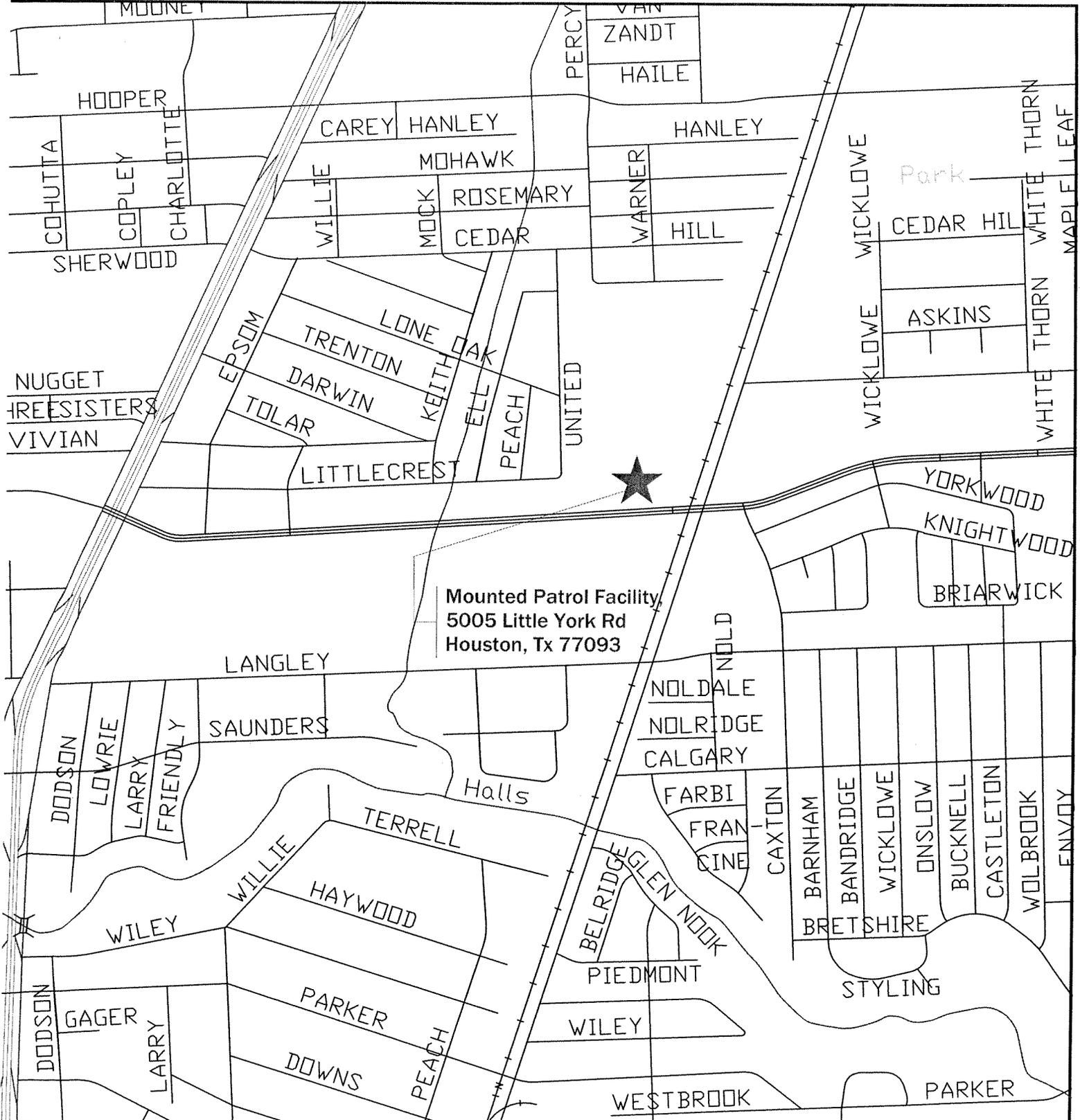
**PROJECT LOCATION:** 5005 Little York (414 U)

**PREVIOUS HISTORY AND PROJET DESCRIPTION:** On November 28, 2007, City Council awarded a construction contract to Prime Contractors, Inc. to construct a new 28,800 SF facility for HPD's Mounted Patrol and Canine Training Unit. The new facility will include office space; stables for 46 horses; hay storage; kennels and food storage for eight dogs; locker rooms; roll-call room and an officer's break room.

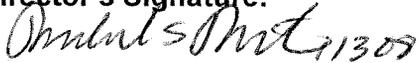
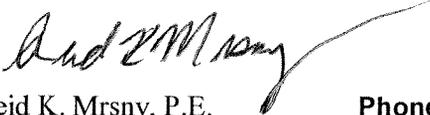
**CONSTRUCTION GOALS:** The original contract and this additional appropriation have a 13% MBE goal, 5% SBE goal, and 5% WBE goal. The contractor will utilize the certified subcontractors referenced in the original contract to achieve the goals. To date, the contractor has achieved .50% MBE participation, 1.13% SBE participation, and 9.04% WBE participation. The project is currently 49% complete and the contractor anticipates meeting the goals by the completion of the contract.

IZD:HB:JLN:MCP:RJO:rjo   
c: Marty Stein, Jacquelyn L. Nisby, Kirk Munden, Velma Laws, Siria Harbour, Kim Nguyen, Webb Mitchell, File

REQUIRED AUTHORIZATION		CUIC ID # 25CONS71
<b>General Services Department:</b>  Humberto Bautista Chief of Design & Construction Division	<b>Other Authorization:</b>	<b>Houston Police Department:</b>  Harold L. Hurt Chief of Police



**Mounted Patrol Facility Relocation**  
**5005 Little York Rd**  
**Houston, TX 77093**

<b>SUBJECT:</b> Approve Amendment IV to the TxDOT Agreement for the Construction of West Houston Trail Phase II – A Joint Project between the City of Houston (City) and Texas Department of Transportation (TxDOT) WBS No. N-000420-019A-4, TxDOT CSJ 0912-71-655		<b>Page</b> 1 of 2	<b>Agenda Item #</b>  47
<b>From: (Department or Other Point of Origin)</b> Department of Public Works and Engineering	<b>Origination Date</b> 11-6-08	<b>Agenda Date</b> DEC - 3 2008	
<b>Director's Signature:</b>  Michael S. Marcotte, P.E., D.WRE, BCEE	<b>Council District affected:</b> G <span style="float: right;">R.M.S.</span>		
<b>For additional information contact:</b>  Reid K. Mrsny, P.E. <b>Phone:</b> (713) 837-0452 Senior Assistant Director	<b>Date and identification of prior authorizing Council action:</b> Ord. No. 95-1290      Date: 12/6/95 Ord. No. 97-935      Date: 7/30/97 Ord. No. 99-1188      Date: 11/03/99 Ord. No. 01-0642      Date: 07/03/01 Ord. No. 008-124      Date: 02/13/08		
<b>Recommendation:</b> Pass an Ordinance approving Amendment IV to the TxDOT Funding Agreement.			
<b>Amount and Source of Funding:</b> No additional funding required. [Previous appropriations totaling \$1,688,078.00 have been approved; \$1,048,978.00 from the Street and Bridge Consolidated Construction Fund No. 437 and \$639,100.00 from Street and Bridge Consolidated Construction Fund No. 4506.]			
<b>SPECIFIC EXPLANATION:</b>			
<b>PROJECT NOTICE/JUSTIFICATION:</b> The Houston Bikeway Program was implemented to develop a citywide network of bicycle facilities projected to be integrated into an overall transportation network for the Houston area. The Houston Bikeway Program provides design and construction of approximately 334 miles of bikeways and trails in the City of Houston. To date, 290 miles of "On-street Bikeways" and "Off-street" trails have been completed. Another 44 miles, mostly off-street trails are currently under design. This project's allowable costs are 80% funded by the Federal Highway Administration (FHWA) under the Intermodal Surface Transportation Efficiency Act (ISTEA), Transportation Enhancement and Congestion Mitigation and Air Quality (CMAQ) Program. The 20% local match funding is provided by both the City of Houston and Metropolitan Transit Authority (METRO). Besides the local match, the City is also responsible for paying 100% in excess of federal participation.  The West Houston Trail Phase II project is currently under construction. ROW/easement acquisition has been completed and TxDOT let this project for construction in December, 2007. Amendment IV is to transfer costs from City to federal share thus reducing the construction local match on the City's part.			
<b>DESCRIPTION/SCOPE:</b> This project consists of constructing a reinforced concrete hike and bike trail approximately 1.163 miles long and 10 feet wide complete with a bridge, retaining walls, drainage structures, lighting, signage and pavement markings. The project was split into Phase I and Phase II due to alignment and R.O.W. issues. Construction of Phase I was completed in 2002.			
<b>LOCATION:</b> The trail is generally bound by IH 10 Katy Freeway. on the north, Buffalo Bayou on the south, North Eldridge Parkway on the east, and Langham Creek on the west. Key Map grids: 488B, 488F.			
<b>REQUIRED AUTHORIZATION</b>		<b>CUIC ID #20BB157</b>	
<b>Finance Department:</b>	<b>Other Authorization:</b>	<b>Other Authorization:</b>	

<b>Date</b>	<b>SUBJECT:</b> Approve Amendment IV to the TxDOT Agreement for the Construction of West Houston Trail Phase II – A Joint Project between the City of Houston (City) and Texas Department of Transportation (TxDOT) WBS No. N-000420-019A-4, TxDOT CSJ 0912-71-655	<b>Originator's Initials</b> <i>f.v.s.</i>	<b>Page</b> 2 of 2
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**PREVIOUS HISTORY AND SCOPE:** City Council approved the original Advanced Funding Agreement with TxDOT by Ordinance No. 95-1290 as part of a package of twelve (12) agreements and appropriated \$32,978.00 as the matching funds to cover the TxDOT cost of administration for the projects. Subsequently, City Council approved Amendments I, II and III. Amendment I approved by Ordinance No. 97-935 was to change the design from Metric units to English units. Amendment II approved by Ordinance No. 99-1188 was for payment of a construction local match to TxDOT. Amendment III approved by Ordinance No. 01-0642 was for transfer of federal funds from West Houston project to West White Oak Bayou Trail – Phase I project. Ordinance No. 08-124 approved the payment to TxDOT of \$580,935.45 for the City’s local match portion of the project.

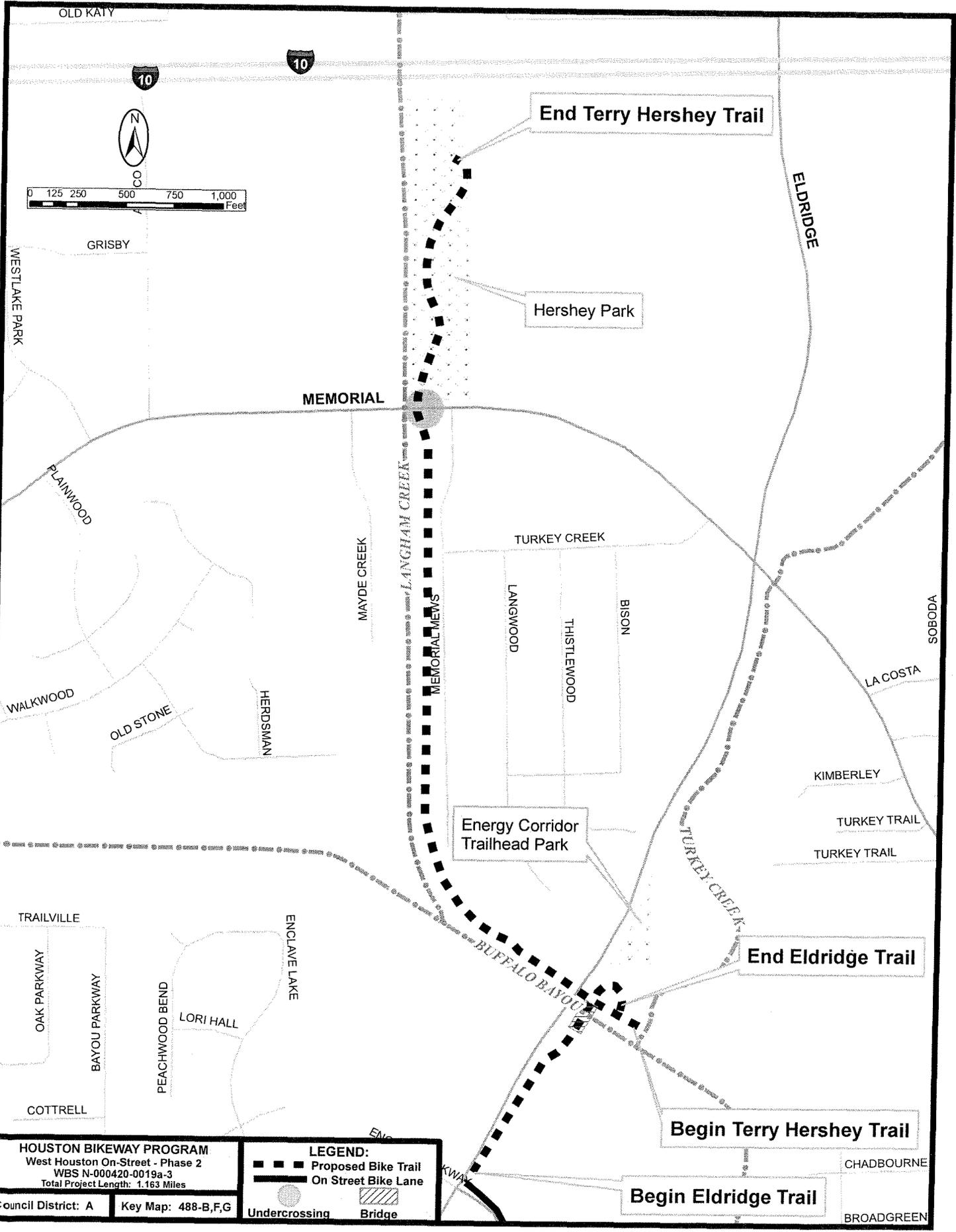
**PROJECT COST/JUSTIFICATION:** Based on the engineer’s estimate and TxDOT funding letter prior to bidding, the city’s participation had been estimated at \$1,051,753.97. Amendment IV increases the federal share from \$504,840.00 to \$984,840.00 thus reducing the city’s participation. The exact amount of savings cannot be quantified at this time since the project is still under construction.

**ACTION RECOMMENDED:** It is recommended that City Council Approve Amendment IV to the TxDOT Funding Agreement.

**M/WBE INFORMATION:** TxDOT has bid the project for construction according to TxDOT M/WBE requirements.

*RKM FOS/BB*  
MSM:RKM:FOS:BB:mg/dh  
S:\design\A-NP-DIV\Bikeway Files\Ben\N-0420-19A West Houston On-Street Phase 2\1.0 Design Contract\1.1 Contract Original\RCA 20BB157 West Houston Trail Phase II N-000420-019A-3.doc

- c: Marty Stein
- Susan Bandy
- Velma Laws
- Waynette Chan
- Gary Norman w/attachments
- Craig Foster
- File No. N-000420-019A-3 (1.1 Contract Original)



**HOUSTON BIKEWAY PROGRAM**  
 West Houston On-Street - Phase 2  
 WBS N-000420-0019a-3  
 Total Project Length: 1.163 Miles

Council District: A    Key Map: 488-B,F,G

**LEGEND:**  
 - [Dashed line with squares] Proposed Bike Trail  
 - [Solid line with squares] On Street Bike Lane  
 - [Circle with dot] Undercrossing  
 - [Hatched rectangle] Bridge

<b>SUBJECT:</b> Professional Construction Management and Inspection Services Contract between the City and PTI, Inc. for Neighborhood Street Reconstruction Project. WBS No. N-000367-0002-4 NSR 435A.	<b>Category</b> # 7,9	<b>Page</b> 1 of 1	<b>Agenda Item</b> # <i>48</i>
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<b>FROM (Department or other point of origin):</b> Department of Public Works and Engineering	<b>Origination Date</b>	<b>Agenda Date</b> DEC 03 2008
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<b>DIRECTOR'S SIGNATURE:</b> <i>Michael S. Marcotte</i> Michael S. Marcotte, P.E., D.WRE, BCEE., Director	<b>Council District affected:</b> B
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<b>For additional information contact:</b> J. Timothy Lincoln, P.E. Senior Assistant Director <i>J. Timothy Lincoln</i> Phone: (713) 837-7074	<b>Date and identification of prior authorizing Council action:</b> N/A
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**RECOMMENDATION: (Summary)** Approve Professional Construction Management and Inspection Services Contract with PTI, Inc.

<b>Amount and Source of Funding:</b> \$10,000.00 from the Street and Bridge Consolidated Construction Fund No. 4506. <i>Walt</i> <i>11/2/08</i>	<b>Finance Department:</b> <i>Michelle Mitchell</i>
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**SPECIFIC EXPLANATION:**

**PROJECT NOTICE/JUSTIFICATION:** This project is part of the City's Capital Improvement Plan (CIP) and is required to improve the condition of residential streets and enhance the quality of life in the neighborhoods.

**DESCRIPTION/SCOPE:** The contract provides Construction Management and Inspection Services for the Construction Branch of the Department of Public Works and Engineering in connection with the Neighborhood Street Reconstruction Project 435A and other projects to be determined at a later date.

**LOCATION:** The projects are located throughout the city.

**SCOPE OF CONTRACT AND FEE:** This is a Work Order Contract that will provide Construction Management and Inspection Services, including contract administration, processing pay estimates, coordinating schedules, evaluating proposals and change orders, site representation, closeout documentation, and tasks requested by the Director. The requested appropriation of \$10,000.00 will provide for limited pre-construction review and preparation as required.

**M/WBE PARTICPATION:** The Consultant has submitted the following proposed M/WBE participation to satisfy the 24% goal for the project.

<u>Name of Firm</u>	<u>Work Description</u>	<u>Percentage</u>
1. ESPA CORP	Inspection Services	12%
2. Environmental Consultants & Mgmt Services	Inspection Services	12%

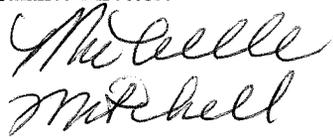
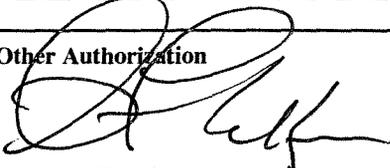
JTL:JLS:ha  
cc: Velma Laws Marty Stein Waynette Chan Craig Foster File No. 21.0

**REQUIRED AUTHORIZATION** 20HA36A

<b>Finance Department</b>	<b>Other Authorization:</b>	<b>Other Authorization:</b> <i>Daniel R. Menendez</i> Daniel R. Menendez, P.E., Deputy Director Engineering and Construction Division
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TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

<b>SUBJECT:</b> Additional Appropriation to Hydraulic Modeling Field Support Services Contract with ADS Environmental Services. WBS NO. R-001000-00AA-3		<b>Agenda Item #</b>	<b>Page</b> 1 of 2 <b>49</b>
<b>FROM (Department or other point of origin):</b> Department of Public Works & Engineering		<b>Origination Date</b> 11-21-08	<b>Agenda Date</b> DEC - 3 2008
<b>DIRECTORS SIGNATURE:</b> <i>MS</i>  Michael S. Marcotte, P.E, D.WRE, BCEE		<b>Council District affected:</b> All	
<b>For additional information contact:</b> Ann Marie Sheridan, P.E. <i>AMS</i> Supervising Engineer (713)837-9142		<b>Date and identification of prior authorizing Council action:</b> Ordinance No.: 2006-0715 Dated: 6-28-06	
<b>RECOMMENDATION: (Summary)</b> Approve and authorize additional appropriation to the current contract for hydraulic modeling field support services with ADS Environmental Services.			
<b>Amount and Source of Funding:</b> \$542,000.00 from Water and Sewer System Consolidated Construction Fund No. 8500 (Previous (original) appropriation of \$996,800.00 out of the Water and Sewer System Consolidated Construction Fund No. 755)			
<b>SPECIFIC EXPLANATION:</b> <p><b>PROJECT NOTICE/JUSTIFICATION:</b> This contract allows the city to continue its hydraulic modeling effort on the sanitary sewer system.</p> <p><b>DESCRIPTION/SCOPE:</b> This contract provides field support services associated with hydraulic modeling, including project management, manhole inspection, GPS surveying, lift station testing and monitoring, and temporary flow monitoring and rainfall monitoring.</p> <p><b>LOCATION:</b> These services will be provided throughout the City limits.</p> <p><b>PREVIOUS HISTORY AND SCOPE:</b> The original contract was approved by Ordinance No. 2006-0715 on June 28, 2006. The scope of services under the original contract consisted of providing the services described above for a period of two calendar years beginning September 15, 2006. The contract contains a provision for two, one-year extensions for a total contract time of four years. Additional funds are needed for the first extension term.</p> <p><b>SCOPE OF THIS SUPPLEMENT AND FEE:</b> The fee for this contract will be paid either as lump sum or on a per unit cost basis. The additional appropriation will provide funding for the first extension term of the contract. The requested additional appropriation is \$542,000.00.</p>			
<b>REQUIRED AUTHORIZATION</b>		<b>CUIC ID #20JZC459</b> <i>NDT</i>	
<b>Finance Director:</b>  Michelle Mitchell	<b>Other Authorization</b>  Andrew F. Icken, Deputy Director Planning & Development Services Division	<b>Other Authorization:</b>	

<b>Date</b>	<b>Subject:</b> Additional Appropriation to Hydraulic Modeling Field Support Services Contract with ADS Environmental Services. WBS No. R-001000-00AA-3	<b>Originator's Initials</b>	<b>Page</b> 2 of 2
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**M/WBE INFORMATION:** The M/WBE goal established for this contract is 17%. The original contract amount is \$996,800.00. The consultant has been paid \$877,419.50 (88.02%) to date. Of this amount, \$131,462.26 (14.98%) has been paid to the M/WBE subconsultants to date. Assuming approval of the requested additional appropriation, the contract amount will increase to \$1,538,800.00. The consultant proposes the following plan to meet the M/WBE goal:

<u>Name of M/WBE Firm</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
1. Prior M/WBE Work		\$131,462.26	8.54%
2. A-1 Personnel of Houston, Inc.	Field Staffing	\$71,132.00	4.62%
3. Armani Engineering, Inc.	GPS Surveying	<u>\$59,100.00</u>	<u>3.84%</u>
	<b>Total:</b>	<b>\$261,694.26</b>	<b>17.00%</b>

AFI:JC:tv

cc: Marty Stein  
Susan Bandy  
Velma Laws  
Craig Foster

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

<b>SUBJECT:</b> Energy Savings Performance Contract for City-Wide Traffic Signal LED Retrofit for approximately 1,750 intersections. WBS No. N-000650-0033-3	Page 1 of 2	Agenda Item # 50
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<b>FROM (Department or other point of origin):</b> Public Works and Engineering Department	<b>Origination Date</b>	<b>Agenda Date</b> DEC - 3 2008
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<b>DIRECTOR'S SIGNATURE:</b>  Michael S. Marcotte, P.E., D.WRE, BCEE	<b>Council District affected:</b>  All
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<b>For additional information contact:</b> Jeffrey Weatherford, P.E., Assistant Director (713) 881-3044 	<b>Date and identification of prior authorizing Council action:</b>
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**RECOMMENDATION: (Summary)** Approve an Ordinance authorizing an Energy Savings Performance Contract with Siemens and appropriating funds.

**Amount and Source of Funding:** \$16,400,000.00 Reimbursement of Equipment/Projects Fund 1850

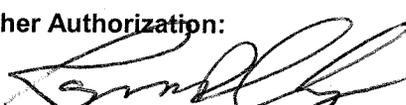
**PROJECT NOTICE/JUSTIFICATION:** The City of Houston desires the assistance of a firm to retrofit existing incandescent bulbs at traffic signals with new Light Emitting Diodes (LED's). These LED's operate using approximately 85% less energy than the traditional incandescent bulbs that are currently installed at most locations. It is estimated that upon completion the City will save approximately \$10,000 per day in electricity charges. Additionally, the life of an LED traffic signal indication is seven years as compared to a life of one year for an incandescent traffic signal indication. The project will be initially funded through the Reimbursement of Equipment /Project Fund 1850 with the debt service paid back via the savings in electricity charges.

**DESCRIPTION/SCOPE:** The project consists of developing a project management plan, energy savings calculations, a complete automated survey/inventory for approximately 2,500 intersections, and a traffic signal LED retrofit for approximately 1,750 intersections.

**LOCATION:** This project area is located throughout the City.

**SCOPE OF CONTRACT AND FEE:** Under the terms of the contract, the consultant will provide professional services to implement energy savings measures including, but not limited to the following: arrange and conduct meetings, adhere to all City specifications and standards, develop a project management plan to document a schedule, project controls, team organization, risk management, closeout, warranty management, communications, deliverables and reports, conduct a traffic signal survey/inventory and energy and operational efficiency analysis, an LED retrofit, and apply for Centerpoint Standard Offer Rebate Program (if applicable and funds available). The City will issue Work Orders to perform these services over a two year period. Each Work Order shall include specific details of the work to be performed.

**REQUIRED AUTHORIZATION** CUIC ID #20JSW12 **NOT**

<b>Finance Department:</b> 	<b>Other Authorization:</b>	<b>Other Authorization:</b>  Raymond D. Chong, P.E., PTOE, Deputy Director Traffic and Transportation Division
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<b>Date</b>	<b>Subject:</b> Energy Savings Performance Contract for City-Wide Traffic Signal LED Retrofit for approximately 1,750 intersections. WBS No. N-000650-0033-3	<b>Originator's Initials</b>	<b>Page</b> <u>2</u> of <u>2</u>
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**M/WBE PARTICIPATION:** The MWBE goal established for this project is 24%. The Consultant has proposed the following program to achieve this goal.

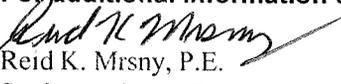
<u>Name of Firm</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
1. Globe Electric Supply Co., Inc.	Supplier of Product	\$2,050,000.00	12.5%
2. A.O. Phillips & Associates	Construction Management & Installation	\$1,968,000.00	12.0%
3. Bocci Engineering, LLC	Engineering Consultant Services	\$ 164,000.00	1.0%
TOTAL		\$4,182,000.00	25.5%

JSW:LHM

- c: Marty Stein  
Susan Bandy  
Gary Norman  
Craig O. Foster  
LaVerne Hollins-McGlothen  
Felix Johnson  
File No. (SB9302)

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

<b>SUBJECT:</b> Contract Award for Bertner Avenue Paving Extension from South Braeswood to Old Spanish Trail. WBS No. N-000722-0003-4		<b>Page</b> 1 of 2	<b>Agenda Item #</b> 51
<b>FROM: (Department or other point of origin):</b> Department of Public Works and Engineering		<b>Origination Date:</b> 11-21-08	<b>Agenda Date:</b> DEC - 3 2008
<b>DIRECTOR'S SIGNATURE:</b>  Michael S. Marcotte, P.E., D.WRE, BCEE, Director		<b>Council District affected:</b> D 30 JK	
<b>For additional information contact:</b>  Reid K. Mersny, P.E. Phone: (713) 837-0452 Senior Assistant Director		<b>Date and identification of prior authorizing Council action:</b> Ordinance Number: 2008-0799, September 10, 2008	
<b>RECOMMENDATION: (Summary)</b> Accept low bid, award construction Contract and appropriate funds.			
<b>Amount and Source of Funding:</b> Total of \$4,383,900.00 with \$2,275,806.60 from the Street and Bridge Consolidated Construction Fund No. 4506 and \$2,108,093.40 from the Contribution for Capital Projects Fund No. 4510. <span style="float: right;"><i>Paul K. 12/04/08</i></span>			
<b>PROJECT NOTICE/JUSTIFICATION:</b> This project is part of the Street & Traffic Control Improvement program and is required to improve traffic flow/circulation and reduce traffic congestion and hazards in service area.			
<b>DESCRIPTION/SCOPE:</b> This project consists of the construction of approximately 3,000 linear feet of dual 25 foot wide concrete roadway with curb and gutter, raised median, necessary underground utilities and street lighting. On September 10, 2008, the City of Houston(City) entered into a Developer Agreement with the University of Texas M.D. Anderson Cancer Center (MD Anderson) where the City agreed to construct Bertner Avenue and Lehall Street and MD Anderson agreed to contribute \$2,393,748.00 toward the design and construction of the streets. This amount is the agreed difference in value between the City's abandoned property and the City's aquired property under the Development Agreement. The contract duration for this project is 270 calendar days. This project was designed by Walter P. Moore and Associates, Inc.			
<b>SPECIFIC EXPLANATION:</b> This project is currently financed from the Contribution for Capital Projects Fund at \$2,108,093.40 with an additional amount from the Street and Bridge Consolidated Construction Fund capped at \$2,000,000.00. Recent cost analysis has indicated that the construction cost will exceed the current funding levels by \$275,806.60. Per the Development Agreement between MD Anderson and the City of Houston, any cost overruns will be borne by MD Anderson. This request includes the additional amount to be appropriated from CIP funds to cover the expected shortfall which will be refunded by MD Anderson at the completion of the work.			
<b>LOCATION:</b> This project is in the Medical Center, between South Braeswood to the north and Old Spanish Trail to the South. The project is located in Key Map Grid 532M.			
<b>REQUIRED AUTHORIZATION</b> <span style="float: right;">CUIC ID#20SMC25 <i>NDT</i></span>			
<b>Finance Department:</b>  Michelle Mitchell	<b>Other Authorization:</b>	<b>Other Authorization:</b>  Daniel R. Menendez, P.E., Deputy Director Engineering and Construction Division	

**BIDS:** Bids were received on June 19, 2008. The eight (8) bids are as follows:

<u>Bidder</u>	<u>Bid Amount</u>
1. Triple B Services, LLP	\$3,813,697.13
2. Conrad Construction Co., LTD.	\$3,860,360.40
3. ISI Contracting, Inc.	\$3,950,368.50
4. Texas Sterling Construction Co.	\$3,958,062.50
5. Total Site, Inc.	\$3,997,735.13
6. Huff and Mitchell, Inc.	\$4,281,544.00
7. Reytec Construction Resources, Inc.	\$4,380,802.76
8. Total Contracting Limited	\$5,262,294.25

**AWARD:** It is recommended that this construction contract be awarded to Triple B Services, LLP with a low bid of \$3,813,697.13 and that Addenda Numbers 1 and 2 be made a part of this Contract.

**PROJECT COST:** The total cost of this project is \$4,383,900.00 to be appropriated as follows:

• Bid Amount	\$3,813,697.13
• Contingencies	\$191,000.00
• Engineering and Testing Services	\$150,000.00
• Construction Management	\$229,202.87

Engineering and Testing Services will be provided by Alliance Laboratories, Inc. under a previously approved contract.

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

<u>MWBE - Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
1. Curb Planet, Inc.	Install Concrete Curbs	\$4,595.00	0.12%
2. Reliable Signal & Lighting Solutions, LLC	Install Traffic Signals	\$328,095.00	8.60%
3. Environmental Allies, LP	Install and Maintain SW3P	\$12,274.50	0.32%
4. D. Solis Trucking Company, Inc.	Hauling Services	\$108,800.00	2.85%
5. Access Data Supply, Inc.	PVC Conduit Supplier	\$80,893.40	2.12%
<b>TOTAL</b>		<b>\$534,657.90</b>	<b>14.01%</b>

<u>WBE - Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
1. El Dorado Paving Company, Inc.	Install Concrete Paving	\$107,350.50	2.82%
2. Gama Contracting Services.	Reinforcing Steel Supplier	\$95,520.83	2.51%
<b>TOTAL</b>		<b>\$202,871.33</b>	<b>5.33%</b>

<u>SBE - Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
1. Mickie Service Company, Inc.	Installing TS&V	\$3,725.00	0.10%
2. Aggregate Technologies, Inc.	Concrete Saw Cutting	\$33,094.49	0.87%
3. Contractors Paving Supply, LLP	Supply Paving Materials	\$34,634.62	0.91%
4. Statewide Tree Service	Provide Tree Protection	\$55,000.00	1.44%
<b>TOTAL</b>		<b>\$126,454.11</b>	<b>3.32%</b>

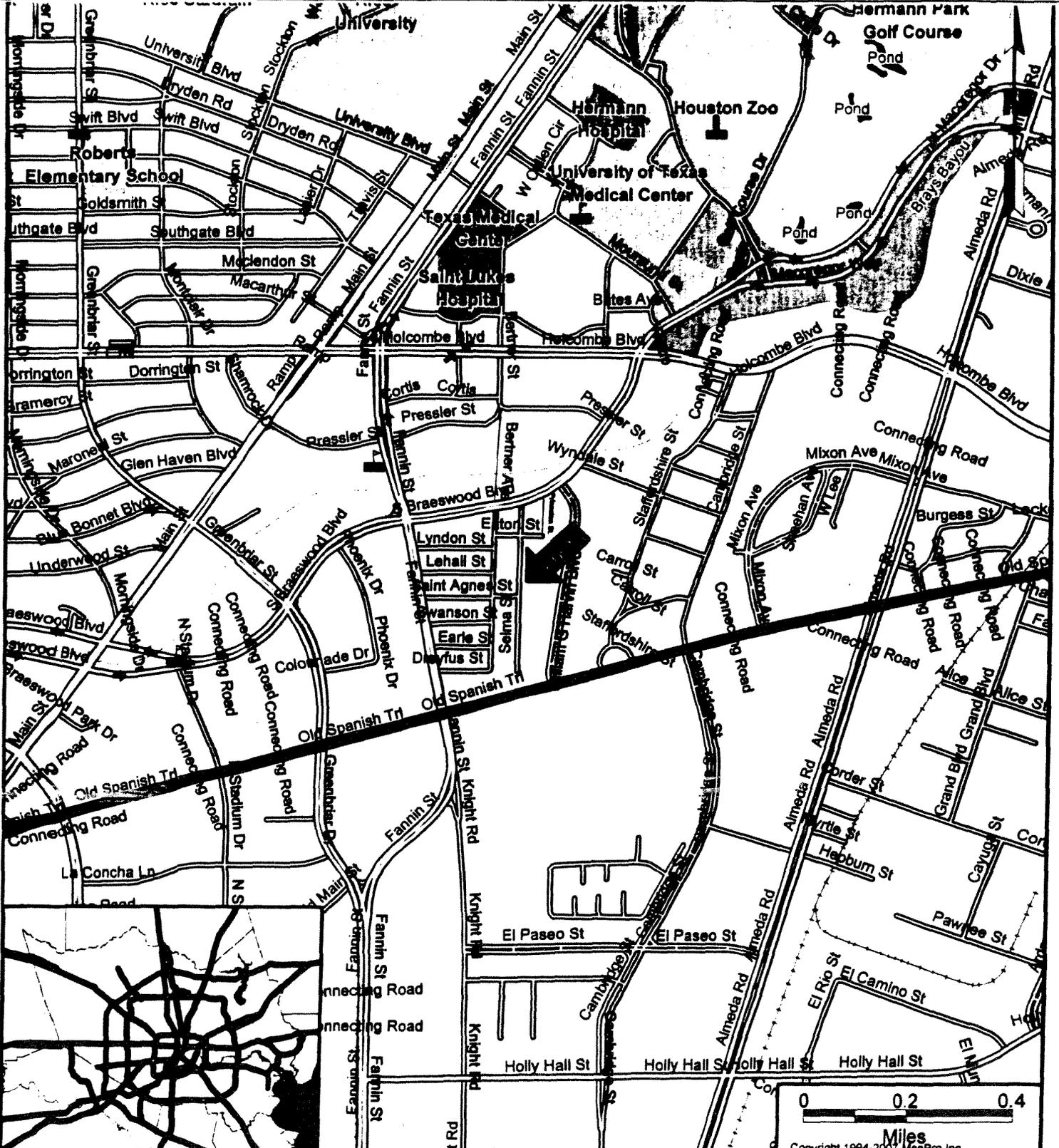
All known rights-of-way, easements and/or right-of-entry required for the project have been acquired.

MSM:DRM:RKM:JHK:SMC

c: Marty Stein Susan Bandy  
 Mike Pezeshki, P.E., Interim Assistant Director Velma Laws  
 Daniel R. Menendez, P.E. File N-000722-0003-4 - 3.7 Const RCA

# LOCATION MAP

Abandonment and sale of a 15-foot-wide alley, located in Blocks 14, 15, 18, 19, 21 and 22; Selma Avenue, from Braeswood Boulevard to Eaton Street, from Eaton Street to St. Agnes Street, and from St. Agnes Street south to its terminus; Princeton Street, from Braeswood Boulevard to Eaton Street; Eaton Street, from Cecil Avenue east to its terminus; St. Agnes Street, from Cecil Avenue to the east right-of-way line of Selma Avenue; and a portion of Cecil Street, from St. Agnes Street to Swanson Street; in exchange for the conveyance to the City of right-of-way for the widening and realignment of Bernier Avenue, from Braeswood Boulevard to Old Spanish trail and right-of-way for the extension of Lehall Street, from Cecil Street to Lot 10, Block 20; all located within Institute Addition; and authorize a Development Agreement addressing these issues. SY6-036A through I, SY7-076A and B, AY7-261A through E, AY7-262A and AY7-262B



### 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.

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

<b>SUBJECT:</b> Contract Award for Reconstruction of North Main Street from IH-45 to Airline Drive. W.B.S. No. N-000744-0001-4.	<b>Page</b> 1 of 2	<b>Agenda Item #</b> 52
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<b>FROM: (Department or other point of origin):</b> Department of Public Works and Engineering	<b>Origination Date:</b> 11-21-08	<b>Agenda Date:</b> DEC - 3 2008
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<b>DIRECTOR'S SIGNATURE:</b> <i>Michael S. Marcotte</i> Michael S. Marcotte, P.E., D.WRE, BCEE	<b>Council District affected:</b> H JK TC
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<b>For additional information contact:</b> <i>Reid K. Mrsny</i> Reid K. Mrsny, P.E. Phone: (713) 837-0452 Senior Assistant Director	<b>Date and identification of prior authorizing Council action:</b>
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**RECOMMENDATION: (Summary)**  
Accept low bid, award construction Contract and appropriate funds.

**Amount and Source of Funding:** \$5,068,933.80 from Metro Project Commercial Paper Series E Fund No. 4027.  
*Prueke 11/4/08*

**PROJECT NOTICE/JUSTIFICATION:** This project is part of the Street and Traffic Capital Improvement Program (CIP) and is necessary to rehabilitate a roadway that is deteriorated beyond economical repair and to meet City of Houston standards and improve mobility.

**DESCRIPTION/SCOPE:** This project consists of reconstruction of approximately 4,300 linear feet of typical 45-ft wide concrete roadway with curbs, sidewalks, street lighting, and necessary underground utilities.

The Contract duration for this project is 365 calendar days. This project was designed by Klotz & Associates, Inc.

**LOCATION:** The project area is generally bound by Cavalcade on the north, Pecore on the south, IH 45 on the east and Studewood on the west. The project is located in Key Map Grids 453-X and Y, 493-C.

**BIDS:** Bids were received on August 21, 2008. The nine (9) bids are as follows:

<u>Bidder</u>	<u>Bid Amount</u>
1. Conrad Construction Co., Ltd.	\$4,388,434.80
2. Total Contracting Limited	\$4,616,320.99
3. Triple B Services, L.L.P.	\$4,757,727.65
4. ACM Contractors, Inc.	\$4,973,264.25
5. Reytec Construction Resources, Inc.	\$5,033,646.80
6. Texas Sterling Construction Co.	\$5,076,791.00
7. Hassell Construction Co., Inc.	\$5,443,129.96
8. JFT Construction, Inc.	\$5,542,525.80
9. ISI Contracting, Inc.	\$6,077,485.60

REQUIRED AUTHORIZATION CUIC#20TC723 NDT

<b>Finance Department</b> <i>Michelle Mitchell</i>	<b>Other Authorization:</b>	<b>Other Authorization:</b> <i>Daniel R. Menendez</i> Daniel R. Menendez, P.E. Deputy Director Engineering and Construction Division
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<b>Date</b>	<b>Subject:</b> Contract Award for Reconstruction of North Main Street from IH-45 to Airline Drive. W.B.S. No. N-000744-0001-4.	<b>Originator's Initials</b> <i>TC</i>	<b>Page</b> 2 of 2
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**AWARD:** It is recommended that this construction Contract be awarded to Conrad Construction Co., Ltd. with a low bid of \$4,388,434.80 and that Addenda Numbers 1, 2 and 3 be made a part of this Contract.

**PROJECT COST:** The total cost of this project is \$5,068,933.80 to be appropriated as follows:

•	Bid Amount	\$4,388,434.80
•	Contingencies	\$219,422.00
•	Engineering and Testing Services	\$110,000.00
•	Project Management	\$351,077.00

Engineering and Testing Services will be provided by Geoscience Engineering & Testing, Inc. under a previously approved contract.

**M/WBE PARTICIPATION:** The low bidder has submitted the following proposed program to satisfy the M/WBE goal and SBE goal for this project. The good faith efforts by Conrad Construction Co., Ltd. to comply with the goals were reviewed and approved by the Office of Affirmative Action and Contract Compliance.

<u>MWBE - Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
1. Reliable Signal & Lighting Solutions, LLC	Traffic Signal	\$163,697.00	3.73%
2. Cantu Construction Co.	Drive and Sidewalk	\$199,696.00	4.55%
3. P.A. Berrios Trucking Services	Trucking Services	<u>\$107,300.00</u>	<u>2.45%</u>
<b>TOTAL</b>		<b>\$470,693.00</b>	<b>10.73%</b>

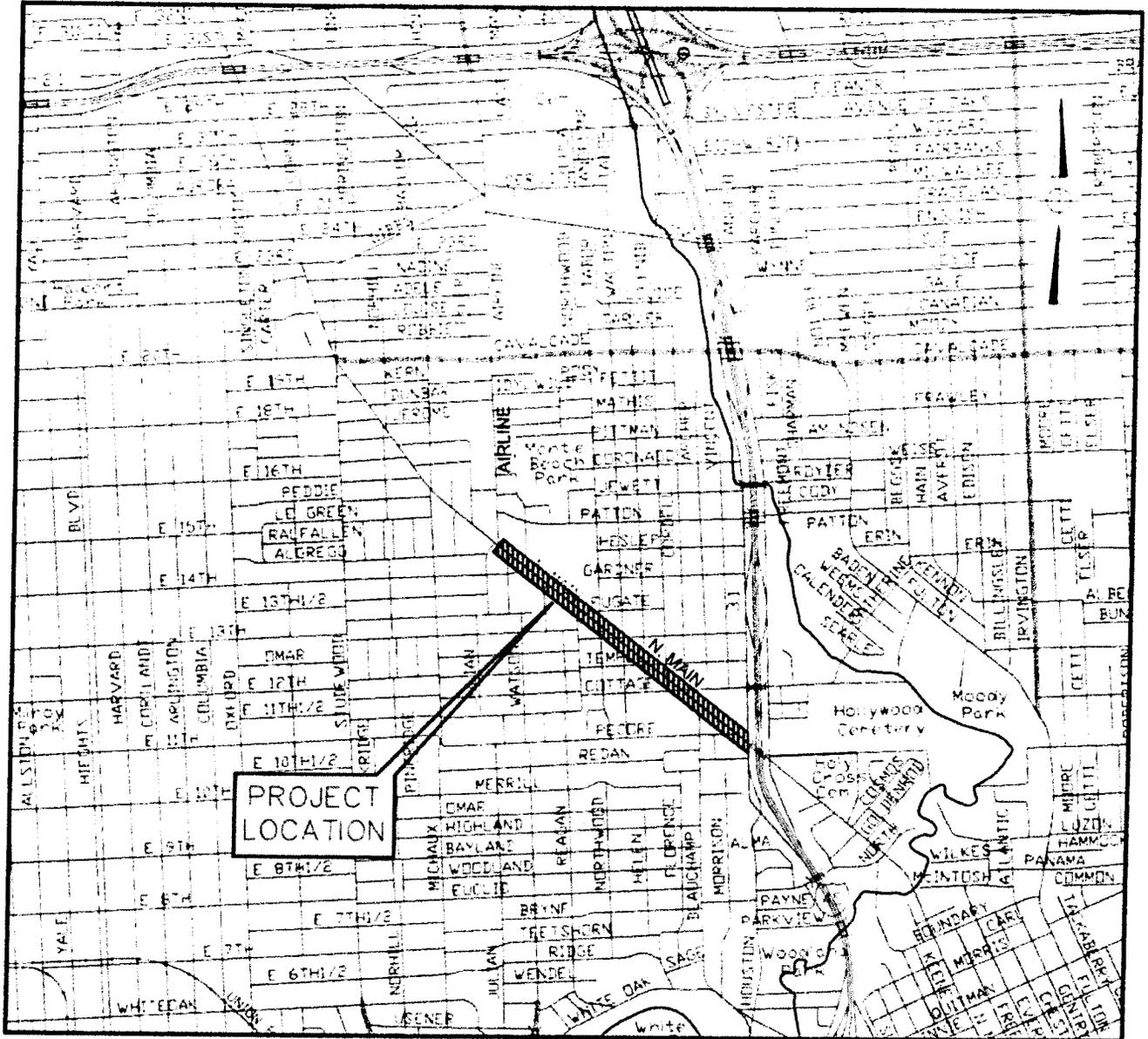
<u>WBE - Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
1. Work Zone Products, Inc.	Traffic Control	\$96,700.00	2.20%
2. KMA Construction, Inc.	Photos and Video	<u>\$5,000.00</u>	<u>0.11%</u>
<b>TOTAL</b>		<b>\$101,700.00</b>	<b>2.31%</b>

<u>SBE - Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
1. Kossman Contracting Co. Inc.	Mulch and Sod	\$13,865.00	0.32%
2. Shumaker-Harvey Equipment Company, Inc.	Clean & TV	\$20,025.00	0.45%
3. Contractor's Paving Supply, Inc.	Misc. Paving Supplies	<u>\$16,090.00</u>	<u>0.37%</u>
<b>TOTAL</b>		<b>\$49,980.00</b>	<b>1.14%</b>

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

*JK TC*  
MSM:RKM:JK:TC

c: Marty Stein                      Mike Pezeshki, P.E.  
Susan Bandy                      WBS No. N-000744-0001-4 (3.7 construction RCA)  
Velma Laws



## VICINITY MAP

N.T.S.

### RECONSTRUCTION OF N. MAIN STREET

FROM IH-45 TO AIRLINE DRIVE

GFS NO. N-0744-01-2 FILE NO. SB9207

KEY MAP NOS. 453 X & Y, 493 C

COUNCIL DISTRICT H

## N. MAIN STREET RECONSTRUCTION

**KLOTZ  
ASSOCIATES,  
INC.**

CONSULTING  
ENGINEERS

VICINITY MAP

PROJ. NO.0101.055

EXHIBIT

SCALE: NTS

DATE: FEB 2005

2

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

<b>SUBJECT:</b> Contract Award for Sanitary Sewer Rehabilitation by Sliplining and Pipe Bursting Methods WBS# R-000294-0018-4	<b>Page</b> 1 of 2	<b>Agenda Item #</b>  53
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<b>FROM (Department or other point of origin):</b> Department of Public Works and Engineering	<b>Origination Date</b> 10/30/08	<b>Agenda Date</b> DEC - 8 2008
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<b>DIRECTOR'S SIGNATURE</b>  Michael S. Marcotte, P.E., DEE, Director	<b>Council District affected:</b> All
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<b>For additional information contact:</b> Joseph G. Majdalani, P.E. Senior Assistant Director  Phone: (713) 641-9182	<b>Date and identification of prior authorizing Council action:</b>  N/A
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**RECOMMENDATION: (Summary)**  
Accept low bid, award construction contract, and appropriate funds.

**Amount and Source of Funding:** \$3,385,827.00 from Water and Sewer System Consolidated Construction Fund No. 8500. This project is eligible for low interest funding through the State Revolving Fund (SRF). *10/1/08*

**SPECIFIC EXPLANATION:** This project is part of the Neighborhood Sewer Rehabilitation Program and is required to renew/replace various deteriorated neighborhood collection systems on an emergency basis throughout the City.

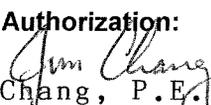
**DESCRIPTION/SCOPE:** This project consists of sanitary sewer rehabilitation by sliplining and pipe bursting methods. The contract duration for this project is 540 calendar days.

**LOCATION:** The project area is generally bounded by the City Limits.

**BIDS:** Five (5) bids were received on August 07, 2008 for this project as follows:

<u>Bidder</u>	<u>Bid Amount</u>
1. Underground Technologies, Inc.	\$3,127,536.96
2. Spinello Companies	\$3,327,680.70
3. PM Construction & Rehab, L.P.	\$3,380,812.67
4. Troy Construction, LLC	\$3,406,379.93
5. North Houston Pole Line, L.P.	\$3,567,373.80

<b>File/Project No.</b> WW 4257-98	<b>REQUIRED AUTHORIZATION</b>	<b>CUIC#</b> 20JGM258
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Finance Department 	<b>Other Authorization:</b>	<b>Other Authorization:</b>  Jun Chang, P.E. Interim Deputy Director Public Utilities Division
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<b>Date</b>	<b>Subject:</b> Contract Award for Sanitary Sewer Rehabilitation by Sliplining and Pipe Bursting Methods WBS# R-000294-0018-4	<b>Originator's Initials</b> MF	<b>Page</b> 2 of 2
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**AWARD:** It is recommended that this construction contract be awarded to Underground Technologies, Inc. with a low bid of \$3,127,536.96

**PROJECT COST:** The total cost of this project is \$3,385,827.00 to be appropriated as follows:

- Bid Amount \$3,127,536.96
- Contingencies \$156,376.85
- Project Management \$46,913.19
- Engineering Testing Services \$55,000.00

Engineering Testing Services will be provided by Geotest Engineering, Inc., under a previously approved contract.

**M/WSBE PARTICIPATION:** The low bidder has demonstrated a good faith effort to comply with the M/WBE goals of the Texas Water Development Board and the SBE goals of the City of Houston. The bidder has proposed an MBE participation of 14.07%, WBE participation of 8.12%, and SBE participation of 3.04%.

<u>MBE - Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
Callieco Construction, Inc.	Paving Service Connections	\$ 70,000.00	2.24%
Standard Cement Materials, Inc.	Manhole Rehab	\$ 50,000.00	1.60%
Chief Solutions, Inc.	Clean & TV Sewer Lines	\$100,000.00	3.20%
Callieco Construction, Inc.	Supplies	\$220,000.00	7.03%
	<b>TOTAL</b>	<b>\$440,000.00</b>	<b>14.07%</b>

<u>WBE - Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
Municipal Marketing Systems, Inc.	Supplies	\$127,000.00	4.06%
El Dorado Paving Company, Inc.	Asphalt/Paving	\$127,000.00	4.06%
	<b>TOTAL</b>	<b>\$254,000.00</b>	<b>8.12%</b>

<u>SBE - Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
Deanie Hayes, Inc.	Supplies	\$95,000.00	3.04%
	<b>TOTAL</b>	<b>\$95,000.00</b>	<b>3.04%</b>

All known rights-of-way and easements required for this project have been acquired.

*JGM De SJF*  
MSM:JC:JGM:RK:JI:MF:aa

cc: Marty Stein  
Susan Bandy, CPA  
Velma Laws  
Reid Mrsny, P.E.  
File No. WW 4257-98

To: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

<b>SUBJECT:</b> An ordinance for the PARKER ROAD PAVING IMPROVEMENTS PROJECT (from Airline to Hardy Toll Road) be passed approving and authorizing the acquisition of parcels by dedication, purchase, or condemnation. WBS N-000620-0001-2	<b>Page</b> 1 of 1	<b>Agenda Item #</b>  54
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<b>FROM: (Department or other point of origin):</b>  Department of Public Works and Engineering	<b>Origination Date</b>  11-19-08	<b>Agenda Date</b>  DEC - 8 2008
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<b>DIRECTOR'S SIGNATURE:</b>  Michael S. Marcotte, P.E., D.WRE, BCEE, Director	<b>Council District affected:</b>  H Key Map 413X and 413Y
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<b>For additional information contact:</b> Nancy P. Collins Phone: (713) 837-0881  Senior Assistant Director	<b>Date and identification of prior authorizing Council Action:</b> Ordinance 2005-1047, passed September 7, 2005
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**RECOMMENDATION: (Summary)**  
An ordinance for the PARKER ROAD PAVING IMPROVEMENTS PROJECT (from Airline to Hardy Toll Road) be passed approving and authorizing the acquisition of parcels by dedication, purchase, or condemnation.

**Amount and Source of Funding:** No additional funding required (covered under Blanket Appropriation Ordinance 2005-1047 N-00663A-00RE-2-01 Street and Bridge Consolidated Construction Fund 4506) 

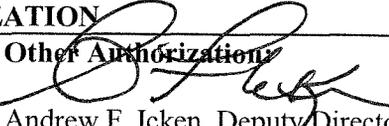
**SPECIFIC EXPLANATION:**  
The Department of Public Works and Engineering is requesting an ordinance for the PARKER ROAD PAVING IMPROVEMENTS PROJECT (from Airline to Hardy Toll Road) be passed approving and authorizing the acquisition of parcels by dedication, purchase, or condemnation.

This project will improve traffic mobility, drainage and reduce traffic congestion. The project consists of a four-lane divided concrete roadway from Airline to McGallion with a storm sewer system placed under the 14-foot median and a four-lane undivided concrete roadway from McGallion to Silvercrest with a storm sewer system located outside the pavement limits. The project will include raised medians, curbs, sidewalks, open ditches and necessary underground utilities.

This action authorizes payment for costs of land purchases/condemnations, appraisal fees, title policies/services, recording fees in connection with negotiations to settle purchases; and approves and authorizes the condemnation of the land and improvements thereon. If negotiations to acquire the property cannot be concluded as a purchase or for any reason for which acquisition by condemnation is warranted, this action authorizes the City attorney to file or cause Eminent Domain proceedings to be filed and acquire rights-of-way and easements for said purposes and authorizes payment for the Award of Special Commissioners and court costs associated with condemnation proceedings. Payments for purchase considerations that exceed the spending authority threshold set by State law will be submitted to City Council as they are finalized. This will expedite the process of acquiring land in support of the PARKER ROAD PAVING IMPROVEMENTS PROJECT (from Airline to Hardy Toll Road).

MSM:NPC:sb  
cc: Marty Stein

S:/BATES/Parker RCA-Condemn Blanket Ordinance 1.doc CUIC #20TSB01

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

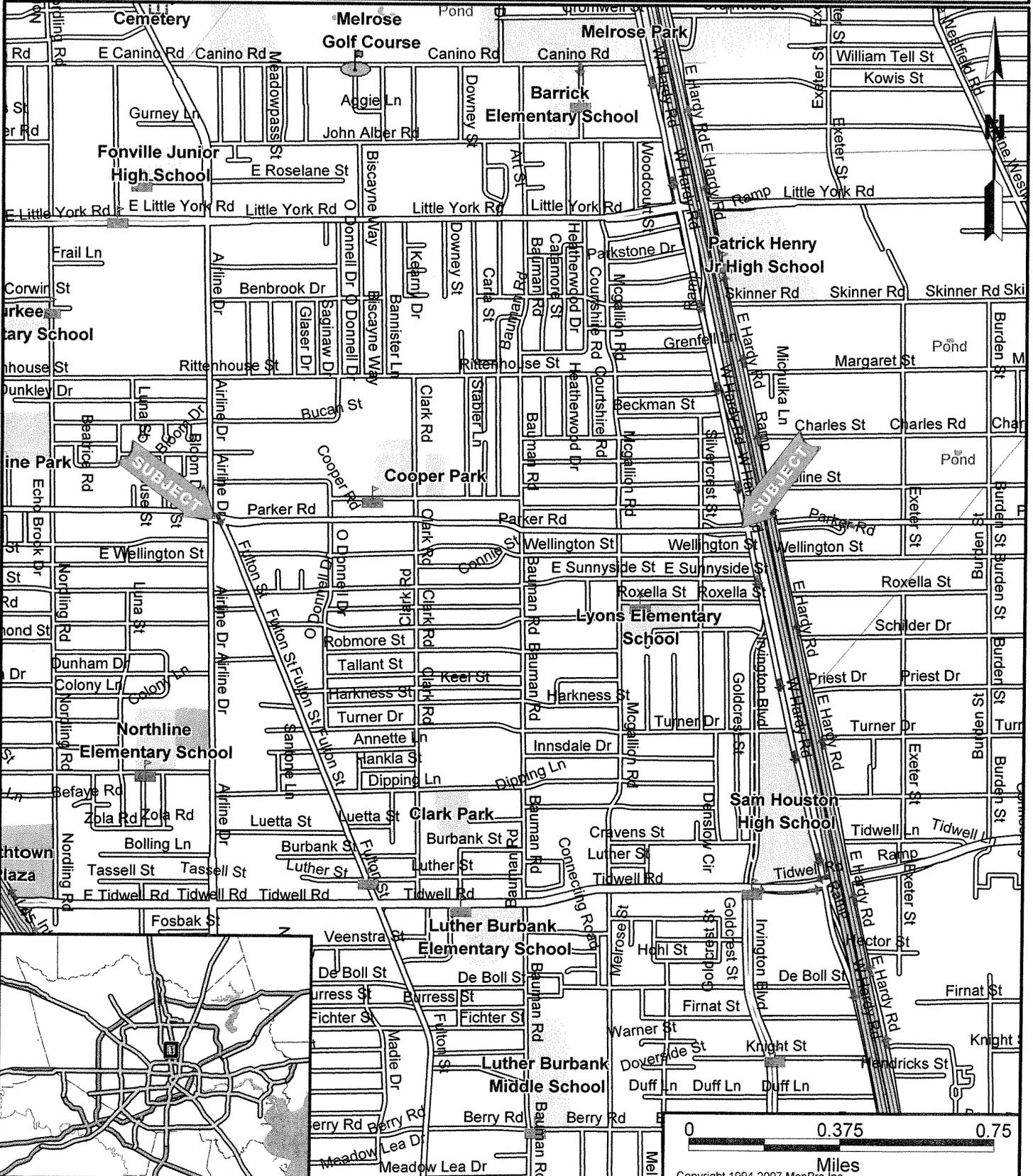
# LOCATION MAP

Description: Parker Road Paving Project (from Airline to Hardy Toll Road)

WBS N-000620-0001-2

Key Map 413X and 413Y, Council District H

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



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

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

SUBJECT: Ordinances granting Commercial Solid Waste Operator Franchises

Category #

Page 1 of 1

RCA # 55-56  
Agenda Item # 38 + 39

3rd Reading  
Final

FROM: (Department or other point of origin):

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

Origination Date

November 4, 2008

Agenda Date

~~NOV 18 2008~~

DIRECTOR'S SIGNATURE:

Council Districts affected:

ALL

NOV 19 2008

For additional information contact:

Juan Olguin <sup>JFO</sup> Phone: (713) 837- 9623  
Tina Paez <sup>TP</sup> Phone: (713) 837- 9630

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

RECOMMENDATION: (Summary)

Approve ordinance(s) granting Commercial Solid Waste Operator Franchise(s)

Amount of Funding:  
REVENUE

F & A Budget:

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

SPECIFIC EXPLANATION:

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

1. J Bar Contractors
2. TAP Environmental, Inc.

The proposed ordinances grant the Franchisees the right to use the City's public ways for the purpose of collecting, hauling or transporting solid or industrial waste from commercial properties located within the City of Houston. In consideration for this grant, each Franchisee agrees to pay to the City an annual Franchise Fee equal to 4% of their annual gross revenue, payable quarterly. To verify Franchisee compliance with the franchise, the City has the right to inspect, and the company has the duty to maintain, required customer records during regular business hours. The franchise contains the City's standard release and indemnification, default and termination, liquidated damages and force majeure provisions. The proposed franchise terms expire on December 31, 2013.

REQUIRED AUTHORIZATION

Finance Director:

170

40





# CITY OF HOUSTON

Planning & Development  
Department

## Interoffice

Correspondence

To: Arturo G. Michel, City Attorney

From:  Marlene L. Gafrick, Director

Date: November 27, 2007

Subject: **Assignment of Newly Annexed Areas**

The City is currently annexing parts of 18 utility districts for limited purposes. I am proposing the following assignment to Council Districts for the newly annexed areas. In each case, I am referring to only the portion of the election precinct that has been newly annexed. Each of these precincts is assigned to its adjacent District. Please let me know if you need additional information.

### District A

Addicks MUD: 463, 804  
HCMUD 71: 305, 603, 618, 813  
HCMUD 144: 553, 617, 651  
HCMUD 165: 149  
HCMUD 166: 553, 643  
HCMUD 371: 143  
HCMUD 383: 551  
HCMUD 500: 143  
HCMUD 501: 143  
HCMUD 503: 143  
HCUD 15: 613, 698

### District B

HCMUD 49: 83, 363, 388, 742

### District E

HCMUD 106: 388, 764  
HCMUD 278: 388, 764  
HCWCID 36: 375, 827

### District F

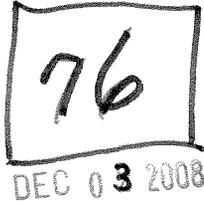
Chelford City MUD: 3101(Fort Bend)

### District G

Cinco MUD 2: 3038 (Fort Bend)  
Cinco MUD 5: 3038(Fort Bend)

MFG/mhw

cc: Marty Stein, Agenda Director  
Don Cheatham, Legal Department  
Sameera Mahendru, Legal Department



MOTION NO. 2008

WRITTEN Motion by Council Member Holm to amend the proposed ordinance adding a new Section 41-12, relating to Residential Subdivision Identification Markers, to Article I of Chapter 41 of the Code of Ordinances, as follows:

I move to amend Section 41-12 (a) to read:

(a) Definition. When used in this section, the term subdivision identification marker means a free-standing marker located in the median of a public street right of way or in excess public street right of way of a street within, intended to identify a residential community or residential development. ~~with 50 or more platted single family residential lots. The city engineer may issue a variance for subdivision identification markers for a residential community or residential development with less than 50 single family residential lots.~~

Council Member Garcia absent

On 11/19/08 the above motion was tagged by Council Member Holm.

cr



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Post Office Box 1562  
Houston, Texas 77251-1562  
900 Bagby, 1st Floor  
832-393-3007  
fax 832-393-3268  
districtg@cityofhouston.net

RE: Agenda Item 7

I move to amend Section 41-12 (a) to read:

(a) Definition. When used in this section, the term subdivision identification marker means a free-standing marker located in the median of a public street right of way or in excess public street right of way of a street within, intended to identify a residential community or residential development. ~~with 50 or more platted single-family residential lots. The city engineer may issue a variance for subdivision identification markers for a residential community or residential development with less than 50 single-family residential lots.~~



MOTION NO. 2008

WRITTEN Motion by Council Member Holm to amend the proposed ordinance adding a new Section 41-12, relating to Residential Subdivision Identification Markers, to Article I of Chapter 41 of the Code of Ordinances, as follows:

I move to amend Section 41-12 (b) to read:

Encroachment permit required. A subdivision identification marker installed after December 31, 2008, in the median of a public street right-of-way or in unimproved excess public street right-of-way of a street within, abutting or adjacent to the subdivision must have an encroachment permit issued by the city engineer's office and shall not be subject to the requirements of the Houston Sign Code (Chapter 46 of the City of Houston Building Code). ~~A subdivision identification marker on private property must have a sign permit issued by the city's sign administration pursuant to the Houston Sign Code.~~

Council Member Garcia absent

On 11/19/08 the above motion was tagged by Council Member Holm.

cr



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Post Office Box 1562  
Houston, Texas 77251-1562  
900 Bagby, 1st Floor  
832-393-3007  
fax 832-393-3268  
districtg@cityofhouston.net

RE: Agenda Item 7

I move to amend Section 41-12 (b) to read:

Encroachment permit required. A subdivision identification marker installed after December 31, 2008, in the median of a public street right-of-way or in unimproved excess public street right-of-way of a street within, abutting or adjacent to the subdivision must have an encroachment permit issued by the city engineer's office and shall not be subject to the requirements of the Houston Sign Code (Chapter 46 of the City of Houston Building Code). ~~A subdivision identification marker on private property must have a sign permit issued by the city's sign administration pursuant to the Houston Sign Code.~~

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

<b>SUBJECT:</b> Ordinance to add a new Section 41.12 to Article I of Chapter 41 of the Code of Ordinances relating to subdivision identification markers	Page 1 of 1	Agenda Item <b>76B-7</b>
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<b>FROM (Department or other point of origin):</b> Public Works and Engineering Department	<b>Origination Date</b> 11-15-08	<b>Agenda Date</b> <del>NOV 19 2008</del> DEC 03 2008
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<b>DIRECTOR'S SIGNATURE:</b> <i>MS</i>  Michael S. Marcotte, P.E., D.WRE, BCEE	<b>Council District affected:</b> All <i>MSH</i>
--	--

<b>For additional information contact</b> Mark L. Loethen, P.E. City Engineer <i>MSH</i> phone: 713-837-0724	<b>Date and identification of prior authorizing council action:</b> Not Applicable
--	--

**RECOMMENDATION:** Approve an Ordinance to add a new Section 41.12 to Article I of Chapter 41 of the Code of Ordinances relating to subdivision identification markers

<b>Amount and Source Of Funding:</b> Not Applicable	<b>Finance Budget:</b> Not Applicable
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**SPECIFIC EXPLANATION:**

Subdivision identification markers provide a valuable function by creating an identity for residential subdivisions, fostering civic pride, and assisting in navigating our city. The Public Works and Engineering Department (PWE) seeks to establish an encroachment permitting process for the placement of new subdivision identification markers within public street medians and excess public street rights of way. New subdivision identification makers, installed after December 31, 2008, will need to conform to applicable standards in the PWE Infrastructure Design Manual. An application processing fee of \$175 will be collected for up to two (2) subdivision identification markers; each additional marker will be subject to an additional \$35 application processing fee. Subdivision markers on private property must be permitted inconformance with the Houston Sign Code.

An encroachment permit will not be required for subdivision identification markers installed prior to and existing on December 31, 2008, the effective date of the ordinance. However, existing subdivision identification markers must be registered with PWE. No fee shall be assessed for registration of previously installed and existing subdivision identification markers.

PWE briefed the Council Regulation, Development & Neighborhood Protection Committee on subdivision markers on August 21, 2008, and at the October 23, 2008 meeting, the committee approved the ordinance and recommended it be forwarded to City Council.

PWE recommends Council approval of Amendment to add a new Section 41.12 to Article I of Chapter 41 of the Code of Ordinances.

xc: Marty Stein, Anna Russell, Arturo G. Michel

**REQUIRED AUTHORIZATION** *20MLL51*

 Andrew F. Icken Deputy Director
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City of Houston, Texas, Ordinance No. 2008-\_\_\_\_\_

**AN ORDINANCE ADDING A NEW SECTION 41-12, RELATING TO RESIDENTIAL SUBDIVISION IDENTIFICATION MARKERS, TO ARTICLE I OF CHAPTER 41 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS; CONTAINING FINDINGS AND OTHER PROVISIONS RELATING TO THE FOREGOING SUBJECT; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.**

\* \* \* \* \*

**WHEREAS**, City Council recognizes that subdivision identification markers can assist in creating an identity for residential subdivisions, foster civic pride, and aid in navigating this great city; and

**WHEREAS**, City Council seeks to authorize and regulate placement of the subdivision identification markers within public street medians or in excess public street right-of-way;

**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 Section 41-12 is hereby added to Article I of Chapter 41 of the Code of Ordinances, Houston, Texas, as follows:

**"Sec. 41-12. Subdivision identification markers.**

(a) *Definition.* When used in this section, the term *subdivision identification marker* means a marker intended to identify a residential community or residential development with 50 or more platted single-family residential lots. The city engineer may issue a variance for subdivision identification markers for a residential community or residential development with less than 50 single-family residential lots.

(b) *Encroachment permit required.* A subdivision identification marker installed after December 31, 2008, in the median of a public street right-of-way or in unimproved excess public street right-of-way of a street within, abutting or adjacent to the subdivision must have an

encroachment permit issued by the city engineer's office and shall not be subject to the requirements of the Houston Sign Code (Chapter 46 of the City of Houston Building Code). A subdivision identification marker on private property must have a sign permit issued by the city's sign administration pursuant to the Houston Sign Code.

(c) *Design standards.* A subdivision identification marker must contain the name of the recorded subdivision, and may contain an insignia or motto of the subdivision in addition to identification directly related to the residential community or development, such as 'deed restrictions enforced' and civic association/homeowner's association meeting announcements. A subdivision identification marker may not include any advertising content unrelated to the subdivision, and may not contain any moving, electronic, LED or other changeable message.

The design of the subdivision identification marker shall conform to the standards set forth in the Infrastructure Design Manual, as promulgated and revised from time to time by the public works and engineering department. The city engineer must approve each request for more than two subdivision identification markers in the public street right-of-way and may restrict the number of subdivision identification markers for a subdivision taking into account the number of lots in the subdivision, the number of major entrances to the subdivision, and the area (acreage) of the subdivision. The city engineer may establish minimum clearances for subdivision identification markers from the edge of the pavement. The city engineer may also specify acceptable foundations for subdivision identification markers in the public street right-of-way and may require frangible or breakaway marker supports. Variances to any design standards for proposed subdivision identification markers must be granted by the city engineer.

(d) *Application for encroachment permit.* A subdivision developer or homeowners' association may apply to the city engineer for an encroachment permit for subdivision identification markers. The application for subdivision identification markers must identify the person, partnership, association, corporation or other legal entity responsible for the perpetual maintenance of the marker and include a drawing, approved by the public works and engineering department, that shows the design, location, size, height, and material composition of all markers to be permitted, and the location of any utility (water, sanitary sewer, storm sewer, electricity, telephone, cable) facilities in

the immediate vicinity of the markers. Each subdivision identification marker must be located so as not to constitute a traffic hazard and shall not be located within the visibility triangle, as defined in section 33-101 of this Code, or otherwise impair the visibility of a vehicle from a road or driveway. The application fee for up to two subdivision identification markers to be located in the public street right-of-way shall be \$175, and the application fee for each additional subdivision identification marker to be located in the public street right-of-way shall be \$35. All application fees shall be payable at the time of application for an encroachment permit.

(e) *Issuance of encroachment permit.* An encroachment permit for subdivision identification markers installed or to be installed in the public street right-of-way shall be issued by the city engineer on terms approved by the city engineer. A legal representative for the applicant shall be required to sign the offered encroachment permit to indicate acceptance of the terms and undertakings therein, whereupon the applicant shall then be the holder of the encroachment permit.

(f) *Transfer of encroachment permit.* An encroachment permit issued to a developer may be transferred to a homeowners' association upon approval of the city engineer following the submittal of an instrument setting forth the undertaking of the homeowners' association to comply with all the terms of the encroachment permit and to assume all the obligations and responsibilities of the prior holder of the encroachment permit.

(g) *Existing subdivision identification markers.* Subdivision identification markers located within the public right-of-way on December 31, 2008, must be registered with the public works and engineering department. The public works and engineering department shall publish a form to register existing subdivision identification markers. No fees will be assessed for registration of existing subdivision identification markers.

(h) *Maintenance, repair and replacement.* As used in this subsection, the term *holder* refers to the holder of an encroachment permit for a subdivision identification marker and the registrant for an existing subdivision identification marker. The holder shall be, and the city shall not be, responsible for any and all maintenance, repair, and/or replacement for the subdivision identification marker, marker support,

structure, illumination, and associated landscaping. The city may require the holder, upon thirty-days written notice, to perform maintenance, repair, relocation, or removal of the subdivision identification marker, marker structure, and any associated landscaping. After expiration of the thirty-day notice, the city may cause the maintenance, repair or removal of the subdivision identification marker at the expense of the holder. In the event that the city needs to perform improvements, maintenance, or repairs of infrastructure within the right-of-way, the city may, without providing thirty-days written notice, cause the removal or alteration of the subdivision identification marker or marker structure and landscaping without repair, replacement, or compensation to the holder. In no circumstances shall the city be obligated to repair or replace a subdivision identification marker, or compensate the holder of the marker for any damage caused by the city or other parties.”

**Section 3.** 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 4.** 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 ADOPTED on this \_\_\_ day of \_\_\_\_\_, 2008.

APPROVED on this \_\_\_ day of \_\_\_\_\_, 2008.

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

Pursuant to Article VI, Section 6, of the Charter of the City of Houston, Texas, the effective date of the foregoing Ordinance is \_\_\_\_\_.

\_\_\_\_\_  
City Secretary

(Prepared by Legal Dept.

  
Sr. Assistant City Attorney

Requested by Michael S. Marcotte, P.E., DEE

L.D. File No. 073-0800280-001

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