

**AGENDA - COUNCIL MEETING - TUESDAY - OCTOBER 20, 2009 - 1:30 P. M.**  
**COUNCIL CHAMBER - SECOND FLOOR - CITY HALL**  
**901 BAGBY - HOUSTON, TEXAS**

**PRAYER AND PLEDGE OF ALLEGIANCE** - Council Member Noriega

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

**ADOPT MINUTES OF PREVIOUS MEETING**

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

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

**RECONVENE**

**WEDNESDAY - OCTOBER 21, 2009 - 9:00 A. M.**

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

**MAYOR'S REPORT** - Presentation by Texas Petrochemicals, Inc. on emission reduction achievements

**CONSENT AGENDA NUMBERS 1 through 74**

**MISCELLANEOUS** - NUMBERS 1 through 3

1. CONFIRMATION of the appointment of the following individuals to the **ANIMAL ADVISORY COMMITTEE BOARD OF DIRECTORS** for the remainder of a two year term that will end December 31, 2009:
  - Position 1 - **MS. PATRICIA COOPER, DVM**
  - Position 2 - **MR. CHRIS SOUDERS, M.D.**
  - Position 3 - **MS. KAPPY MUENZER**
  - Position 4 - **MR. NEIL SACKHEIM**

**MISCELLANEOUS** - continued

2. REQUEST from Mayor for confirmation of the appointment and reappointment of the following to the **MILLER THEATER ADVISORY BOARD**:
  - Position Seven - **MS. EDITH H. JOHNSON**, reappointment, for a term to expire 4/24/2013
  - Position Eight - **MR. ALLEN W. UECKERT**, appointment, for an unexpired term ending 4/24/2010
  - Position Nine - **MS. CELIA VARA VALLES**, reappointment, for a term to expire 4/24/2013
  - Position Ten - **MS. JENNY A. YANG**, appointment, for a term to expire 4/24/2013
  - Position Twelve - **MR. ROMULO TIM CISNEROS**, reappointment, for a term to expire 4/24/2013
  - Position Sixteen - **MS. GENEVIEVE A. ROUSSEVE**, reappointment, for a term to expire 4/24/2013
  - Position Eighteen - **MS. JANETTE L. COSLEY**, reappointment, for a term to expire 4/24/2013
3. RECOMMENDATION from Director Department of Public Works & Engineering for additional payment of \$62,900.00 for permit fees to the **HARRIS-GALVESTON SUBSIDENCE DISTRICT** for 2009 aggregated groundwater withdrawal - Enterprise Fund

**ACCEPT WORK** - NUMBERS 4 through 6

4. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$504,082.39 and acceptance of work on contract with **TRIPLE B SERVICES, L. L. P.** for Roseneath Drive Storm Sewer Replacement - 0.70% under the original contract amount - **DISTRICT D - ADAMS**
5. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$2,092,792.66 and acceptance of work on contract with **TRIPLE B SERVICES, L. L. P.** for West Bellfort Road Extension between Stella Link Road and S. Main Street (US Hwy 90A) - 1.11% over the original contract amount - **DISTRICT C - CLUTTERBUCK**
6. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$2,791,838.96 and acceptance of work on contract with **R. K. WHEATON, INC** for Water Line Replacement in Shepherd Park Terrace Area - 3.06% under the original contract amount - **DISTRICT A - LAWRENCE**

**PROPERTY** - NUMBERS 7 through 11

7. RECOMMENDATION from Director General Services Department to appoint David Lewis and David Dominy independent appraisers and Carl Thornton alternate appraiser to determine the fair market value of approximately 6.945 acres of land and improvements located at 3700 Southwest Freeway, also known as Lakewood Church, Parcel SY10-019 - **DISTRICT C - CLUTTERBUCK**
8. RECOMMENDATION from City Attorney to acquire by purchase in lieu of eminent domain proceedings Parcel AY6-148; located at 5515 Kirby Drive, owned by Jose Zavala Olmos, Trustee, for the **KIRBY DRIVE STORM SEWER REPLACEMENT PROJECT, SEGMENT 4; (ROBINHOOD TO IH59)** - \$82,839.00 - Storm Sewer Consolidated Construction Fund **DISTRICT C - CLUTTERBUCK**
9. RECOMMENDATION from Director Department of Public Works & Engineering to purchase Parcel AY8-052, located at the southwest corner of Long Point Road and Bunker Hill Road Intersection, owned by Spring Branch Plaza, LLC, Mehdi Hoesseini, President, for the **BUNKER HILL PAVING PROJECT - PHASE II (from the IH-10 feeder road to Long Point Road)** **DISTRICT A - LAWRENCE**

**PROPERTY** - continued

10. RECOMMENDATION from Director Department of Public Works & Engineering to purchase Parcel AY8-054, located at 9743 Long Point Road, owned by I on Investments, Inc., a/k/a I. Investments, Inc., Munir Ibrahim, President, for the **BUNKER HILL PAVING PROJECT PHASE II (from the IH-10 feeder road to Long Point Road) - DISTRICT A - LAWRENCE**
11. RECOMMENDATION from Director Department of Public Works & Engineering to purchase Parcel AY9-021, located at the northeast corner of Fuqua Road and Monroe Road, owned by Hannah Hedgpeith, Mary Susan Lindholm, Raymond Lindholm, Russell Lindholm, Michael Lindholm, and Lawrence Lindholm, for the **72-INCH WATER LINE ALONG FUQUA PROJECT from Stover to Moers) - DISTRICT E - SULLIVAN**

**PURCHASING AND TABULATION OF BIDS** - NUMBERS 12 through 15

12. **GILBREATH COMMUNICATIONS, INC** for Marketing Strategy Services through the Interlocal Agreement for Cooperative Purchasing with Houston-Galveston Area Council for the Health and Human Services Department - \$59,885.00 - Grant Fund
13. **SANTEX TRUCK CENTER, LTD.** for Cab & Chassis Mounted with a Platform Body and Crane through the Interlocal Agreement for Cooperative Purchasing with Houston-Galveston Area Council for Parks & Recreation Department - \$75,996.00 - Equipment Acquisition Consolidated Fund
14. ORDINANCE appropriating \$6,873,019.92 out of Equipment Acquisition Consolidated Fund for Purchase of Patrol Vehicles and Ancillary Equipment for Police Department
  - a. **AMEND MOTION #2009-38, 1/28/09, TO PURCHASE** additional Patrol Vehicles for Houston Police Department, awarded to **PHILPOTT MOTORS, LTD., d/b/a PHILPOTT FORD** \$5,117,418.00
15. **EXCALIBUR EXCAVATION, L.P.** for Construction of a Partition Wall for the Influent Channel at the City's Northwest Wastewater Treatment Plant for the Department of Public Works & Engineering - \$124,715.00 and contingencies for a total amount not to exceed \$137,186.50 Enterprise Fund

**RESOLUTIONS AND ORDINANCES** - NUMBERS 16 through 74

16. RESOLUTION approving amendments to the bylaws of the **CITY OF HOUSTON INDUSTRIAL DEVELOPMENT CORPORATION**
17. RESOLUTION approving amendments to the bylaws of the **CITY OF HOUSTON HEALTH FACILITIES DEVELOPMENT CORPORATION**
18. RESOLUTION approving amendments to the bylaws of the **CITY OF HOUSTON HIGHER EDUCATION FINANCE CORPORATION**
19. RESOLUTION designating certain property within the City of Houston as an Archaeological Site (Frost Town at 80 Spruce Street) - **DISTRICT H - GONZALEZ**
20. RESOLUTION designating certain properties within the City of Houston as landmarks and protected landmarks:

Frost Town Archaeological Site	80 Spruce Street	<b><u>DISTRICT H- GONZALEZ</u></b>
Sidney Sherman Brady House	3805 Wilmer Street	<b><u>DISTRICT H- GONZALEZ</u></b>

**RESOLUTIONS AND ORDINANCES** - continued

21. ORDINANCE **AMENDING THE HOUSTON SIGN CODE** relating to directional and locational signs for medical institutions
22. ORDINANCE **AMENDING ARTICLE IX OF CHAPTER 10 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to dangerous buildings
23. ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of Semmes Street between Brooks Street and Burnett Street, containing 0.4132 acre of land, more or less, in the S. F. Noble's Addition, S. M. Harris Survey, A-327; vacating and abandoning said tract of land to Kurkel Manufacturing, Inc., owner, in consideration of said owner's payment of \$54,000.00 and other consideration to the City - **DISTRICT B - JOHNSON**
24. ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of a 10-foot-wide sanitary sewer easement, containing Parcels SY8-097 and SY8-098, within Lots 6 and 7, Block 2 of the Normandy Place Subdivision, in the Obedience Smith Survey, A-696, Houston, Harris County, Texas; vacating and abandoning said two (2) parcels to Mary Wilson, and Ellen W. Schultz, et al., the abutting owners, as their interests appear, in consideration of the earlier dedication to the City of a larger sanitary sewer easement, Parcel D92-2, in 1992, by Robert Wilson, a former owner, and other consideration to the City - **DISTRICT C - CLUTTERBUCK**
25. ORDINANCE rescinding Ordinance 2008-0819 and approving and authorizing Purchase Agreement between Congregation Beth Israel of Houston, Purchaser, and the City of Houston, Texas, Seller, for the sale of 0.8237 acres of land, more or less, being out of a Former Water Plant located at 1109 Antoine Drive (Parcel SY7-040), in Reserve A, Block 9, Afton Village Subdivision, Section Two, E.B. Cogswell Survey, A-785, Houston, Texas, for an exchange of real property and a cash payment of \$27,950.00; approving the property exchange, Development Agreement, Special Warranty Deeds and a contract for deed - **DISTRICT A - LAWRENCE**
26. ORDINANCE providing \$499,500.00 in Federal Government - Grant Funded (CDBG) Funds; authorizing the purchase of 23,205 square feet, more or less, of land out of Block 5 Ingraham Addition, Houston, Harris County (3301, 3303 and 3305 Lyons Avenue), and improvements thereon, for the Houston Public Library; approving Purchase and Sale Agreement with the owner (Fifth Ward Community Redevelopment Corporation) of the land - **DISTRICT B - JOHNSON**
27. ORDINANCE authorizing the purchase of 28,462 square feet, more or less, of land out of the S. M Harris Survey, Houston, Harris County (3308 Ellis Court), for the Houston Public Library approving Purchase and Sale Agreement with the owner (Fifth Ward Community Redevelopment Corporation) of the land; authorizing the assignment to Fifth Ward Community Redevelopment Corporation of a Promissory Note made by Pleasant Hill Community Development Corporation **DISTRICT B - JOHNSON**
28. ORDINANCE establishing the north and south sides of the 900-1000 blocks of E. 25th Avenue within the City of Houston as a special building line requirement area pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT H - GONZALEZ**
29. ORDINANCE establishing the north and south sides of the 900-1000 blocks of E. 25th Avenue within the City of Houston as a special minimum lot size requirement area pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT H - GONZALEZ**
30. ORDINANCE establishing the east side of the 3200-3300 block of Morrison Street within the City of Houston as a special minimum lot size requirement area pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT H - GONZALEZ**

**RESOLUTIONS AND ORDINANCES** - continued

31. ORDINANCE approving and authorizing contract between the City of Houston and **CHILD CARE COUNCIL OF GREATER HOUSTON** providing up to \$597,694.00 in Community Development Block Grant ("CDBG") Funds for Implementation, oversight and delivery of a Child Care Program 1 Year
32. ORDINANCE approving and authorizing contract between the City of Houston and **CHILD CARE COUNCIL OF GREATER HOUSTON** providing up to \$2,168,128.24 for the administration of an Emergency Shelter Grants Program - Emergency Shelter Grant and Community Development Block Grant Funds
33. ORDINANCE approving and authorizing contract between the City of Houston and **CHILD CARE COUNCIL OF GREATER HOUSTON** providing up to \$623,453.00 in Community Development Block Grant ("CDBG") Funds for Implementation, oversight and delivery of a Juvenile Delinquency Prevention Program
34. ORDINANCE approving and authorizing contract between the City of Houston and **HEALTHCARE FOR THE HOMELESS-HOUSTON** to provide \$130,000.00 in Community Development Block Grant Funds for the administration and operation of Project Access, which offers transportation services to homeless individuals and families seeking health care and supportive services - **DISTRICT I - RODRIGUEZ**
35. ORDINANCE approving and authorizing the City of Houston to enter into a Modification and Assumption Agreement with **CREATIVE CHOICE TEXAS I, LTD. (CREATIVE CHOICE)** and **THE APARTMENTS OF THE VILLAGE (VILLAGE)** whereby Village will assume the \$500,000.00 Federal Home Repayment Loan previously loaned by the City to Creative Choice in connection with the acquisition and renovation of an apartment building located at 8210 Bauman Road, Houston, Texas, to house low income residents (Project); convert the said Repayment Loan to a Performance-Based Loan; and obtain an additional \$310,000.00 Federal Home Performance-Based Loan to cover a portion of hard cost overruns in connection with the project - **DISTRICT H - GONZALEZ**
36. ORDINANCE approving and authorizing contract between the City and **COMMUNITY HEALTH CHOICE, INC** for a Physician Services Agreement to be a Medicaid Group Provider for Primary and Specialty Care - Revenue
37. ORDINANCE extending the provisions of Section 28-303 of the Code of Ordinances, Houston, Texas, to various single-family residential properties within **CHATEAU FOREST SUBDIVISION, SECTIONS 1 - 4**, to prohibit the parking of vehicles in the front or side yards of such residences **DISTRICT A - LAWRENCE**
38. ORDINANCE extending the provisions of Section 28-303 of the Code of Ordinances, Houston, Texas, to various single-family residential properties within **FOREST PINES SUBDIVISION, SECTIONS 1, 2A, AND 2B**, to prohibit the parking of vehicles in the front or side yards of such residences - **DISTRICT A - LAWRENCE**
39. ORDINANCE extending the provisions of Section 28-303 of the Code of Ordinances, Houston, Texas, to various single-family residential properties within **COLE CREEK MANOR SUBDIVISION, SECTIONS 1 AND 2**, to prohibit the parking of vehicles in the front or side yards of such residences - **DISTRICT A - LAWRENCE**
40. ORDINANCE extending the provisions of Section 28-303 of the Code of Ordinances, Houston, Texas, to various single-family residential properties within **WESTBURY SUBDIVISION, SECTIONS 1 - 5**, Westbury Subdivision Replat, Sections 1, 3 and 5, Westbury Subdivision, and Parkwest Subdivision, Sections 1 - 3, to prohibit the parking of vehicles in the front or side yards of such residences - **DISTRICT C - CLUTTERBUCK**

**RESOLUTIONS AND ORDINANCES** - continued

41. ORDINANCE extending the provisions of Section 28-303 of the Code of Ordinances, Houston, Texas, to various single-family residential properties within **SHENANDOAH SUBDIVISION, SECTION 1, EXCLUDING BLOCK 1, LOTS 10-18, SHENANDOAH SUBDIVISION, SECTIONS 2 & 3, AND SIGRID SUBDIVISION**, to prohibit the parking of vehicles in the front or side yards of such residences - **DISTRICTS C - CLUTTERBUCK and F - KHAN**
42. ORDINANCE extending the provisions of Section 28-303 of the Code of Ordinances, Houston, Texas, to various single-family residential properties within **SOUTHWOOD OAKS SUBDIVISION** to prohibit the parking of vehicles in the front or side yards of such residences - **DISTRICT D - ADAMS**
43. ORDINANCE extending the provisions of Section 28-303 of the Code of Ordinances, Houston, Texas, to various single-family residential properties within **ARLINGTON HEIGHTS SUBDIVISION, SECTIONS 1-3**, Arlington Heights Subdivision, Section 1 Replat, and Arlington Heights Subdivision, Section 4 Replat, to prohibit the parking of vehicles in the front or side yards of such residences - **DISTRICT E - SULLIVAN**
44. ORDINANCE extending the provisions of Section 28-303 of the Code of Ordinances, Houston, Texas, to various single-family residential properties within **ROBINDELL SUBDIVISION, SECTIONS 1 - 5**, to prohibit the parking of vehicles in the front or side yards of such residences **DISTRICT F - KHAN**
45. ORDINANCE extending the provisions of Section 28-303 of the Code of Ordinances, Houston, Texas, to various single-family residential properties within **ASHFORD HILLS SUBDIVISION** to prohibit the parking of vehicles in the front or side yards of such residences - **DISTRICT G - HOLM**
46. ORDINANCE extending the provisions of Section 28-303 of the Code of Ordinances, Houston, Texas, to various single-family residential properties within **BRIARMEADOW SUBDIVISION, SECTIONS 1 & 2**, and **BRIARMEADOW SUBDIVISION** Section 1 Partial Replat, to prohibit the parking of vehicles in the front or side yards of such residences - **DISTRICT G - HOLM**
47. ORDINANCE extending the provisions of Section 28-303 of the Code of Ordinances, Houston, Texas, to various single-family residential properties within **WEST LANE PLACE SUBDIVISION, WEST LANE ANNEX, AND WEST LANE III SUBDIVISION**, to prohibit the parking of vehicles in the front or side yards of such residences - **DISTRICT G - HOLM**
48. ORDINANCE extending the provisions of Section 28-303 of the Code of Ordinances, Houston, Texas, to various single-family residential properties within **MEADOWBROOK FREEWAY SUBDIVISION, SECTIONS 1-3**, to prohibit the parking of vehicles in the front or side yards of such residences - **DISTRICT I - RODRIGUEZ**
49. ORDINANCE extending the provisions of Section 28-303 of the Code of Ordinances, Houston, Texas, to various single-family residential properties within **TAMMARACK WOODS SUBDIVISION** to prohibit the parking of vehicles in the front or side yards of such residences **DISTRICT I - RODRIGUEZ**
50. ORDINANCE extending the provisions of Section 28-303 of the Code of Ordinances, Houston, Texas, to various single-family residential properties within **SONGWOOD SUBDIVISION, SECTIONS 1 - 6**, to prohibit the parking of vehicles in the front or side yards of such residences **DISTRICT I - RODRIGUEZ**

**RESOLUTIONS AND ORDINANCES** - continued

51. ORDINANCE approving and authorizing first amendment to contract for Plan Administration Services between the City, the **HOUSTON POLICE OFFICERS' UNION** and **VALIC RETIREMENT SERVICES COMPANY** for Third Party Administrative Services for the HPOU Section 457 Eligible Deferred Compensation Plan
52. ORDINANCE amending Ordinance No. 2009-680 relating to the Fiscal Affairs of the Fourth Ward Redevelopment Authority on behalf of **REINVESTMENT ZONE NUMBER FOURTEEN, CITY OF HOUSTON, TEXAS (FOURTH WARD ZONE)**; approving an amendment to the Fiscal Year 2010 Operating Budget and the Fiscal Years 2010-2014 Capital Improvements Budget for the Fourth Ward Redevelopment Authority and the Fourth Ward Zone - **DISTRICTS D - ADAMS and I - RODRIGUEZ**
53. ORDINANCE amending Ordinance No. 2009-981, relating to the City of Houston Term Limits Review Commission, to correct a scrivener's error
54. ORDINANCE approving and authorizing the submission of an application for and acceptance of a Texas Department of Transportation Motor Carrier Safety Assistance Program High Priority Grant; declaring the City's eligibility for such grant; authorizing the Mayor to act as the City's representative in the application process; authorizing the Chief of the Houston Police Department to accept such grant funds, if awarded, and to apply for and accept all subsequent awards, if any, pertaining to the program
55. ORDINANCE approving and authorizing contract between the City and **HARRIS COUNTY** for Vehicle Registration holds in support of the Digital Automated Red Light Enforcement Program; providing a maximum contract amount - \$180,000.00 - Digital Automated Red Light Enforcement Program Funds
56. ORDINANCE authorizing the Mayor to make certain arrangements and procure certain services not provided under Election Services and Translation Agreements in connection with the City of Houston General Election to be held on November 3, 2009 and any required Runoff Election; authorizing the payment of certain costs of such election - \$320,000.00 - General Fund
57. ORDINANCE awarding contract to **JPMORGAN CHASE BANK, N.A.** for Banking Services Citywide; providing a maximum contract amount - 3 Years with two one-year options \$1,643,941.00 - General and Enterprise Funds
58. ORDINANCE approving and authorizing contracts between the City of Houston and **HEARD & MEDACK, P.C.** and **OLSON AND OLSON, L.L.P.** for Legal Services relating to Civil Action No. H-06-2650; George Rodriguez v. City of Houston, et al.; in the United States District Court for the Southern District of Texas, Houston Division and other similar matters; establishing maximum contract amounts - Totaling \$500,000.00 - Property and Casualty Fund
59. ORDINANCE appropriating \$4,635,865.00 out of Airports Improvement Fund and \$77,265.00 out of Airports Improvement Fund; awarding construction contract to **VANDERLANDE INDUSTRIES, INC** for Explosion Detection System Baggage Handling System and Security Enhancements at William P. Hobby Airport (HOU) and Ellington Airport (EFD), (Project No. 612L); providing funding for contingencies and the Civic Art Program relating to construction of the facilities financed by such fund - **DISTRICTS E - SULLIVAN and I - RODRIGUEZ**

**RESOLUTIONS AND ORDINANCES** - continued

60. ORDINANCE appropriating \$7,797.43 out of Parks Consolidated Construction Fund for Purchase of Office Furniture for Hobart Taylor Park Community Center - **DISTRICT B - JOHNSON**
61. ORDINANCE appropriating \$50,000.00 out of Parks Consolidated Construction Fund as an additional appropriation for Professional Environmental Consulting Services Contract between the City of Houston and **BROWN AND CALDWELL** (Approved by Ordinance No. 2007-1326) for Consulting Services at 723 N. Drennan Street for the Parks & Recreation Department - **DISTRICT I - RODRIGUEZ**
62. ORDINANCE appropriating \$6,450,000.00 out of Street & Bridge Consolidated Construction Fund and approving and authorizing Interlocal Agreement between the City of Houston and **HARRIS COUNTY** for the Reconstruction of Genoa-Red Bluff Road from Beltway 8 to 1,500 feet east of Pine Tree Drive - **DISTRICT E - SULLIVAN**
63. ORDINANCE appropriating \$8,256,137.00 out of Street & Bridge Consolidated Construction Fund to Reimburse the General Fund for the Rehabilitation of Concrete Pavements and Bridge Replacement
64. ORDINANCE altering and establishing prima facie speed limits in certain zones in the City of Houston; containing findings and other provisions relating to the foregoing subject; providing a repealer; containing a savings clause; providing for severability; declaring certain conduct to be unlawful and providing a penalty
65. ORDINANCE approving and authorizing second amendment to contract between the City of Houston and **SEVERN TRENT ENVIRONMENTAL SERVICES, INC** for Operation and Maintenance Services for the Kingwood Area Water and Wastewater Utilities and Facilities (Approved by Ordinance No. 2002-91); providing a maximum contract amount - \$5,000,000.00 Enterprise Fund - **DISTRICT E - SULLIVAN**
66. ORDINANCE appropriating \$12,000.00 out of Water & Sewer System Consolidated Construction Fund; approving and authorizing Professional Construction Management and Inspection Services Agreement between the City of Houston and **R. G. MILLER, INC** for Homestead Wastewater Treatment Plant - **DISTRICT B - JOHNSON**
67. ORDINANCE appropriating \$893,200.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **CAMP DRESSER AND MCKEE, INC** for Sims Bayou North and FWSD #23 Wastewater Treatment Plant Improvements; providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund **DISTRICTS B - JOHNSON and I - RODRIGUEZ**
68. ORDINANCE appropriating \$891,000.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **MALCOLM PIRNIE, INC** for West District and Upper Brays Wastewater Treatment Plant Improvements; providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT G - HOLM**
69. ORDINANCE appropriating \$1,440,700.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **ARCADIS U.S., INC** for Water Line Replacement in Timbergrove Area, Fulton North and Glenwood Area; providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICTS A - LAWRENCE; B - JOHNSON and H - GONZALEZ**

**RESOLUTIONS AND ORDINANCES** - continued

70. ORDINANCE appropriating \$1,716,755.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **COSTELLO, INC** for Design of Waterline Replacement in Memorial Plaza Area, Shadywood Area and Regency Square Area; providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICTS F - KHAN and G - HOLM**
71. ORDINANCE appropriating \$1,137,000.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **CLR, INC** for Waterline Replacement in Avondale Area and Waterline Replacement in Beamer Area; providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICTS D - ADAMS and E - SULLIVAN**
72. ORDINANCE appropriating \$4,491,300.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing fourth amendment to Professional Engineering Services Contract between the City of Houston and **LOCKWOOD, ANDREWS & NEWNAM, INC** (Approved by Ordinance No. 2006-0277) for the Surface Water Transmission Program; providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund
73. ORDINANCE appropriating \$3,167,584.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **REPIPE CONSTRUCTION, LTD.** for Sanitary Sewer Rehabilitation by Cured-In-Place Pipe Method; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering and testing, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund
74. ORDINANCE appropriating \$5,761,303.96 out of Water & Sewer System Consolidated Construction Fund and \$1,118,496.04 out of Water & Sewer Contributed Capital Fund; awarding contract to **HUFF & MITCHELL, INC** for Proposed 72-Inch water line along Fuqua from the existing 96-inch water line near Beamer to Stover Street; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering, testing, project management, construction management, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund and the Water & Sewer Contributed Capital Fund - **DISTRICT E - SULLIVAN**

**END OF CONSENT AGENDA**

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

**NON CONSENT AGENDA** - NUMBERS 75 and 76

**MISCELLANEOUS**

75. **SET HEARING DATE** to consider a Municipal Setting Designation ordinance (MSD) for 8800 Bellaire, L.P. for the site located at 8880 Bellaire Blvd. - **DISTRICTS C - CLUTTERBUCK; F - KHAN and G - HOLM**  
**SUGGESTED HEARING DATE - 9:00 A.M. - WEDNESDAY - DECEMBER 16, 2009**
76. **SET HEARING DATE** to consider a Municipal Setting Designation ordinance (MSD) for SRS Shopping Center, Ltd. for the site located at 13100 block of Memorial Drive  
**DISTRICTS A - LAWRENCE; F - KHAN and G - HOLM**  
**SUGGESTED HEARING DATE - 9:00 A.M. - WEDNESDAY - DECEMBER 16, 2009**

**MATTERS HELD** - NUMBERS 77 through 81A

77. RECOMMENDATION from Purchasing Agent on award to **GATEWAY TO CARE, A non-profit corporation**, to develop a call center to process the high volume of surge questions regarding H1N1 for the Houston Department of Health & Human Services - \$193,773.00 - Grant Fund  
**TAGGED BY COUNCIL MEMBER HOLM**  
This was Item 12 on Agenda of October 14, 2009
78. RECOMMENDATION from Purchasing Agent to **AMEND MOTION #2007-788,7/18/07, TO INCREASE** spending authority from \$1,275,000.00 to \$1,593,750.00 for MD Helicopter Replacement Parts for Houston Police Department, awarded to **HELI-MART, INC** - \$318,750.00 General Fund - **TAGGED BY COUNCIL MEMBER HOLM**  
This was Item 15 on Agenda of October 14, 2009
79. ORDINANCE appropriating \$2,500,000.00 out of TIRZ Affordable Housing Fund (Fund 2409) and approving and authorizing Grant Agreement between the City of Houston and **AVENUE COMMUNITY DEVELOPMENT CORPORATION** to assist in the land development costs for a subdivision of 95 affordable single-family homes situated on 12.49 acres of a 20.3 acre development tract at 4004 Irvington Boulevard, Houston, Texas - **DISTRICT H - GONZALEZ**  
**TAGGED BY COUNCIL MEMBER JONES**  
This was Item 24 on Agenda of October 14, 2009
80. ORDINANCE amending Ordinance No. 2004-0808 to increase the maximum contract amount; approving and authorizing second amendment to contract between the City of Houston and **PETDATA, INC** for Animal Licensing Services for Houston Department of Health & Human Services - \$380,000.00 - General Fund  
**TAGGED BY COUNCIL MEMBERS HOLM and CLUTTERBUCK**  
This was Item 31 on Agenda of October 14, 2009

**MATTERS HELD** – continued

81. ORDINANCE appropriating \$174,875.00 out of Equipment Acquisition Consolidated Fund and \$206,574.00 out of Reimbursement of Equipment/Projects Fund for Purchase of Light-Duty Utility Vehicles for Various Departments
- a. RECOMMENDATION from Purchasing Agent to award to **PLANET FORD 45** - \$495,063.00 and **PHILPOTT MOTORS, LTD.** - \$978,311.00 for Light-Duty Utility Vehicles for Various Departments \$1,091,925.00 - Enterprise, Grant, Building Inspection and Special Waste Transportation & Inspection Fund - **POSTPONED BY MOTION #2009-752, 10/14/09**  
These were Items 52 and 52A on Agenda of October 14, 2009

**MATTERS TO BE PRESENTED BY COUNCIL MEMBERS** - Council Member Lawrence first

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

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

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

**CITY COUNCIL CHAMBER - CITY HALL 2<sup>nd</sup> FLOOR - TUESDAY  
OCTOBER 20, 2009 - 2:00 PM**

**AGENDA**

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3MIN

3MIN

3MIN

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**NON-AGENDA**

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2MIN

2MIN

2MIN

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MR. TOM FATJO – 5404 Sugarhill – 77056 – 713-292-2400 – Waste Contract

MR. TOMMY FATJO – One Riverway #1400 – 77056 - 713-292-2400 – Waste Contract

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3MIN

3MIN

3MIN

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MS. ORA SCOTT – 1803 Pine Hollow – Missouri City – TX - 77489 – 281-438-8213 – Rental property at 4861 Beechaven

MS. MONICA LAMB – 2817 Southmore – 77004 – 832-890-8790 – Housing Department/HOPWA

MS. VENDOLYN BOATWRIGHT – 12439 Oakcroft - 77070 - 281-376-8108 – Mayor - YMCA for Willow Run 26.82 acres

MR. STEVEN WILLIAMS – No address – No phone – Appealing to 70% of White Catholics: Help me out

MR. GLENN ARMSTEAD – 3720 Lydia – 77021 – 713-741-2557 – Dilapidated house 3722 Lydia – Wood rats now invading my home

MR. LARRY SHAEFER – 115 N. Walker – Angleton – TX – 77515 – 281-235-5205 – Complaint of COH Employee Scott Erdo – refused an open records request

MS. SHIRLEY GONZALES – 1618 Longacre – 77055 – 832-816-7759 – Explain Condominium ownership

MR. JACK CUMMINGS – 10651 Northbrook – 77043 – 713-973-6365 – Trash pick-up

MR. RICHARD GRAYSHAW – 1403 Blalock Rd – 77055 – 713-298-6283 – Candlelight Trails Condos

MR. MARK HOGUE – 9307 Meadowglen – 77063 – 832-277-6000 – Peter Brown

**PREVIOUS**

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1MIN

1MIN

1MIN

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MS. MARY TAYLOR - 1403 Fashion Hill Dr. - 77088 - 281-445-0682 – Mayor - YMCA for Willow Run 26.82 acres

MS. BARBARA HARGROVE WILKINS – 7303 Touchstone St – 77028 – 713-491-8876 – Complaint with Neighborhood Protection concerns

MR. ARMON ALAM – No Address – 206-350-4735 – Candlelight Coalition

1  
OCT 21 2009

MOTION NO. 2009 0751

MOTION by Council Member Khan that nominations for Positions One through Four for the Animal Advisory Committee Board of Directors, for the remainder of a two year term that will end December 31, 2009, be closed.

Seconded by Council Member Noriega and carried.

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

Council Member Gonzalez out of the City on City business

PASSED AND ADOPTED this 14th day of October 2009.

Pursuant to Article VI, Section 6 of the City Charter, the  
effective date of the foregoing motion is October 20, 2009.

City Secretary

Position 1 - Ms. Patricia Cooper, D.V.M., was nominated by Council Member Lovell.

Position 2 - Mr. Chris Souders, M.D., was nominated by Council Member Lovell.

Position 3 - Ms. Kappy Muenzer was nominated by Council Member Holm.

Position 4 - Mr. Neil Sackheim was nominated by Council Member Noriega.



BILL WHITE  
MAYOR

OFFICE OF THE MAYOR  
CITY OF HOUSTON  
TEXAS

2

OCT 21 2009

COPY TO EACH MEMBER OF COUNCIL

CITY SECRETARY: 10-2-09  
date

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

October 2, 2009

The Honorable City Council  
City of Houston

Dear Council Members:

Pursuant to Houston Code of Ordinances, Sections 32-243 through 32-252, I am nominating the following individuals for appointment or reappointment to the Miller Theater Advisory Board, subject to Council confirmation:

- Ms. Edith H. Johnson, reappointment to Position Seven, for a term to expire April 24, 2013;
- Mr. Allen W. Ueckert, appointment to Position Eight, for an unexpired term ending April 24, 2010;
- Ms. Celia Vara Valles, reappointment to Position Nine, for a term to expire April 24, 2013;
- Ms. Jenny A. Yang, appointment to Position Ten, for a term to expire April 24, 2013;
- Mr. Tim R Cisneros, reappointment to Position Twelve, for a term to expire April 24, 2013; *Romulo Tim*
- Ms. Genevieve Rousseve, reappointment to Position Sixteen, for a term to expire April 24, 2013;
- and
- Ms. Janette L. Cosley, reappointment to Position Eighteen, for a term to expire April 24, 2013.

The résumés of the nominees are attached for your review.

Sincerely,

Bill White  
Mayor

BW:LC:jsk

Attachments

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



TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

<b>SUBJECT:</b> Approval of an additional payment to the Harris-Galveston Subsidence District for 2009 groundwater withdrawal permit fees.		<b>Category</b> # 1	<b>Page</b> 1	<b>Agenda Item</b> # <i>3</i>
<b>FROM (Department or other point of origin):</b> Department of Public Works and Engineering		<b>Origination Date</b> 10-15-09	<b>Agenda Date</b> OCT 21 2009	
<i>MS</i> <b>DIRECTOR'S SIGNATURE</b> <i>Michael S. Marcotte</i> Michael S. Marcotte, P.E., D.WRE, BCEE, Director	<b>Council District affected:</b> All			
	<b>For additional information contact:</b> Yvonne W. Forrest Senior Assistant Director <b>Phone:</b> (713) 837-7051		<b>Date and identification of prior authorizing Council action</b> Motion No. 2009-0104, dated 3/4/09	
<b>RECOMMENDATION: (Summary)</b> That City Council approves an additional payment of the \$62,900.00 for permit fees to the Harris-Galveston Subsidence District.				
<b>Amount of Funding:</b> \$62,900.00 <i>MS 10/2/09</i>			<b>Finance Department:</b>	
<b>SOURCE OF FUNDING:</b> <input type="checkbox"/> General Fund <input type="checkbox"/> Grant Fund <input checked="" type="checkbox"/> Enterprise Fund <input type="checkbox"/> Other (Specify)                    Water and Sewer System Operating Fund (8300)				
<b>SPECIFIC EXPLANATION:</b>  City Council passed Motion#2009-0104 on March 4, 2009 authorizing the payment of \$920,499.00 for the 2009 Groundwater withdrawal and permit fees and accrual of Over-Conversion Credits. Due to the unusually hot and dry weather conditions throughout much of the spring and summer an additional payment is due.  The Department of Public Works is requesting that City Council approve an additional payment totaling \$62,900.00 to Harris-Galveston Subsidence District. These fees will cover the period of 2/1/09 to 1/31/10.  The amount of the fees is based on a \$17.00 assessment per million gallons for an aggregated increase from 3300 million gallons to 7000 million gallons for HGSD Area 2.  cc: Michael S. Marcotte, P.E., D.WRE, BCEE Waynette Chan Jun Chang, P.E. Gary Drabek Marty Stein				
<b>REQUIRED AUTHORIZATION</b>			CUIC ID #20YWF03	
<b>Finance Department</b>	<b>Other Authorization:</b> <i>Yvonne W. Forrest</i> Yvonne W. Forrest Senior Assistant Director		<b>Other Authorization:</b> <i>Jun Chang</i> Jun Chang, P.E., Deputy Director, Public Utilities Division	



TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Accept Work for Roseneath Drive Storm Sewer Replacement; WBS No. M-000126-0059-4.

Page 1 of 1

Agenda Item # 4

FROM (Department or other point of origin):

Origination Date

Agenda Date

Department of Public Works and Engineering

10/15/09

OCT 21 2009

DIRECTOR'S SIGNATURE:

Michael S. Marcotte, P.E., D.WRE, BCEE., Director

Council District affected: D

For additional information contact:

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

Phone: (713) 837-7074

Date and identification of prior authorizing Council action:

Ord. # 2008-1009 dated 11/12/2008

RECOMMENDATION: (Summary) Pass a motion to approve the final Contract Amount of \$504,082.39 or 0.70% under the original Contract Amount, accept the Work and authorize final payment.

Amount and Source of Funding: No additional funding required; Total (Original) appropriation of \$594,000.00 from Drainage Improvement Commercial Paper Series F, Fund No. 4030.

PROJECT NOTICE/JUSTIFICATION: This project was part of the Local Drainage Program and was required to replace the existing collapsed storm sewer and alleviate street flooding.

DESCRIPTION/SCOPE: This project consisted of approximately 1,200 linear feet of 36-inch storm sewer pipe including one outfall into Brays Bayou, HCFCD Unit No. D100-00-00, 30 linear feet of 24-inch storm sewer leads, 2 B-B inlets, 7 manholes, reinforced concrete roadway with asphalt overlay and surface mill with asphalt overlay. R. G. Miller Engineers, Inc. designed the project with 90 calendar days allowed for construction. The project was awarded to Triple B Services, L. L. P. with an original Contract Amount of \$507,627.80.

LOCATION: The project is generally bounded by Brays Bayou on the north, Roseneath Drive on the south, Oakcrest Drive on the west and Cullen Boulevard on the east. Key Map Grid 533H.

CONTRACT COMPLETION AND COST: The Contractor, Triple B Services, L. L. P., has completed the work under subject Contract. The project was completed within the Contract Time with an additional 12 days approved by Change Order No. 2. The final cost of the project, including overrun and underrun of estimated bid quantities and previously approved Change Order No.1 and 2 is \$504,082.39. This is a decrease of \$3,545.41 or 0.70% under the original Contract Amount.

The decreased cost is a result of the difference between planned and measured quantities. This decrease is a primarily a result of Change Order No. 1, which was necessary to complete the contract.

M/WBE PARTICIPATION: There was no M/WBE goal established for this project.

MSM:DRM:JTL:JLS:SK:ha

Z:\E&C Construction\East Sector\PROJECTS\M-000126-0059-4 ROSENEATH Dr. Storm Sewer\Closeout\RCA\RCA - Closeout.doc

c: Velma Laws Craig Foster Waynette Chan Marty Stein File No.: M-000126-0059/21.0

REQUIRED AUTHORIZATION

20HA76

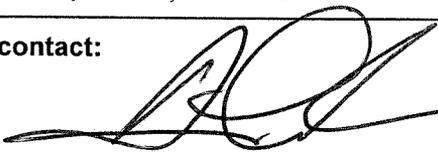
Finance Department:

Other Authorization:

Other Authorization:

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

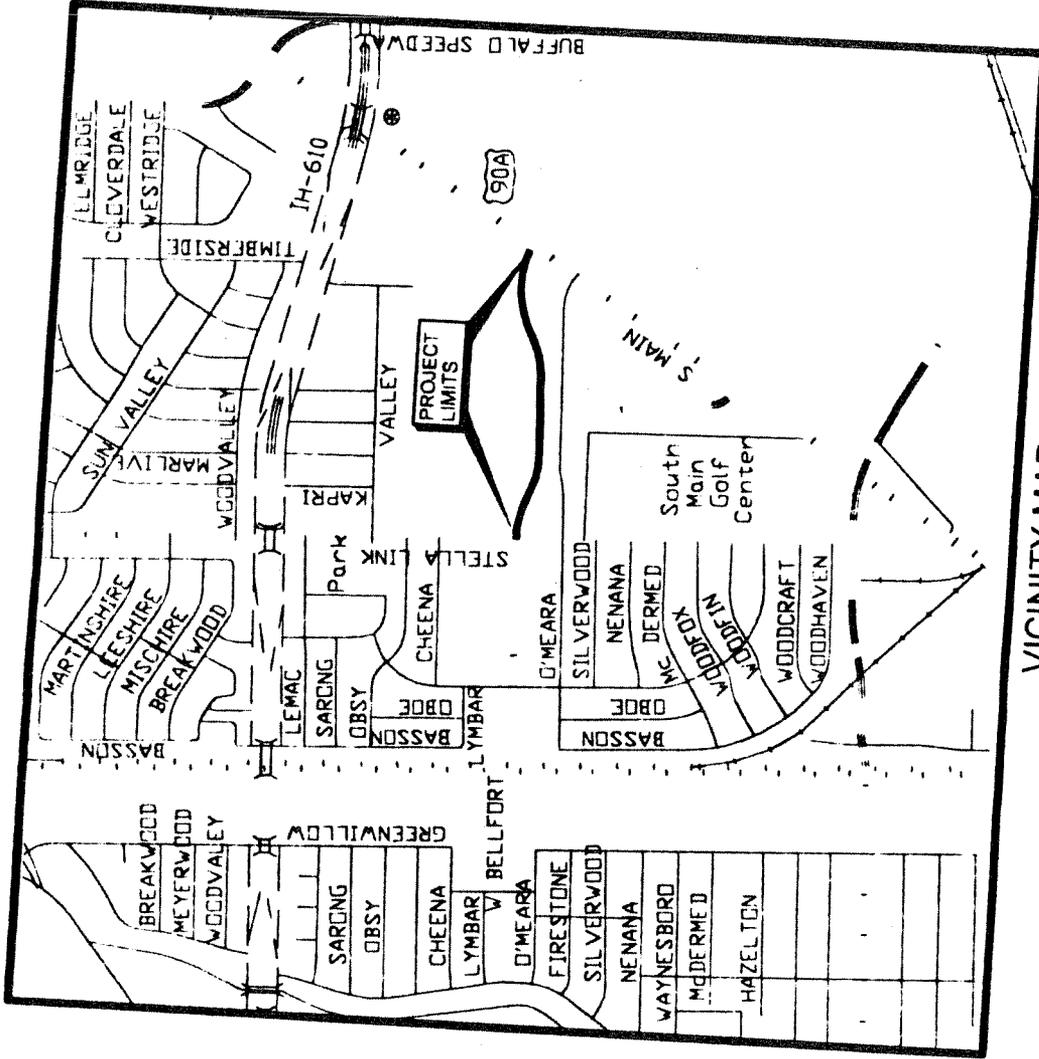
**TO: Mayor via City Secretary REQUEST FOR COUNCIL ACTION**

<b>SUBJECT:</b> Accept Work for West Bellfort Road Extension Between Stella Link Road and S. Main Street (US Hwy 90A); WBS No. N-000571-0001-4.		<b>Page</b> 1 of 1	<b>Agenda Item #</b> 5
<b>FROM (Department or other point of origin):</b> Department of Public Works and Engineering		<b>Origination Date</b> 10/15/09	<b>Agenda Date</b> OCT 21 2009
<b>DIRECTOR'S SIGNATURE:</b>  Michael S. Marcotte, P.E., D.WRE, BCEE., Director		<b>Council Districts affected:</b> C <i>file</i>	
<b>For additional information contact:</b> J. Timothy Lincoln, P.E. Senior Assistant Director  <b>Phone:</b> (713) 837-7074		<b>Date and Identification of prior authorizing Council Action:</b> Ord. #2007-1190 dated 10/24/2007	
<b>RECOMMENDATION:</b> (Summary) Pass a motion to approve the final Contract Amount of \$2,092,792.66 or 1.11% 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 \$2,348,000.00 from the Limited Use Roadway and Mobility Capital Fund No. 4034.			
<b>PROJECT NOTICE/JUSTIFICATION:</b> This project was part of the Street and Traffic Control Improvement program and was required to improve public safety, traffic flow/ circulation and reduce traffic congestion in that area.			
<b>DESCRIPTION/SCOPE:</b> This project consisted of construction of approximately 2,600 linear feet of dual 24 foot wide reinforced concrete paving, driveways, sidewalks, concrete curbs, detention basin and storm sewer. To facilitate construction efficiency and minimize disruption to mobility, South Campus Sports Association is reimbursing the City in the amount of \$67,000.00 for driveway entrances paving and waterline connection to service South Campus Sports Association facilities. These funds have been deposited to Fund No. 4034 under separate agreement. Pate Engineers, Inc. designed the project with 210 calendar days allowed for construction. The project was awarded to Triple B Services, L.L.P. with an original Contract Amount of \$2,069,916.75			
<b>LOCATION:</b> The project area is generally bounded by Stella link on the west and South Main on the east. The project is located in Key Map Grids 532-S and T.			
<b>CONTRACT COMPLETION AND COST:</b> The Triple B Services, L.L.P., has completed the work under the subject Contract. The project was completed within the Contract. The final cost of the project, including overrun and underrun of estimated bid quantities, is \$2,092,792.66. This is an increase of \$22,875.91 or 1.11% over the original Contract Amount.  The increased cost is a result of difference between planned and measured quantities. This increase is primarily a result of overrun in Bid Items No. 22 – Road Excavation, which was necessary to complete the work.			
<b>M/WBE PARTICIPATION:</b> The M/WBE goal for this project was 22%. According to the Affirmative Action and Contract Compliance Division, the actual participation was 26.14%. Contractor's M/WBE performance evaluation was rated Outstanding.			
MSM:DRM:JTL:JAK:JC:ha Z:\E&C Construction\South Sector\PROJECT FOLDER\N-000571-00001-4\CLOSEOUT\RCA\RCA - Closeout.doc			
cc: Velma Laws Craig Foster Waynette Chan Marty Stein File SB9263/21.0.			

**REQUIRED AUTHORIZATION**

**CUIC ID # 20HA68 NDT**

<b>Finance Department:</b>	<b>Other Authorization:</b>	<b>Other Authorization:</b>  Daniel R. Menendez, P.E., Deputy Director Engineering and Construction Division
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VICINITY MAP

KEY MAP NO 532 S & T  
 GIMS MAP NO 5253A & 5253B  
 COUNCIL DISTRICT C

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

**SUBJECT:** Accept Work for Water Line Replacement in Shepherd Park Terrace Area. WBS. No. S-000035-00N5-4.

Page 1 of 1

Agenda Item #

*6*

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

Department of Public Works and Engineering

**Origination Date**  
10/15/09

**Agenda Date**  
OCT 21 2009

**DIRECTOR'S SIGNATURE:**

*Michael S. Marcotte 10/13/09*  
Michael S. Marcotte, P.E., D.WRE, BCEE, Director

**Council Districts affected:**  
A

*N.G.*

**For additional information contact:**

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

**Phone:** (713) 837-7074

**Date and Identification of prior authorizing Council Action:**  
Ord. #2008-654 dated 07/23/2008

**RECOMMENDATION: (Summary)** Pass a motion to approve the final Contract Amount of \$2,791,838.96, which is 3.06% under the original Contract Amount, accept the Work and authorize the final payment.

**Amount and Source of Funding:** No additional appropriation required.  
(Original appropriation of \$3,276,700.00 from Water and Sewer System Consolidated Construction Fund No. 8500.)

**PROJECT NOTICE/JUSTIFICATION:** This project was part of the City's Water Line Replacement program. This program is required to replace and upgrade water lines within the City to increase availability of water, improve circulation and fire protection.

**DESCRIPTION/SCOPE:** The project consisted of 50,274 linear feet of 8-inch diameter water lines, valves, and appurtenances. Amani Engineering, Inc. designed the project with 380 calendar days allowed for construction. The project was awarded to R. K. Wheaton, Inc. with an original Contract Amount of \$2,879,884.50.

**LOCATION:** The project area is generally bound by Pinemont on the north, Chantilly on the south, N. Shepherd on the east and Ella Boulevard on the west. This project is located in the Key Map Grids 452-F & G.

**CONTRACT COMPLETION AND COST:** The Contractor, R. K. Wheaton, Inc. has completed the Work under the subject Contract. The project was completed within the Contract Time. The final cost of the project, including overrun and underrun of estimated bid quantities and previously approved Change Order No. 1 is \$2,791,838.96, a decrease of \$88,045.54 or 3.06% under the original Contract Amount.

The cost underrun is primarily due to the Work not requiring use of Extra Unit Price Items and Cash Allowance Items.

**M/WBE PARTICIPATION:** The M/WBE goal for this project was 22%. According to Affirmative Action and Contract Compliance Division, the actual participation was 24.57%. The Contractor was awarded an "Outstanding" rating for M/WBE compliance.

*MSM* *R. G. P. G.*  
MSM:DRM:JTL:JM:NG:mq  
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c: File No. S-000035-00N5-4 - Closeout

**REQUIRED AUTHORIZATION**

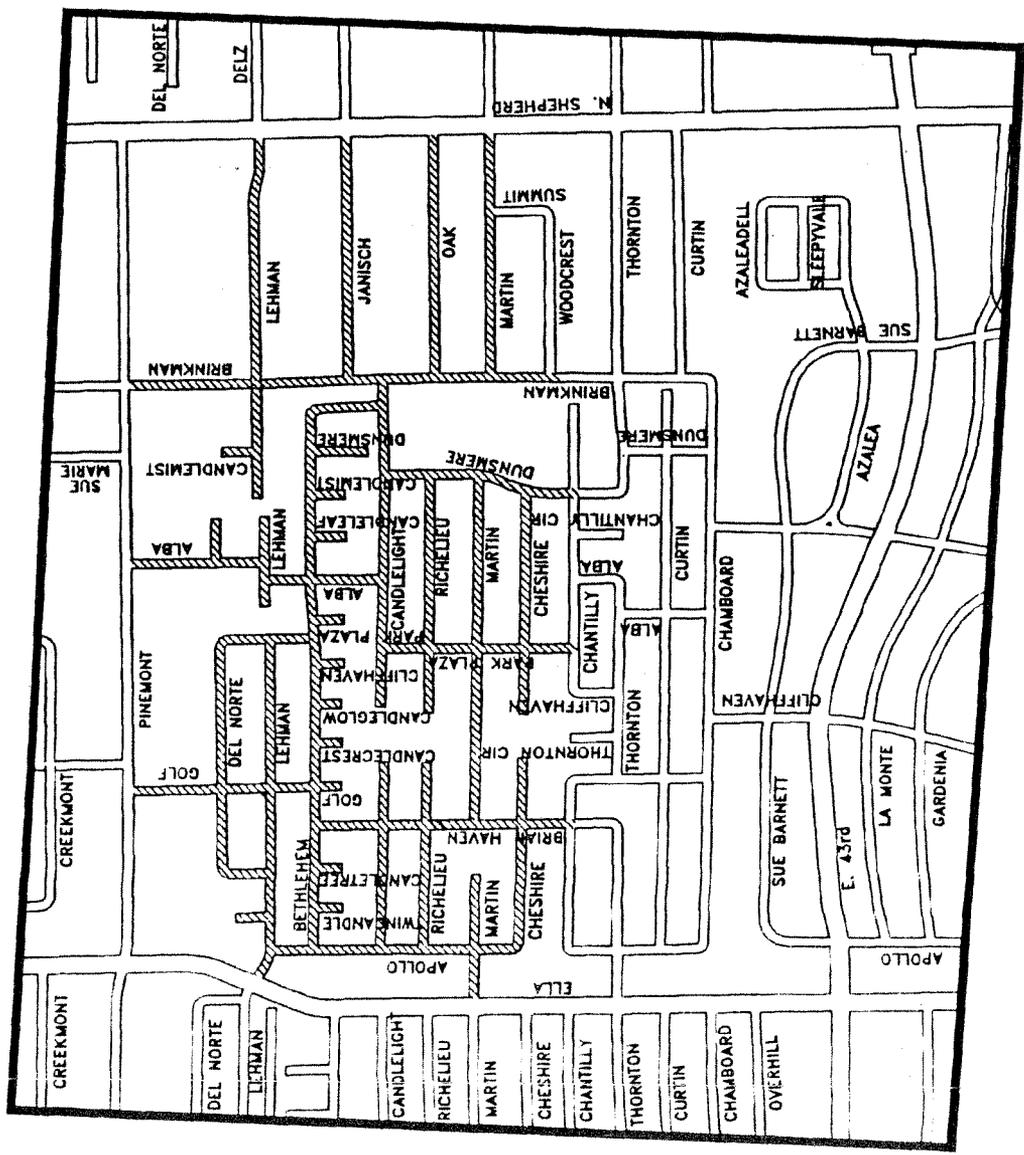
**CUIC ID# 20MZQ130**

*MOT*

<p><b>Finance Department:</b></p>	<p><b>Other Authorization:</b></p> <p><i>Jun Chang</i> Jun Chang, P.E., Deputy Director Public Utilities Division</p>	<p><b>Other Authorization:</b></p> <p><i>Daniel R. Menendez</i> Daniel R. Menendez, P.E., Deputy Director Engineering and Construction Division</p>
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*6*

WATER LINE REPLACEMENT IN SHEPHERD PARK TERRACE AREA  
 WBS NO. S-000035-00N5-4  
 DEPARTMENT OF PUBLIC WORKS AND ENGINEERING  
 ENGINEERING AND CONSTRUCTION DIVISION



STREET NAME	FROM	TO	SIZE (inch)		LENGTH (feet)
			OLD	NEW	
BETHLEHEM	APOLLO	CANDLELIGHT	8	0	3729
CANDLEGLOW	BETHLEHEM	CUL-DE-SAC	2	8	405
CLIFFHAVEN	BETHLEHEM	CUL-DE-SAC	2	8	410
PARK PLAZA	BETHLEHEM	CUL-DE-SAC	2	8	435
PARK PLAZA	CANDLELIGHT	CHANTILLY	8	8	1188
ALBA	LEHMAN	CANDLELIGHT	8	8	773
ALBA	PINEMONT	LEHMAN	8	8	835
DEL NORTE	ALBA	CUL-DE-SAC	8	8	657
LEHMAN	ELLA	PARK PLAZA	8	8	2206
LEHMAN	ELLA	EASEMENT	4	8	1327
LEHMAN	EASEMENT	N SHEPHERD	6,8	8	2480
CANDLELIGHT LN	APOLLO	CUL-DE-SAC	6	8	1551
CANDLELIGHT LN	APOLLO	CUL-DE-SAC	6	8	2390
MARTIN	ELLA	CUL-DE-SAC	6,8	8	1100
MARTIN	BRIAN HAVEN	DUNSMERE	8	8	2319
MARTIN	BRINKMAN	N SHEPHERD	8	8	1580
RICHIEU LN	APOLLO	CUL-DE-SAC	6	8	1717
RICHIEU LN	CANDLETREE	DUNSMERE	6	8	1604
DEL NORTE	CANDLETREE	PARK PLAZA	6	8	1640
JANISCH	BRINKMAN	N SHEPHERD	8	8	1641
OAK	BRINKMAN	N SHEPHERD	8	8	1528
BRIAN HAVEN	BETHLEHEM	CHANTILLY	8	8	1145
DUNSMERE	CANDLELIGHT	BETHLEHEM	4	8	450
DUNSMERE	BETHLEHEM	CANDLELIGHT	2	8	233
CANDLETREE	CUL-DE-SAC	BETHLEHEM	2	8	375
CANDLETREE	LEHMAN	DEL NORTE	6	8	235
TWIN CANDLE	CUL-DE-SAC	BETHLEHEM	1,5	8	355
TWIN CANDLE	LEHMAN	CUL-DE-SAC	2	8	230
APOLLO	CHESHIRE	LEHMAN	6	8	1702
CHESHIRE	APOLLO	CUL-DE-SAC	6	8	1807
CHESHIRE	CUL-DE-SAC	DUNSMERE	6	8	2021
GOLF	CUL-DE-SAC	PINEMONT	4,8	8	1541
CANDLECREST	CUL-DE-SAC	BETHLEHEM	2	8	335
PARK PLAZA	CUL-DE-SAC	DEL NORTE	6	8	563
CANDLELEAF	BETHLEHEM	BETHLEHEM	4	8	450
CANDLEMIST	CUL-DE-SAC	BETHLEHEM	2	8	510
BRINKMAN	WOODCREST	PINEMONT	8	8	2620
TOTAL					48,293

PROJECT LOCATION MAP

WATER LINE REPLACEMENT IN SHEPHERD PARK TERRACE

SCALE: N.T.S. DATE: 06/16/04

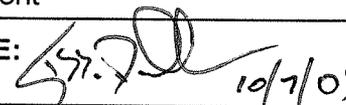
AMANI ENGINEERING, INC.

REGISTERED PROFESSIONAL ENGINEERS STATE OF TEXAS LICENSE NO. 10420

KEY MAP #452 F.G  
 COUNCIL DISTRICT: A  
 COUNCIL MEMBER: TONI LAWRENCE

<b>SUBJECT:</b> Appointment of two independent appraisers and an alternate appraiser to determine the fair market value of approximately 6.945 acres of land and improvements located at 3700 Southwest Freeway, also known as Lakewood Church, <b>Parcel SY10-019.</b>	<b>Page</b> 1 of 1	<b>Agenda Item</b> <b>7</b>
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<b>FROM (Department or other point of origin):</b> General Services Department	<b>Origination Date</b>	<b>Agenda Date</b> OCT 21 2009
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<b>DIRECTOR'S SIGNATURE:</b>  Isssa Z. Dadoush, P.E. 10/1/09	<b>Council District affected:</b> C
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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. 2008-0664; 07/23/08
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**RECOMMENDATION:** Adopt a motion to appoint two independent appraisers and an alternate appraiser to determine the fair market value of approximately 6.945 acres of land and improvements located at 3700 Southwest Freeway, also known as Lakewood Church, **Parcel SY10-019.**

<b>Amount and Source Of Funding:</b> N/A	<b>Finance Budget:</b>
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**SPECIFIC EXPLANATION:** On July 23, 2008, Ordinance No. 2008-0664, City Council amended Article VI, of Chapter 2 of the Code of Ordinances, entitled *City Property*, to provide that the City must obtain two independent appraisals to determine fair market value when the City intends to sell or lease real property with an estimated value over \$1 million.

The General Services Department recommends that City Council appoint two independent appraisers and an alternate appraiser as listed below to determine the fair market value of approximately 6.945 acres of land and improvements located at 3700 Southwest Freeway:

- David Lewis – Lewis Realty Advisors
- David Dominy – Integra Realty Resources
- Carl Thornton – O’Conner and Associates (Alternate)

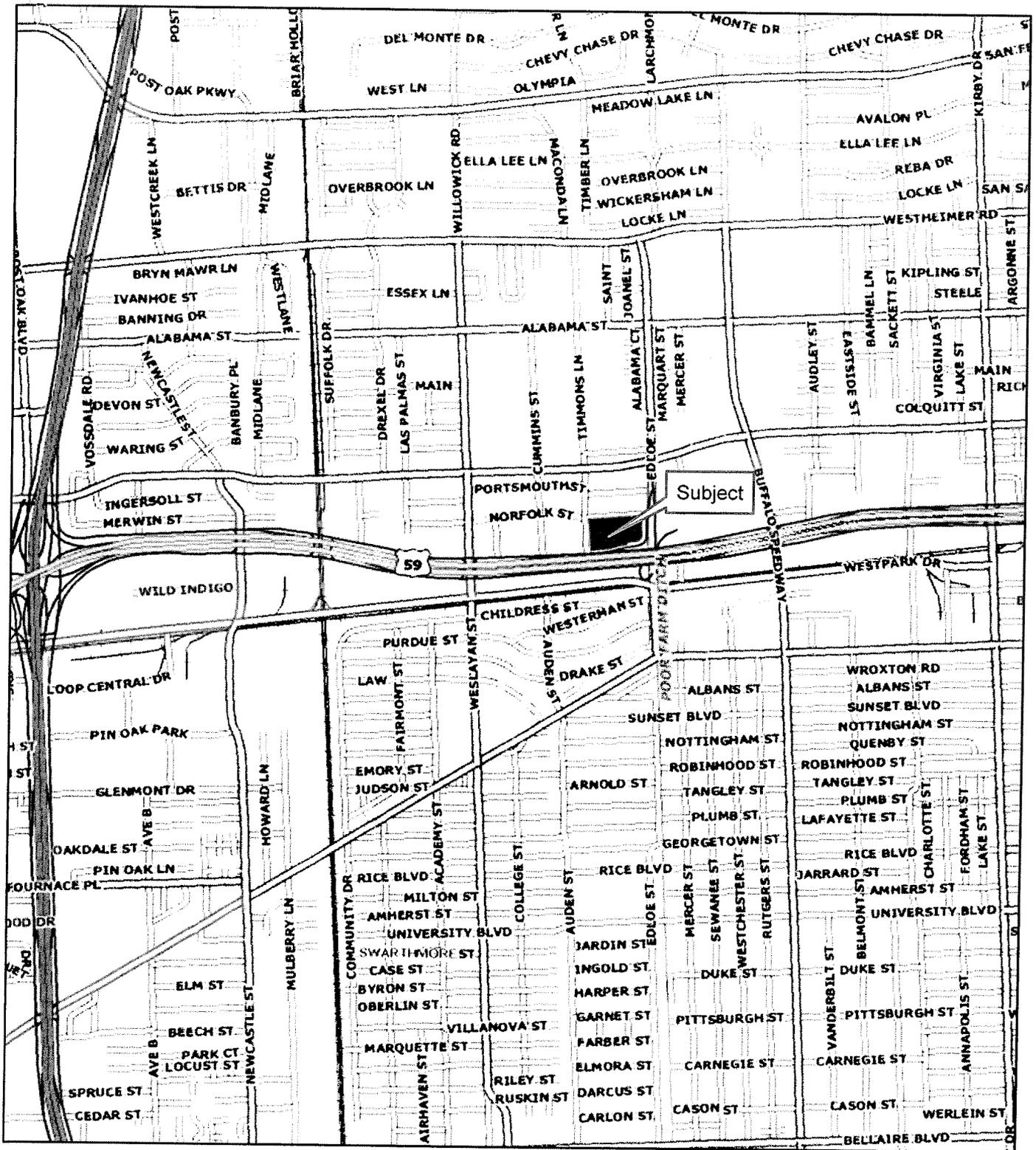
IZD:BC:JLN:WW:ddc

xc: Marty Stein, Anna Russell, Jacquelyn L. Nisby

**REQUIRED AUTHORIZATION**

CUIC ID# 25 WW 09

<b>General Services Department:</b>  Forest R. Christy, Jr., Director Real Estate Division	<b>Convention and Entertainment Facilities Department:</b>  Dawn R. Ullrich Director
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3700 Southwest Freeway

REQUEST FOR COUNCIL ACTION

SUBJECT: PURCHASE of Parcel AY6-148; located at 5515 Kirby for the Kirby Drive Storm Sewer Replacement Project, Segment 4; (Robinhood to IH59); WBS/CIP No. M-000771-0004-2-01-01; Legal Department File No. 055-0500002-011;	Page 1 of 2	Agenda Item # <b>8</b>
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FROM (Department or other point of origin): Legal Department - Real Estate Division Arturo Michel, City Attorney	Origination Date 09/08/09	Agenda Date OCT 21 2009
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DIRECTOR'S SIGNATURE: <i>Arturo Michel</i>	Council District affected: "C" Anne Clutterbuck; Key Map #532C
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For additional information contact: Russell G. Richardson <i>RGR</i> Phone: 832.393.6285 (alternatively Joseph N. Quintal 832.393.6286)	Date and identification of prior authorizing Council action: Ord#2006-210 psd. 3/1/06; BAO# 2007-0698, psd. 6/13/07
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**RECOMMENDATION:** (Summary)  
That the City Attorney be authorized, by Motion, to acquire Parcel AY6-148 by Purchase in lieu of eminent domain proceedings for \$82,839.00. Funding will be provided by a previously approved blanket Appropriation Ordinance.

**Amount and Source of Funding:**  
\$82,839.00; No appropriation needed as funding will be provided by a previously approved Appropriation Ordinance No. 2007-698, psd. 6/13/07; Storm Sewer Consolidated Construction Fund;

**SPECIFIC EXPLANATION:**  
The Kirby Drive Storm Sewer Replacement Project, Segment 4 (Robinhood- IH59) is needed to alleviate localized flooding. The project includes multiple phases.

**PURCHASE:**  
The City desires to acquire a 726.50 square foot parcel of land in permanent easement in connection with the Kirby Drive Storm Sewer Replacement Project. The whole property is owned by Jose Zavala Olmos, Trustee, and located at 5515 Kirby Drive. The property consisting of 5,659 square feet is improved with a 1,626 square foot commercial building, currently under lease to a Ben & Jerry's ice cream franchise. This matter was referred to the Legal Department to commence eminent domain proceedings after efforts by Public Works & Engineering to purchase the property failed for title issues. Prior to the Legal Department commencing eminent domain proceedings, the owner was able to cure the title defects, but the landowner's legal representative subsequently rejected the City's offer of \$57,839.00 as being monetarily insufficient considering the owner would be required to reduce the Tenant's rent due to the loss of parking area and having to relocate the on-site tenant sign. The owner claimed the City failed to properly compensate him for his loss rental income and provided documentation to the City's supporting this contention. The evidence lead to a settlement proposal for an additional \$25,000.00 above the City's original offer. The breakdown of the City's original offer is as follows:

**LAND:**  
Parcel AY6-148 (Easement)  
726.50 square feet @ 75.00 ..... \$ 54,488.00®

REQUIRED AUTHORIZATION		
Other Authorization:	Other Authorization: <i>Arturo Michel</i> 10/14/09	Other Authorization: <i>AFI</i> Andrew F. Icken, Deputy Director Planning and Development Services Division

Date 09/08/09	SUBJECT: Parcel AY6-148; Jose Zavala Olmos, Trustee; Kirby Drive Storm Sewer Replacement Project; L.D. No. 055-0500002-022;	Originator's Initials RGR/JNQ	Page __2__ of __2__
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**IMPROVEMENTS:**

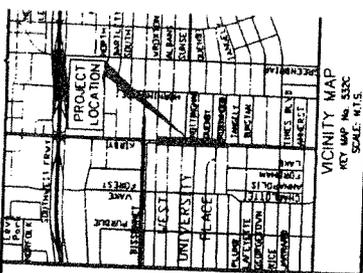
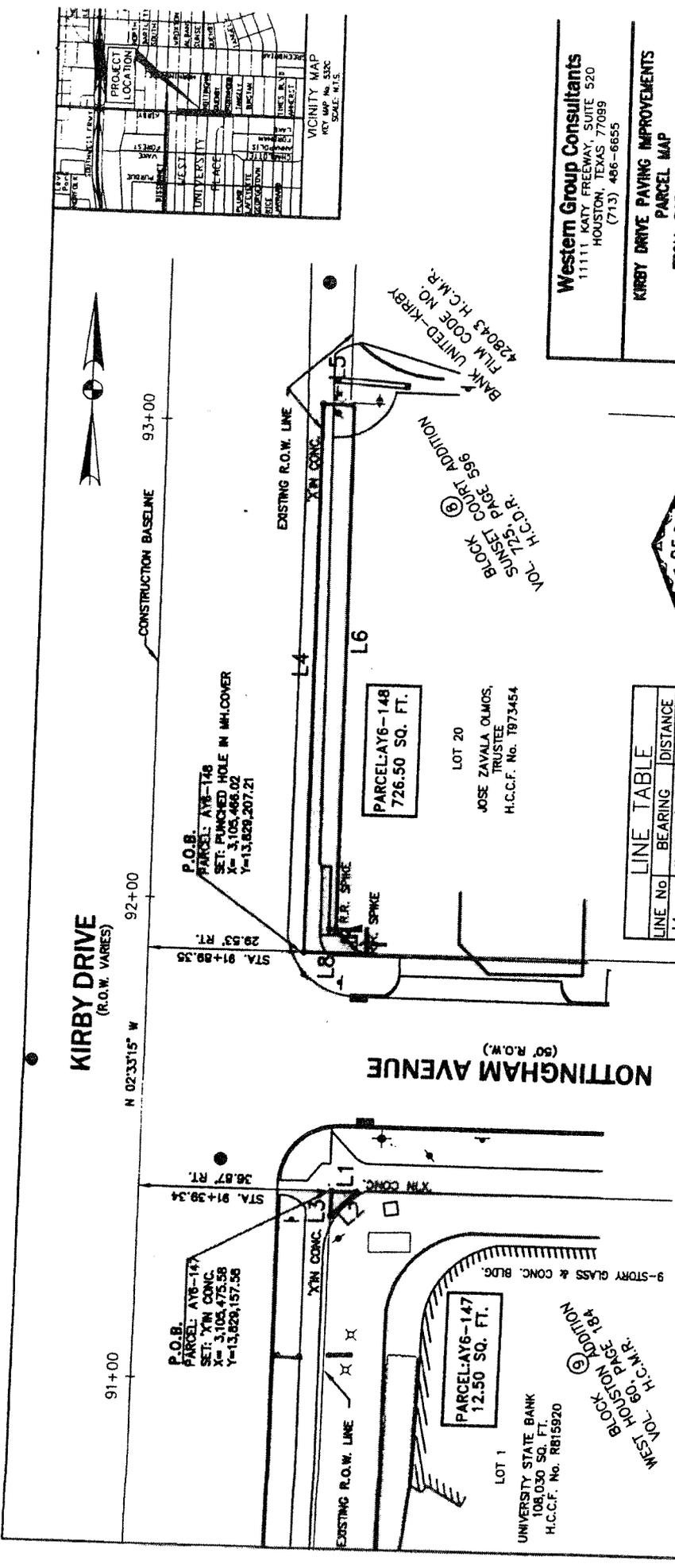
112.50 linear feet of asphalt @ \$2.25 x 75% ..... \$ 190.00®  
 sign @ \$3,513.00 x 90% .....\$3,161.00®

TOTAL IMPROVEMENTS .....\$ 3,351.00

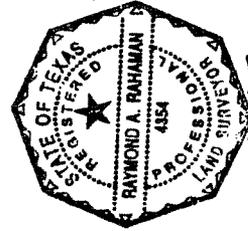
TOTAL COMPENSATION .....\$ 57,839.00

The parties were able to reconcile their differences and arrive at a proposed settlement of all issues in controversy in this matter, subject to City Council's approval. The proposed settlement requires the City to pay the total sum of \$82,839.00 for the property interest being acquired in this matter and to acquire the needed property by purchase rather than by filing an eminent domain proceeding. The landowner will provide the City with a Tenant's Consent to the Taking, thereby relieving the City of the obligation to pay the tenant for any damages as a consequence of the acquisition.

We recommend that the City Attorney be authorized, by Motion, to acquire the needed parcel by deed for the consideration of \$82,839.00. Funding will be provided by a previously approved blanket Appropriation Ordinance.



LINE No	BEARING	DISTANCE
L1	N 87°31'56" E	5.00'
L2	S 42°34'59" W	7.08'
L3	N 02°21'57" W	5.00'
L4	N 02°29'33" W	114.81'
L5	N 88°20'00" E	6.22'
L6	S 02°29'33" E	109.72'
L7	S 47°28'49" E	7.07'
L8	S 87°31'56" W	11.22'



**SURVEYOR'S CERTIFICATION**

I, RAYMOND A. RAHAMAN HEREBY CERTIFY THAT THIS PLAT CORRECTLY REPRESENTS THE FACTS FOUND AS A RESULT OF AN ACTUAL SURVEY SUBSTANTIALLY COMPLIES WITH THE CURRENT TEXAS SOCIETY OF PROFESSIONAL SURVEYOR'S STANDARDS AND SPECIFICATIONS FOR A CATEGORY 1A, CONDITION 2 SURVEY.

RAYMOND A. RAHAMAN R.P.L.S. NO. 4354  
WESTERN GROUP CONSULTANTS  
11111 KATY FREEWAY, SUITE 520  
HOUSTON, TEXAS 77079  
(713)465-6655

**NOTES:**

1. SET 5/8" IRON RODS AT ALL PARCEL CORNERS UNLESS OTHERWISE SHOWN.
2. ALL COORDINATES AND BEARINGS SHOWN HEREON ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE, LAMBERT GRID PROJECTION, NAD 83, 2001 ADJUSTMENT; DISTANCES SHOWN HEREON ARE SURFACE AND MAY BE CONVERTED TO GRID BY MULTIPLYING BY A PROJECT WIDE AVERAGE COMBINED SCALE FACTOR OF 0.999883059, AND WAS PROVIDED (SMIP) BY THE STORM WATER MANAGEMENT PROGRAM.
3. A PROPERTY DESCRIPTION OF EVEN DATE WAS PREPARED IN CONJUNCTION WITH EACH PARCEL SHOWN HEREON.
4. REVISED ON 1-30-07; CHANGED PARCEL NUMBERS IN TITLE BLOCK.

**Western Group Consultants**  
11111 KATY FREEWAY, SUITE 520  
HOUSTON, TEXAS 77059  
(713) 486-6655

**KIRBY DRIVE PAVING IMPROVEMENTS**  
PARCEL MAP  
FROM: ROBINHOOD AVENUE  
TO: WEST PARK DRIVE  
HARRIS COUNTY, TEXAS

**CITY OF HOUSTON**  
**PUBLIC WORKS AND**  
**ENGINEERING DEPARTMENT**

APPROVAL: *Raymond A. Rahaman* DATE: 02/13/07  
CHIEF SURVEYOR: *Raymond A. Rahaman* RIGHT OF WAY SECTIC  
KEY MAP No. 532-0 4621 GMS MAP No. 50-550, 5  
DATE: MARCH, 2006  
PARCEL Nos. AY6-147 AND AY6-148  
SCALE: 1"=20'  
FILE No. SM5044-04  
GPS No. M-0771-04-02



## PARCEL VALUATION

Following is a breakdown of the consideration for Parcel AY8-052:

### LAND:

Parcel AY8-052 (Street Easement)

4,020 square feet @ \$20.00..... \$ 80,400.00

### IMPROVEMENTS:

One 10' palm tree .....\$ 365.00

One 3' palm tree .....\$ 85.00

367 linear feet of chain link fencing @ \$10.20 X 67% .....\$ 2,582.00®

TOTAL IMPROVEMENTS..... \$ 3,032.00

### COST TO CURE:

Chain link fencing.....\$ 149.00

TOTAL CONSIDERATION..... \$ 83,581.00

To: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

<b>SUBJECT: PROPERTY: PURCHASE</b> of Parcel AY8-054, located at 9743 Long Point Road for the BUNKER HILL PAVING PROJECT PHASE II (from the IH-10 feeder road to Long Point Road). WBS N-000767-0001-2-01 Owner: I on Investments, Inc., a/k/a I. Investments, Inc., Munir Ibrahim, President	<b>Page</b> 1 of 1	<b>Agenda Item</b> #  10
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<b>FROM: (Department or other point of origin):</b>  Department of Public Works and Engineering	<b>Origination Date</b>  10/15/09	<b>Agenda Date</b>  OCT 21 2009
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<b>DIRECTOR'S SIGNATURE:</b>  Michael S. Marcotte, P.E., D.WRE, BCEE, Director	<b>Council District affected:</b> A Key Map 450X 
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<b>For additional information contact:</b> Nancy P. Collins Phone: (713) 837-0881  Senior Assistant Director-Real Estate	<b>Date and identification of prior authorizing Council Action:</b> Ordinance 2007-1067, passed September 19, 2007
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**RECOMMENDATION: (Summary)**  
Authority be given through Council Motion to PURCHASE Parcel AY8-054

**Amount and Source of Funding:**  
No additional funding required (covered under Blanket Appropriation Ordinance 2007-1067, N-00663A-00RE-2-01 Street and Bridge Consolidated Construction Fund 4506)

**SPECIFIC EXPLANATION:**  
The BUNKER HILL PAVING PROJECT PHASE II (from the IH-10 feeder road to Long Point Road) provides for the reconstruction of Bunker Hill Road to a configuration consistent with the City's Major Thoroughfare and Freeway Plan (MTFP), improving pavement and drainage from the IH-10 feeder to Long Point Road. This project will increase mobility by providing additional traffic lanes, including turn lanes. It will also update existing utilities impacted by the proposed roadway improvements.

**PURCHASE**

The City desires to acquire 2,039 square feet from a 1.496-acre tract of land located at 9743 Long Point Road. The owner has agreed to accept the City's offer to purchase the property for a total consideration of \$55,574.00. The property was appraised by Patricia Clifton-Keys, C.R.A. The breakdown is as follows:

**LAND:**

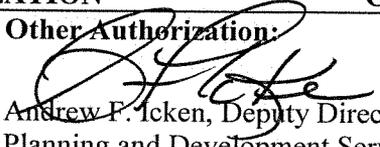
Parcel AY8-054 (Street Easement)	
2,039 square feet @ \$15.50 .....	\$ 31,605.00 ®
Improvements and Cost to Cure .....	\$ 23,969.00
<b>TOTAL CONSIDERATION</b> .....	<b>\$ 55,574.00</b>
 Title Policy .....	 \$ 1,344.00
<b>TOTAL AMOUNT</b> .....	<b>\$ 56,918.00</b>

It is recommended that authority be given through Council Motion to PURCHASE Parcel AY8-054 located at 9743 Long Point Road owned by I on Investments, Inc., Munir Ibrahim, President. This parcel being 2,039 square feet (0.0468 acres) of land situated in the Thomas A. Hoskins Survey, Abstract 342, in Harris County, Texas, and being out of a 1.496-acre tract of land as conveyed unto I. Investments, Inc., by deed recorded under Harris County Clerk's File V853162 of the Official Public Records of Real Property of Harris County, Texas, according to City of Houston field notes.

MSM: NPC: eg  
S:/GUAJARDO/Bunker Hill/AY8-054 RCA-Motion to Approve Purchase w-Title Policy.doc  
cc: Marty Stein

**REQUIRED AUTHORIZATION**

CUIC #20ELG27

<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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## PARCEL VALUATION

Following is a breakdown of the consideration for Parcel AY8-054:

### LAND:

Parcel AY8-054 (street easement)

2,039 square feet @ \$15.50 ..... \$ 31,605.00®

### IMPROVEMENTS:

One monument sign @ \$6,500.00 X 67% ..... \$ 4,355.00

600 square feet of asphalt @ \$1.85 X 67% ..... \$ 744.00®

465 linear feet of concrete paving @ \$3.15 X 67% ..... \$ 981.00®

164.36 linear feet of wrought iron fencing @ \$12.00 X 67%... \$ 1,321.00®

970 square feet of landscaping and concrete @ \$4.50 ..... \$ 4,388.00®

Cement walkway ..... \$ 425.00

TOTAL IMPROVEMENTS..... \$ 12,214.00®

### COST TO CURE:

One monument sign..... \$ 2,145.00

Wrought iron fencing..... \$ 610.00

Additional 12 linear feet of wrought iron fencing..... \$ 1,500.00

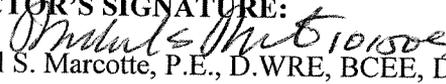
Cost to cure 3 parking spaces @ 100 sf each @ \$25.00..... \$ 7,500.00

TOTAL COST TO CURE ..... \$ 11,755.00

TOTAL CONSIDERATION..... \$ 55,574.00

To: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

<b>SUBJECT:</b> PURCHASE of Parcel AY9-021, located at the northeast corner of Fuqua Road and Monroe Road for the 72-INCH WATER LINE ALONG FUQUA PROJECT (From Stover to Moers) WBS S-000900-0101-2-01 Owners: Hannah Hedgpeh, Mary Susan Lindholm, Raymond Lindholm, Russell Lindholm, Michael Lindholm, and Lawrence Lindholm	<b>Page</b> <b>1 of 1</b>	<b>Agenda Item #</b>  
<b>FROM: (Department or other point of origin):</b>  <b>Department of Public Works and Engineering</b>	<b>Origination Date</b> 10/15/09	<b>Agenda Date</b> OCT 21 2009
<b>DIRECTOR'S SIGNATURE:</b>  Michael S. Marcotte, P.E., D.WRE, BCEE, Director	<b>Council District affected:</b> E Key Map 575U and Y	
<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 2009-0706, passed July 29, 2009	

**RECOMMENDATION: (Summary)**  
Authority be given through Council Motion to PURCHASE Parcel AY9-021.

**Amount and** \$156,933.00  
**Source of Funding:** (covered under Blanket Appropriation Ordinance 2009-0706 S -00019A-00RE-2-1 Water and Sewer System Consolidated Construction Fund 8500)

**SPECIFIC EXPLANATION:**  
The 72-INCH WATER LINE ALONG FUQUA PROJECT (From Stover to Moers) provides for the installation of 6,300 feet of 72-inch water line along Fuqua Road from east of Beamer to Stover Street. The project also involves the acquisition of a 60-foot-wide fee strip for street right-of-way for the extension of Moers Road from Catalina Street to Fuqua Road.

**PURCHASE:**  
The City desires to acquire 30,399 square feet for street right-of-way. The City's offer was based on an appraisal by Woody Nelson, Independent Fee Appraiser. The valuation was reviewed and recommended for approval by a senior staff appraiser of this department. The breakdown is as follows:

Parcel AY9-021 (Fee)	
30,399 square feet @ \$5.00 PSF .....	\$151,995.00
Improvements/Cost to Cure.....	\$ 3,017.00
Total Consideration.....	\$155,012.00
Title Policy .....	\$ 1,921.00
<b>TOTAL AMOUNT.....</b>	<b>\$156,933.00</b>

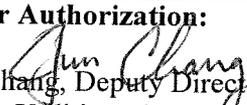
It is recommended that authority be given through Council Motion to PURCHASE Parcel AY9-021 located at the northeast corner of Fuqua Road and Monroe Road, owned by Hannah Hedgpeh, Mary Susan Lindholm, Raymond Lindholm, Russell Lindholm, Michael Lindholm, and Lawrence Lindholm.

This parcel contains 30,399 square feet of land situated at the J. B. Hagerlund Survey, Abstract Number 354 and being out of Tract 30 of Southridge Subdivision, an unrecorded subdivision in Harris County, Texas. Tract 30 being conveyed from Mary Susan Bybee Lindholm to Michael Scott Lindholm by gift deed as recorded under Harris County Clerk's File Number T960789, Film Code Number 527-99-3858, Official Public Records of Real Properties (O.P.R.O.R.P.), Harris County, Texas according to City of Houston field notes.

MSM: NPC:cr  
cc: Marty Stein

CUIC #20CDR22

REQUIRED AUTHORIZATION

<b>F&amp;A Department:</b>	<b>Other Authorization:</b>  Jun Chang, Deputy Director Public Utilities Division	<b>Other Authorization:</b>  Andrew F. Icken, Deputy Director Planning and Development Services Division
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## PARCEL VALUATION

Following is a breakdown of the consideration for Parcel AY9-021:

### LAND (Fee)

30,399 square feet @ \$5.00 PSF.....\$151,995.00

### IMPROVEMENTS:

110 linear feet of a 6-strand barbed wire fence

@ \$5.00 depreciated 10%.....\$495.00

300 square feet of gravel paving

@ \$1.00 PSF.....\$300.00

One 12' metal gate with braces @ \$500.00.....\$500.00

Total Improvements.....\$1,295.00

### COST TO CURE

(to relocate the fence).....\$1,722.00

TOTAL COMPENSATION.....\$155,012.00

TITLE POLICY/SERVICES.....\$1,921.00

TOTAL AMOUNT.....\$156,933.00



**REQUEST FOR COUNCIL ACTION**

**TO:** Mayor via City Secretary

**RCA# 8500**

**Subject:** Purchase of Marketing Strategy Services Through the Houston-Galveston Area Council for the Health and Human Services Department  
S19-Q23426

Category #  
4

Page 1 of 1

Agenda Item

12

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

**Origination Date**  
September 29, 2009

**Agenda Date**  
OCT 21 2009

**DIRECTOR'S SIGNATURE**

*Calvin D. Wells*

**Council District(s) affected**  
All

**For additional information contact:**

Kathy Barton Phone: (713) 794-9998  
Ray DuRousseau Phone: (832) 393-8726

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

**RECOMMENDATION: (Summary)**

Approve the purchase of marketing strategy services through the Houston-Galveston Area Council (HGAC) in the amount of \$59,885.00 for the Health and Human Services Department

Award Amount: \$59,885.00

**Finance Budget**

\$59,885.00 - Federal State Local Pass Through Fund (Fund 5030)

**SPECIFIC EXPLANATION:**

The City Purchasing Agent recommends that City Council approve the purchase of marketing strategy services for the Gulf Coast Aging and Disability Resource Center (GCADRC) through the Interlocal Agreement for Cooperative Purchasing with H-GAC in the amount of \$59,885.00, and that authorization be given to issue a purchase order to the H-GAC contractor, Gilbreath Communications, Inc.

The scope of work requires the contractor to create a plan that effectively reaches the GCADRC target populations: seniors, persons with disabilities, caregivers of these two populations, and professionals who interface with the three aforementioned groups. The creative concept plan involves designing a logo, a website domain name, color palette, brochure cover design, and a website, which will be created by Harmony Information Systems, Inc. The plan also includes the copy and layout of one additional marketing piece such as a general information brochure, a stationary suite, or a direct mailer. The communication plan involves strategies that will address GCADRC program and communication goals, target audiences, audience objectives, tactical recommendations, budget, timeline considerations, as well as success metrics for communication efforts.

Buyer: Roy Korthals  
Purchase Requisition 10089541

**REQUIRED AUTHORIZATION**

Finance Department:

Other Authorization:

Other Authorization:

*MA*

*RA*

R

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 8465

Subject: Purchase of a Cab & Chassis Mounted with a Platform Body and Crane Through the Houston-Galveston Area Council for the Parks & Recreation Department  
S38-N23397-H

Category #  
4

Page 1 of 1

Agenda Item

13

FROM (Department or other point of origin):

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

Origination Date

September 16, 2009

Agenda Date

OCT 21 2009

DIRECTOR'S SIGNATURE

For additional information contact:

Daniel Pederson Phone: (713) 865-4507  
Ray DuRousseau Phone: (832) 393-8726

Council District(s) affected  
All

Date and Identification of prior authorizing  
Council Action:

Ord. 09-321 & Motion 09-213 Passed  
04/15/2009

RECOMMENDATION: (Summary)

Approve the purchase of a cab & chassis mounted with a platform body and crane through the Houston-Galveston Area Council (H-GAC) in the amount of \$75,996.00 for the Parks & Recreation Department.

Award Amount: \$75,996.00

Finance Budget

\$75,996.00 - Equipment Acquisition Consolidated Fund (Fund 1800) - Appropriation Ordinance No. 2009-0321, Passed 04/15/09

SPECIFIC EXPLANATION:

The City Purchasing Agent recommends that City Council approve the purchase of a 29,000-lb GVWR, diesel-powered cab & chassis mounted with a platform body and electric crane through the Interlocal Agreement for Cooperative Purchasing with H-GAC in the amount of \$75,996.00 for the Parks & Recreation Department, and that authorization be given to issue a purchase order to the H-GAC contractor, Santex Truck Center, Ltd. This truck will be used citywide by the Department to maintain playground equipment at City parks. The funding for this vehicle is included in the adopted Equipment Acquisition Plan.

On April 15, 2009, via Council Ordinance 2009-321, funds were appropriated to purchase a 29,000-lb GVWR, diesel-powered cab & chassis mounted with a platform body and electric crane (equipment). Additionally, City Council approved the purchase of this equipment from Lone Star Chevrolet per Council Motion No. 2009-213. Due to the economy and bankruptcy, General Motors discontinued this type of medium duty truck. Therefore, Lone Star was unable to locate a similar vehicle from the General Motors dealer network inventory and subsequently requested that the purchase order be cancelled. Council is now being asked to approve this purchase from an alternate vendor using previously appropriated funds.

This new truck will meet the EPA's current emission standards for trucks equipped with diesel engines. This truck will come with full warranties of three years/36,000 miles on the cab & chassis and one year on the body and crane. The life expectancy of this truck is seven years or 100,000 miles and it will replace Shop No. 26607, a 13-year-old unit that has exceeded its life expectancy and will be sent to auction for disposition.

Buyer: Lena Farris  
PR10077678

REQUIRED AUTHORIZATION

Finance Department:

Other Authorization:

Other Authorization:

**REQUEST FOR COUNCIL ACTION**

**TO:** Mayor via City Secretary

**RCA# 8467**

**Subject:** Amend Council Motion No. 2009-0038, Passed January 28, 2009 to Purchase Additional Patrol Vehicles for the Houston Police Department  
S38-N22954-A1

Category #  
1 & 4

Page 1 of 1

Agenda Item

*14+14A*

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

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

**Origination Date**

September 30, 2009

**Agenda Date**

OCT 21 2009

**DIRECTOR'S SIGNATURE**

*MS Calvin D. Wells*

**Council District(s) affected**  
All

**For additional information contact:**

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

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

CM 2009-0038, Passed 01/28/09

**RECOMMENDATION: (Summary)**

Approve an ordinance authorizing the appropriation of \$6,873,019.92 out of the Equipment Acquisition Consolidated Fund (Fund 1800), and amend Council Motion No. 2009-0038, passed January 28, 2009 to purchase additional patrol vehicles for a total increase of \$5,117,418.00 for the Houston Police Department.

Award Amount: \$5,117,418.00

**Finance Budget**

Funding Amount: \$6,873,019.92 - Equipment Acquisition Consolidation Fund (Fund 1800)

**SPECIFIC EXPLANATION:**

The City Purchasing Agent recommends that City Council approve an ordinance authorizing the appropriation of \$6,873,019.92 out of the Equipment Acquisition Consolidated Fund (Fund 1800) for the Houston Police Department. It is further recommended that City Council amend Council Motion No. 2009-0038, passed January 28, 2009 to purchase 186 additional patrol vehicles for a total increase of \$5,117,418.00 for the Houston Police Department, and that authorization be given to issue a purchase order to the awarded supplier, Philpott Motors, Ltd., d/b/a Philpott Ford. These new patrol vehicles will be used citywide for patrol activities and to respond to emergency incidents. The requested appropriation includes \$1,755,601.92 for mobile data terminals, police radios, antennas, and sirens that will be purchased in separate procurements. The funding for these vehicles is included in the adopted Equipment Acquisition Plan.

In July 2008, as a result of advertising this bid in accordance with the requirements of the State of Texas bid laws, a sole bid was received from a vehicle supplier. The bid document included a provision that allows the City to purchase additional vehicles through January 29, 2010 provided that the awarded supplier agrees to honor the original bid price. Philpott Motors, Ltd., d/b/a Philpott Ford has agreed in writing to honor its original unit bid price of \$27,513.00.

These new patrol vehicles will meet the EPA's current emission standards for low emission vehicles. They will come with a full three-year/36,000-mile bumper-to-bumper warranty and the life expectancy is four years or 100,000 miles. See Attachment No. 2, the Equipment Usage Summary, for vehicle usage and replacement details. These new patrol vehicles will replace existing units that have exceeded their useful life and will be sent to auction for disposition.

Buyer: Lena Farris

- Attachments:**
1. M/WBE Zero Percentage Goal Document approved by the Affirmative Action Division
  2. Equipment Usage Summary

**REQUIRED AUTHORIZATION**

Finance Department:

Other Authorization:

Other Authorization:

*MS*  
*14A*

**EQUIPMENT USAGE SUMMARY  
PATROL VEHICLES FOR POLICE DEPARTMENT  
N22954-A1  
RCA 8467**

BID ITEM NO./ DESCRIPTION	REQUISITION NO.	QTY	DEPARTMENT/DIVISION FLEET USAGE	EQUIPMENT REPLACEMENT		
				Shop No.	Age-Yrs.	Mileage
ITEM NO. 1 SERIES 374C REAR WHEEL DRIVE FULL SIZE SEDAN	10085022	186	Police Department These vehicles will be used citywide by the department's police officers responding to accidents, crimes, and emergency incidents.	28779	12	127,558
				29596	11	128,218
				29615	11	114,115
				29636	11	126,831
				33802	6	101,800
				29712	11	97,527
				29602	11	157,087
				29828	11	100,777
				29895	11	90,295
				31141	10	176,572
				29929	11	129,426
				29945	11	100,827
				31254	9	120,194
				33645	6	122,642
				31162	9	128,800
				33824	6	104,249
				31200	10	108,466
				31211	10	152,251
				31212	10	102,153
				31232	10	98,942
				31261	10	103,182
				31282	9	97,967
				31286	10	101,466
				31293	9	93,789
				31303	9	90,272
				31316	9	110,821
				33818	6	117,898
				31436	9	92,709
				34403	5	123,888
				31479	9	111,718
				34430	5	134,815
				31538	9	110,000
				33159	7	99,736
				31542	6	110,043
				33632	6	99,114
				32153	9	91,080
				32169	9	107,990
				32171	9	111,369
				32174	9	92,236
				<u>32196</u>	9	116,174
40 Units						

**EQUIPMENT USAGE SUMMARY  
PATROL VEHICLES FOR POLICE DEPARTMENT  
N22954-A1  
RCA 8467**

BID ITEM NO./ DESCRIPTION	REQUISITION NO.	QTY	DEPARTMENT/DIVISION FLEET USAGE	EQUIPMENT REPLACEMENT		
				Shop No.	Age-Yrs.	Mileage
ITEM NO. 1 SERIES 374C REAR WHEEL DRIVE FULL SIZE SEDAN (Continued)	10085022		Police Department	32199	9	114,467
				34576	5	128,522
				32224	9	118,815
				35426	5	112,148
				33797	6	117,287
				32241	9	92,539
				32254	9	92,325
				32273	9	110,282
				32278	9	113,366
				32286	9	100,498
				32287	9	97,926
				32296	9	91,567
				32307	9	92,322
				33696	6	113,879
				32316	9	109,295
				32341	9	97,984
				35020	5	121,690
				33073	7	90,288
				33076	9	103,912
				33079	7	96,920
				35022	5	127,412
				33090	7	102,257
				35023	5	128,625
				33099	7	101,681
				33102	7	109,680
				35192	5	120,735
				33118	7	120,458
				35196	5	87,407
				33170	8	98,230
				33191	7	99,745
				35754	4	98,784
				33110	7	152,361
				33589	6	99,899
				33142	7	116,543
				33686	6	126,627
				33152	7	122,374
				33744	6	106,172
				34502	5	135,945
				35249	5	96,922
				35369	5	113,380
40 Units						

**EQUIPMENT USAGE SUMMARY  
PATROL VEHICLES FOR POLICE DEPARTMENT  
N22954-A1  
RCA 8467**

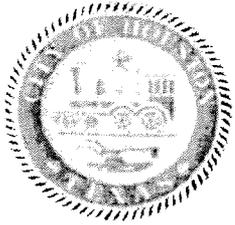
BID ITEM NO./ DESCRIPTION	REQUISITION NO.	QTY	DEPARTMENT/DIVISION FLEET USAGE	EQUIPMENT REPLACEMENT		
				<u>Shop No.</u>	<u>Age-Yrs.</u>	<u>Mileage</u>
ITEM NO. 1 SERIES 374C REAR WHEEL DRIVE FULL SIZE SEDAN (Continued)	10085022		Police Department	35787	4	115,216
				33196	7	128,367
				33167	7	113,188
				33834	6	118,687
				34569	5	119,519
				34620	5	113,256
				33206	7	129,717
				35300	5	103,178
				35473	5	104,521
				33243	7	119,490
				35478	5	108,673
				33277	7	123,049
				33587	6	119,696
				33218	7	99,453
				31464	9	54,463
				31467	9	61,008
				31474	9	70,416
				33633	6	133,421
				33103	7	119,569
				34399	5	112,650
				31475	9	69,175
				32567	6	116,364
				33211	7	116,700
				33254	7	97,998
				33253	7	112,273
				33286	7	112,385
				33734	6	102,205
				33766	6	102,576
				34541	5	105,496
				35276	5	108,891
				33674	6	119,495
				31496	9	119,383
				32275	4	111,978
				31539	9	110,728
				33225	7	104,114
				33226	7	98,051
				31478	9	130,811
				33222	7	116,700
				33256	7	105,269
				<u>33620</u>	6	115,410
40 Units						

**EQUIPMENT USAGE SUMMARY  
PATROL VEHICLES FOR POLICE DEPARTMENT  
N22954-A1  
RCA 8467**

BID ITEM NO./ DESCRIPTION	REQUISITION NO.	QTY	DEPARTMENT/DIVISION FLEET USAGE	EQUIPMENT REPLACEMENT		
				Shop No.	Age-Yrs.	Mileage
ITEM NO. 1 SERIES 374C REAR WHEEL DRIVE FULL SIZE SEDAN (Continued)	10085022		Police Department	33276	7	121,357
				34415	5	109,595
				34564	5	106,451
				33227	7	101,384
				33742	6	116,341
				35247	5	100,073
				31198	10	89,766
				33773	6	120,942
				33126	7	103,737
				33660	6	119,848
				33709	6	116,475
				34379	5	115,195
				34387	5	116,024
				34392	5	118,590
				33606	6	107,279
				35025	5	106,290
				35191	5	135,379
				34375	5	129,762
				35479	5	110,197
				35843	4	110,255
				35848	4	101,702
				33691	6	108,617
				34455	5	129,585
				33612	6	95,119
				33708	6	100,180
				34408	5	117,672
				34410	5	117,680
				35295	5	103,890
				34416	5	119,554
				35296	5	121,572
				33621	6	118,063
				34432	5	122,831
				33120	7	101,043
				34444	5	123,452
				34445	5	130,144
				33730	6	108,207
				33748	6	111,391
				34448	5	116,725
				33692	6	94,516
				<u>33694</u>	6	100,668
40 Units						

**EQUIPMENT USAGE SUMMARY  
PATROL VEHICLES FOR POLICE DEPARTMENT  
N22954-A1  
RCA 8467**

BID ITEM NO./ DESCRIPTION	REQUISITION NO.	QTY	DEPARTMENT/DIVISION FLEET USAGE	EQUIPMENT REPLACEMENT		
ITEM NO. 1 SERIES 374C REAR WHEEL DRIVE FULL SIZE SEDAN	10085022		Police Department	<u>Shop No.</u>	<u>Age-Yrs.</u>	<u>Mileage</u>
				34458	5	133,999
				34459	5	118,740
				34471	5	124,539
				34476	5	121,893
				34478	5	116,157
				34456	5	126,030
				33725	6	98,711
				33757	6	92,502
				33726	6	95,679
				34492	5	105,055
				35258	5	103,705
				33768	6	95,171
				33777	6	93,227
				35272	5	118,664
				29916	11	81,616
				35759	4	106,023
				34630	5	135,558
				34650	5	133,730
				33799	6	116,065
				35021	5	121,356
				33829	6	94,951
				33830	6	97,590
				33847	6	106,899
				34386	5	107,509
				34390	5	107,167
<u>35429</u>	5	118,536				
26 Units						



# CITY OF HOUSTON

# Interoffice

Administration & Regulatory Affairs Department  
Strategic Purchasing Division (SPD)

Correspondence

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

From: Lena Farris

Date: June 16, 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  0%

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

If requesting a revision, how many solicitations were received: \_\_\_\_\_

Solicitation Number: N22954 Estimated Dollar Amount: \$7,317,000.00

Anticipated Advertisement Date: 6/27/2008 Solicitation Due Date: 7/17/2008

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

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

Name and Intent of this Solicitation:  
Patrol Vehicles for the Houston Police Department

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

The only MWBE potential in the purchase of patrol vehicles is the purchase and installation of the aftermarket equipment (lightbars, sirens, push bumpers, etc.)

Strategic Purchasing reviewed the current Affirmative Action MWBE Directory and could not find any suppliers that could provide the after market equipment for the Houston Police Department's patrol vehicles.

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.

**REQUEST FOR COUNCIL ACTION**

**TO:** Mayor via City Secretary

**RCA# 8471**

**Subject:** Formal Bids Received for the Construction of a Partition Wall for the Influent Channel at the City's Northwest Wastewater Treatment Plant for the Public Works and Engineering Department S50-C23288

Category #  
4

Page 1 of 2

Agenda Item

**15**

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

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

**Origination Date**

September 17, 2009

**Agenda Date**

OCT 21 2009

**DIRECTOR'S SIGNATURE**

*Calvin D. Wells*

**Council District(s) affected**  
B

**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 award to Excalibur Excavation, L.P. on its low bid in the amount of \$124,715.00 and contingencies (10% for unforeseen changes within the scope of work) in the amount of \$12,471.50 for a total amount not to exceed \$137,186.50 to construct a partition wall for the influent channel at the City's Northwest Wastewater Treatment Plant for the Public Works and Engineering Department.

Award Amount: \$137,186.50

**Finance Budget**

\$137,186.50 - Water & Sewer System Operating Fund (8300)

**SPECIFIC EXPLANATION:**

The City Purchasing Agent recommends that City Council approve an award to Excalibur Excavation, L.P. on its low bid in the amount of \$124,715.00 and contingencies (10% for unforeseen changes within the scope of work) in the amount of \$12,471.50 for a total amount not to exceed \$137,186.50 to construct a partition wall for the influent channel at the City's Northwest Wastewater Treatment Plant (NWWTP) for the Public Works and Engineering Department and that authorization be given to issue purchase orders as necessary.

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

	<u>Company</u>	<u>Total Amount</u>
1.	<b>Excalibur Excavation, L.P.</b>	<b>\$124,715.00</b>
2.	Industrial TX Corporation	\$149,915.00
3.	Pepper – Lawson Construction L.P.	\$150,315.00
4.	Peltier Brothers Construction, LLC	\$176,915.00
5.	Boyer, Inc.	\$285,515.00

The scope of work requires the construction contractor to provide all labor, materials, equipment, supervision and transportation necessary to construct a partition wall for the influent channel at the City's NWWTP, located at 5423 Mangum Road. The work includes, but is not limited to, the following:

- Isolating the influent channel at Aeration Basin Nos. 5 and 6 by closing the sluice gates in the existing wall in the influent channel at Basin No. 7.
- Cleaning the portion of the influent channel taken out of service after dewatering and removing and disposing of the grit and sludge in strict accordance with applicable city, state and federal regulations.

**REQUIRED AUTHORIZATION**

Finance Department:

Other Authorization:

Other Authorization:

*mg*

*10*  
*10*

Date: 9/17/2009	Subject: Formal Bids Received for the Construction of a Partition Wall for the Influent Channel at the City's Northwest Wastewater Treatment Plant for the Public Works and Engineering Department S50-C23288	Originator's Initials AL	Page 2 of 2
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- Constructing a new partition wall with a manually operated stainless steel sluice gate in the influent channel between Aeration Basin Nos. 5 and 6.

Materials and workmanship are warranted for one year and the life expectancy is twenty years. The contractor shall have 90 calendar days to complete the work on this project after receipt of the notice-to-proceed.

**Pay or Play Program:**

The proposed contract requires compliance with the City's 'Pay or Play' ordinance regarding health benefits for employees of City contractors. In this case, the contractor has elected to pay into the Contractor Responsibility Fund in compliance with City policy.

Buyer: Art Lopez  
PR No. 10079994

09-132  
HCDD

**REQUEST FOR COUNCIL ACTION**

<b>SUBJECT:</b> Resolutions approving the Amendment and Restatement of Bylaws of the City of Houston 1) Industrial Development Corporation, 2) Health Facilities Development Corporation and 3) Higher Education Finance Corporation		<b>Category</b>	<b>Page 1 of</b> 1	<b>Agenda Item #</b> 16, 17, 18
<b>FROM (Department or other point of origin):</b> Housing and Community Development Department		<b>Origination Date:</b> October 16, 2009	<b>Agenda Date:</b> OCT 21 2009	
<b>DIRECTOR'S SIGNATURE:</b> Richard Celli, Director <i>Richard Celli</i>		<b>Council District affected:</b> All		
<b>For additional information contact:</b> Richard Celli 713-868-8305		<b>Date and identification of prior authorizing Council action:</b> Resolution Nos. 81-65, 82-19 and 83-99 Ordinance No. 85-1175		
<b>RECOMMENDATION:</b> Adopt Resolutions approving the Amendment and Restatement of Bylaws of the City of Houston Industrial Development Corporation, Health Facilities Development Corporation and Higher Education Finance Corporation				
<b>Amount and source of funding:</b> N/A		<b>Finance Budget:</b>		
<b>EXPLANATION:</b> <p>The City of Houston established the three subject organizations in the 1980's as an economic development tool to promote the development of facilities for commercial, industrial and manufacturing enterprises, hospitals and institutions of higher education. The organizations are governed by boards appointed by the Mayor and confirmed by City Council. All three organizations are empowered under state and/or federal law to issue bonds to finance qualifying projects, <i>for which the City has no financial obligation or responsibility.</i> To date, the corporations have facilitated many projects, including cargo facilities at Bush Intercontinental Airport, and dormitories and other facilities at Rice University, University of Houston and Texas Southern University.</p> <p>Due to their age, the bylaws of all three corporations need to be updated to reflect current law and correct certain inconsistencies among the three organizations. For instance, current Texas law does not require City Council to approve most bonds issued through the Higher Education Finance Corporation or the Health Facilities Development Corporation. Other changes relate to curing ambiguous or inconsistent provisions. Finally, the "Guidelines for Regulations and Procedures" for the organizations are dated and out of step with modern principles of corporate governance.</p> <p>The proposed three resolutions will approve various amendments to the bylaws of each corporation and authorize those organizations to prepare new Guidelines, subject to approval by the Directors of the Housing and Community Development Department and the Finance Department.</p> <p>The proposed actions were presented to the Budget and Fiscal Affairs Committee on September 14, 2009 and were recommended for consideration by Council.</p>				
<b>REQUIRED AUTHORIZATION</b>				
Finance Director:		Other Authorization:	Other Authorization:	

Reso

TO: Mayor via City Secretary REQUEST FOR COUNCIL ACTION

<b>SUBJECT:</b> Approval of a resolution designating Frost Town at 80 Spruce Street as an Archaeological Site in accordance with Chapter 33, Code of Ordinances	<b>Category #</b>	<b>Page</b> 1 of 1	<b>Agenda Item #</b> 19
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<b>FROM (Department or other point of origin):</b> Planning and Development	<b>Origination Date</b> 10-12-2009	<b>Agenda Date</b> OCT 21 2009
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<b>DIRECTOR'S SIGNATURE:</b> <i>Maureen K. Hafreck</i> RP	<b>Council District affected:</b> H
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<b>For additional information contact:</b> Courtney Spillane Phone: (713) 837-7894	<b>Date and identification of prior authorizing Council action:</b>
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**RECOMMENDATION: (Summary)**  
Approval of a resolution designating Frost Town at 80 Spruce Street as an Archaeological Site

<b>Amount and Source of Funding:</b> N/A	<b>Finance Budget:</b>
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**SPECIFIC EXPLANATION:**

A property owner may initiate an application for the designation of an Archaeological Site. This application for the Archaeological Site designation of Frost Town at 80 Spruce Street was initiated by the owner.

Public hearings were held by the Houston Archaeological and Historical Commission and the Houston Planning Commission on September 24, 2009 and October 1, 2009, respectively and there were no objections to the designation. Both commissions determined that the application satisfied applicable criteria of the ordinance and unanimously recommended approval of the Archaeological Site designation.

Photos of the proposed Archaeological Site can be found by going to the following on the Planning Department's website: [http://www.houstontx.gov/planning/historic\\_pres/pending.htm](http://www.houstontx.gov/planning/historic_pres/pending.htm).

MG: rp

Attachments: Application and Staff Report

xc: Minnette Boesel, Mayor's Assistant for Cultural Affairs  
Arturo G. Michel, City Attorney  
Deborah McAbee, Land Use Division, Legal Department  
Harold L. Hurtt, Chief, Police Department  
Phil Boriskie, Chief, Fire Department

**REQUIRED AUTHORIZATION**

<b>Finance Director:</b>	<b>Other Authorization:</b>	<b>Other Authorization:</b>
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mg

**LANDMARK, PROTECTED LANDMARK OR ARCHAEOLOGICAL SITE  
DESIGNATION APPLICATION  
CITY OF HOUSTON, TEXAS**

- Complete all information. Incomplete applications may cause delays in processing.
- If you have questions or need help, call the Planning & Development Department at 713/837-7796.

**To Be Completed by Planning Staff**

Date accepted as complete: 9/11/2009 HPO File Number: 09-AS001  
 Accepted By: [Signature] and 09-PL080

**APPLICANT INFORMATION**

Legal Owner's Name of Site (Please print) <u>Art &amp; Environmental Architecture, Inc.</u>	
Address <u>Houston 1654 Bonnie Brae</u>	
City <u>Houston</u>	State <u>Texas</u>
Zip Code <u>77006</u>	Day Phone <u>713 521 9453</u>
Signature	Date

Agent's Name (if applicable)(Please print) <u>Kirk FARRIS</u>	
Address <u>1654 Bonnie Brae</u>	
City <u>Houston</u>	State <u>Texas</u>
Zip Code <u>77006</u>	Daytime Phone <u>282 859 8189</u>
Signature	Date

**PROPOSED DESIGNATION**

- Landmark (subject to 90-day waiver\*)  
 Protected Landmark (and Landmark) (NOT subject to 90-day waiver\* and subject to Demolition by Neglect Provision)  
 Archaeological Site

\*Sec. 33-250 Ninety-day waiver certificate and Sec. 33-254 Demolition by Neglect - see Code of Ord. Chapter 33 - Historic Preservation Ordinance - ([www.houstontx.gov/codes/chapters31to35.html](http://www.houstontx.gov/codes/chapters31to35.html))

**SITE INFORMATION**

NOTE: Site information is required and must accompany the application.

Site Address <u>80 Spruce</u>
General description <u>Corner lot Race &amp; Spruce</u>
<u>200 feet north of Runnels</u>

Tax account number <u>01426000005</u>	
Subdivision <u>Frost TOWN</u>	
Lot <u>TR5</u>	Block <u>F</u>

**DOCUMENTATION MUST BE PROVIDED WITH APPLICATION (WHERE APPLICABLE)**

- IF Site is already designated as a City of Houston Landmark, OR listed individually in the National Register of Historic Place OR designated as a Recorded Texas Historic Landmark OR State Archeological Landmark:
  - Complete copy of the original nomination. If site has received multiple designations, or if there have been any amendments/revisions which provide information necessary to meet designation criteria found in the Historic Preservation Ordinance, please provide this information too.
  - Statement/description regarding current physical condition and information/dates of previous alterations and renovations since the original nomination(s) was (were) written

# CITY OF HOUSTON

Archaeological & Historical Commission

Planning and Development Department

## ARCHAEOLOGICAL SITE DESIGNATION REPORT

**SITE NAME:** Frost Town Archaeological Site - 80 Spruce Street  
**OWNER:** Art and Environmental Architecture, Inc.  
**APPLICANT:** Kirk Farris  
**LOCATION:** 80 Spruce Street – Frost Town  
**30-DAY HEARING NOTICE:** N/A

**AGENDA ITEM:** III  
**HPO FILE NO:** 09AS1  
**DATE ACCEPTED:** Sept-09-09  
**HAHC HEARING:** Sept-24-09  
**PC HEARING:** Oct-1-09

### SITE INFORMATION

Lot 5 (being .1284 acres situated at the northwest corner of), Block F, Frost Town Subdivision, SSBB, City of Houston, Harris County, Texas. The site is a vacant tract of land located within the former Frost Town site and has been designated as a State of Texas Archaeological Site.

**TYPE OF APPROVAL REQUESTED:** Archaeological Site Designation

### HISTORY AND SIGNIFICANCE SUMMARY

Frost Town was first settled in 1836 and would become the first residential suburb of the City of Houston, then-Capitol of the new Republic of Texas. Frost Town was located in a bend on the south bank of Buffalo Bayou approximately ½ mile downriver from the present site of downtown Houston. The 15-acre site was purchased from Augustus and John Allen by Jonathan Benson Frost, a Tennessee native and a recent veteran of the Texas Revolution, who paid \$1,500 (\$100 per acre) for the land in April 1837. Frost built a house and blacksmith shop on the property, but died shortly after of cholera. His brother, Samuel M. Frost subdivided the 15 acres into eight blocks of 12 lots each, and began to sell lots on July 4, 1838. By 1839, nearly 70% of the lots were sold. Two lots were set aside for a cemetery, where Jonathan Frost himself was buried.

Frost Town's early development mimics that of nearby Houston's with one notable exception. Whereas downtown Houston first developed as a mix of residences and businesses, Frost Town was primarily residential in character. Early property owners in Frost Town provide an important glimpse into the social and business life of early Houston, and included Michael DeChaumes, a French-born architect who was responsible for some of the earliest architect-designed buildings in Houston; Peter Gabel, a prominent local German-American brewer; and William Settegast, another German-American Houstonian who was a real estate partner of George Hermann.

By late 1840s, there were approx 75 families living in Frost Town. Many of the early families were German immigrants, although the makeup of the neighborhood was not exclusively German. By the late 1800s, railroad lines criss-crossed the area, and the land surrounding Frost Town was used increasingly for industrial purposes. By the 1930s, the ethnic makeup of the neighborhood had shifted to Mexican-American, and the neighborhood came to be known as Barrio Del Alacran. In the 1950s, Schrimp's Field on the east edge of Frost Town was redeveloped as the Clayton Homes public housing project, and the Elysian Street Viaduct and Highway 59 were constructed through the area. In the 1990s, the last

# CITY OF HOUSTON

## **Archaeological & Historical Commission**

## **Planning and Development Department**

remaining house in Frost Town was demolished and the former Frost Town streets were removed. Today, James Bute Park marks the former community.

Several archaeological studies of Frost Town have been performed at different locations over the past 18 years. Archaeological testing in 2004 uncovered archaeological remains at 80 Spruce Street dating to Frost Town's 19<sup>th</sup> century occupation. The site's location is also favorable for Pre-historic occupation due to its relatively high elevation, good drainage and close proximity to flowing water, although no archaeological testing has confirmed artifacts from the Pre-historic period. A Texas State Archaeological Landmark designation is currently pending for Frost Town, including the 80 Spruce Street location.

The Frost Town Archaeological Site at 80 Spruce Street represents a tangible link to the earliest phase of Houston's development and meets Criteria 1, 3, 7, and 8 for City of Houston Archaeological Site Designation.

### **HISTORY AND SIGNIFICANCE**

The first known Anglo settlers to southeast Texas were members of Austin's Old 300 who first settled in Brazoria County in the 1820's. This group of settlers, which actually numbered 297, was encouraged to come to Texas at the urging of entrepreneur Stephen F. Austin, who was working with the then government of Mexico. The Mexican government encouraged Austin to promote Texas by recruiting potential new residents to colonize Texas contingent on meeting certain requirements as set forth by the Mexican government. Austin was expected to recruit the settlers and oversee all administrative duties associated with their arrival in the Mexican territory of Texas as prescribed under Spanish law. One of the earliest accounts of Anglo settlement in the Houston vicinity includes Jane Wilkins and family, and James Phelps, who arrived in 1822. The brothers John and Augustus Allen acknowledged the fact that there were already settlers in the general vicinity at the time of their arrival in 1836 although they do not offer specifics as to exact locations. Prior to and to some extent concurrent with the Anglo settlement, the area was inhabited by Native American groups which were comprised of members of the Atakapa, Akokisa, and Karankawa groups with the Alabama and Coushatta tribes located to the northeast, which used the bayous adjacent to Frost Town.

In August 1836 the brothers Augustus and John Allen, who had first arrived in Texas five years earlier, arranged to purchase 6,000 acres of land abutting Buffalo Bayou which had been a part of the original John Austin survey. In November of 1836, the land was surveyed and the original town plat for Houston was created with its peculiar grid pattern oriented approximately 33 degrees off of true North with Main Street forming the spine for the new town site. The earliest accounts of Houston tell of newly cleared streets and blocks, which after rains, were muddy and further impeded by the presence of tree stumps in the right of way.

Houston, in its ambitious first years, was not well prepared for the influx of new residents. The Allens had promoted the new town site, cleared and surveyed the land, and sold parcels with little attention paid to how the city would develop beyond that point. With little development regulation established or adopted, aside from the reserves set aside for a courthouse and market house, Houston developed early on with a mix of land uses. It was not uncommon in the first decade (1836-1846) to see both residences and businesses located beside one another. However, as Houston matured and the value of downtown

# CITY OF HOUSTON

## Archaeological & Historical Commission

## Planning and Development Department

real estate increased, the land became too valuable for residential use and was increasingly used for commercial purposes.

The first generation buildings erected by newcomers to the vicinity were emergency accommodations. Merchants and residents alike were forced to live and conduct business in whatever structure would provide shelter from the elements. First generation structures were usually the result of readily available materials or that which had been transported with the settlers. Vast timberlands were located nearby, but there were few if any sawmills to process the lumber. Pit sawing, a method of dressing lumber involving two men and the use of a two man saw, was available, but was slow and laborious and overall output was minimal. As a result of the deficiency of readily available building materials, accommodations were often tents and simple log dwellings. Tents could be erected until more substantial log dwellings could be built. Eventually these log buildings gave way to wood frame buildings constructed of dressed lumber. These were eventually replaced with masonry structures due to the frequency of fires which decimated Houston's first generation wood frame buildings.

Frost Town is generally acknowledged as the first residential addition to the newly created City of Houston, but was located approximately one half of a mile down river. As the fledgling township of Houston struggled with drainage, sanitation, and other infrastructure problems, Frost Town existed more like a small town near Houston or as an early suburb despite its very close proximity to downtown Houston. Although initially located downstream from Houston, Frost Town remained relatively isolated due to its location on a high peninsula which was surrounded by Buffalo Bayou on three sides. The community was laid out as a rectangular grid with its narrow end parallel to Buffalo Bayou on the north and with its long sides parallel with the sides of the peninsula on which it was located. The major thoroughfare through the Frost Town community was Spruce Street which was the main North-South axis. Other streets in the neighborhood included Pine, Arch, Race, and Vine. The main road connecting Frost Town to Houston was Commerce Street located to the south of the neighborhood.

Jonathan Benson Frost settled the 15 acres, which would come to be known as Frost Town in 1836 while fresh from service in the Texan army during the Texas Revolution. His closest neighbor, and abutting property owner, William Hodge, was also a veteran of the Texas Revolution. Frost was a Tennessee native born circa 1802. His father, John M. Frost, was a veteran of the war of 1812 under the command of General Andrew Jackson, and Jonathan Frost's grandfather had seen military service during the Revolutionary War on the loyalist side. Like many Tennesseans, Frost had come to Texas because of the lure of adventure offered through participation in the Texas Revolution as well as for the healthy reward of land promised to any volunteers who would enlist in the Texas Army for a period of one year or more. Frost enlisted with the Nacogdoches Mounted Volunteers on April 11, 1836 and was honorably discharged on July 12, 1836. Frost returned briefly to Tennessee, but was back in Texas by late 1836 or early 1837. Frost constructed a new house for himself on the eventual Frost Town Site which he had purchased, but without any formal contract or exchange of money. The sale of the land to Frost from the Allen Brothers did not occur until April of 1837, at which time the Allen brothers had begun to finalize sales which had taken place during the first year of Houston's existence. Frost purchased fifteen acres in total at the rate of \$100 per acre.

# CITY OF HOUSTON

## Archaeological & Historical Commission

## Planning and Development Department

Frost died from cholera on September 16, 1837, only five months after purchasing his land and establishing both a home for himself and a blacksmith shop. The Frost Estate was referred to Probate Court that same year. Frost's surviving brother Samuel M. Frost was appointed as administrator of the estate of his deceased brother and was charged with the task of paying off the debts incurred by the deceased, which included the recent purchase of the land. The brother had the fifteen acre tract surveyed and then sold it to his other surviving brother James Frost, who sold the land back to Samuel Frost on the same day.

In June 1838 Samuel Frost platted the fifteen acres into residential lots. The Frost Town site was subdivided into 8 blocks. Each block was lettered A-H and contained 12 lots. Each block featured 10 lots measuring 50'x100' and two lots which measured 50'x125'. The northeast block "H", located closest to Buffalo Bayou, contained two lots set aside for cemetery purposes, which was the final resting place of Jonathan Benson Frost, the community's founder. The lots were priced accordingly at either \$25 or \$35 depending on size. The first sale was made to Henry Trott who purchased three lots. Land sales were apparently brisk with nearly two thirds of the lots being sold within the first year.

Although the majority of lots in Frost Town had been sold early on, the total number of families residing in Frost Town and their respective dwellings was comparatively low. This could have been the result of land speculation or simply the result of purchasers waiting to construct dwellings as funds permitted. A decade later, during the late 1840's there were approximately 75 families who resided in Frost Town. By this time, the make up of the neighborhood had begun to change and reflected a majority of residents claiming German ancestry which likely gave rise to the nickname "Germantown". The name Germantown has persisted and has caused much confusion over the following 150 years. A "Germantown" subdivision was eventually platted on the north side of Buffalo Bayou near White Oak Bayou in the late 19<sup>th</sup> century, although much of it was lost to expansion of Interstate 45.

The influx of Germans to Frost Town in the late 1840s mirrored similar settlement patterns elsewhere in Houston and in Texas. According to the 1860 Harris County census, the Second Ward, in which Frost Town was located, had a total population of 906 inhabitants. Of those inhabitants, 270 were born in one of the pre-unification German kingdoms. Several German families resided in Frost Town, but the overall make up of the neighborhood was not exclusively German.

The Joseph Settegast Home, formerly located at Maple and Gable Streets on the edge of Frost Town, was a notable Frost Town area landmark. Its two stories and double galleried porches reflected the popular style of architecture for those who could afford such luxuries in the third quarter of the 19<sup>th</sup> century. The home survived well into the 20th century and was eventually chosen as the site for the Rusk Settlement School circa 1909. The Rusk Settlement was operated by the Houston Settlement Association, which was comprised of women banded together for the common goal of providing "educational, industrial, social, and friendly aid to all those within our reach". At this site the group operated a kindergarten and small branch library, trained women in home making skills, and sponsored Houston's first Girl Scout troop.

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Houston as their fortunes improved. The housing stock in Frost Town was older and the community in general had been passed over by progress. Furthermore, the land surrounding Frost Town was used more increasingly for industrial purposes. In 1910 and 1911, construction commenced on the new Union Station train terminal (now the location of Minute Maid Field). Consequentially, the residential neighborhoods in the immediate vicinity, including a portion of Houston's upscale Quality Hill neighborhood, were demolished to make way for the massive new rail yard and terminal building. Other industries that moved into the immediate vicinity included Hartwell's Iron works and the Gable Street electric generating plant. The aforementioned industrial development served to once again isolate Frost Town.

The Mexican Revolution of 1910 also played a deciding role in the future of Frost Town. The revolution had spurred large numbers of Mexican immigrants to move from their home country to Texas and eventually to Houston. Because of the rise of industrialization in Houston and specifically in the East End near Frost Town, many new immigrants settled in this area. The population shift was so pronounced that the Roman Catholic Diocese established Our Lady of Guadalupe Church within a short distance from Frost Town, in 2<sup>nd</sup> Ward, in 1912 to serve the spiritual needs of the new inhabitants. This was the first Catholic Church in the Houston area which held mass in Spanish. By the 1930s, 1940s, and 1950s Frost Town was predominantly Hispanic in its cultural make up. Frost Town eventually shed its early moniker as the original families had since died or moved away. The area came to be known by its most recent residents as "El Alacran" or the Scorpion. Schrimpf's Alley, (aka "Shrimp's Alley") located on the eastern edge of the Frost Town site, became the new focal point of the community and by the 1950's the area was considered to be one of Houston's most underserved neighborhoods. Frost Town is no longer a neighborhood as the last house was demolished in the early 1990's and the former Frost Town streets were removed. Schrimpf's Field, located to the eastern boundary of the neighborhood, was redeveloped in the early 1950s as Clayton Homes, a Public Housing project of 296 residential units.

### **SITE DESCRIPTION AND DEVELOPMENT HISTORY**

The Frost Town community site is now vacant land. The last of the Frost Town houses was demolished by the Texas Department of Transportation during a freeway widening project on US Highway 59 in the 1990s. The Frost Town site has been impacted by two modern elevated thoroughfares. The community was first impacted by the construction of the Galveston Houston and Henderson Railway which bisected the community's southwest corner in 1861 as the South was desperate to transport goods from inland to the seaports to help finance the war effort. The Frost Town community was further divided in 1955 and 1956 as the Crawford-Elysian overpass was constructed to provide a link from downtown to the North side of Buffalo Bayou in the 5<sup>th</sup> Ward. An elevated overpass of US Highway 59 was constructed on the East side of the Frost Town site in 1953. Furthermore, erosion to the north end of the Frost Town site has occurred due to Buffalo Bayou. This has resulted in the loss of Lots 7 and 8 of the Frost Town cemetery in Block H, which has completely eroded into Buffalo Bayou. The remainder of the Frost Town site remains relatively intact, including the subject site, which represents one of the last minimally impacted sites of archaeological deposits. As such, potential areas of archaeological deposits in the Frost Town site, which have been minimally impacted by major construction projects, remains small. According to a synopsis of archaeological field studies performed at the Frost Town site, written by J.K. Wagner and Co.,

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“The current site of the Frost Town Subdivision has been capped with fill since 1984 with minimal intrusions into the site aside from the construction of the Viaduct. Limited archeological testing by JKW&CO and more substantial testing by Prewitt and Associates, Inc. indicates that the potential remains high for substantial archaeological remnants to still exist beneath this fill and the removal debris from the post 1907 habitation period.

Identified archeological features from the post-1907 Hispanic neighborhood include the in-situ bases of foundation piers and brick walkways/sidewalks. This would argue that significant portions of cellars, trash and privy pits, and cisterns should still exist, more-or-less intact, within portions of the Frost Town Site. The capping of the original, 1800’s Anglo settlement by the later, post-1907 construction, indicates that it is likely that at least some intact, in-situ features from that early period may well still exist.

The integrity and partial survival of intact levels of two important periods of Houston development (the first subdivision in Houston and one of the earliest Hispanic neighborhoods in Houston) make the Frost Town Site an important and delicate piece of the City of Houston’s history.

The Pruitt survey recommended that, due to the numerous and intact cultural features, including cisterns and cultural clusters of features, much of the historic community remains buried at James Bute Park and the old town of Frost Town. Frost Town is eligible under Criteria A due to its association with “events that have made a significant contribution to the broad patterns of our history, and under Criterion D, that Frost Town has yielded or is likely to yield information important in prehistory or history.<sup>1</sup>

Due to the high potential for additional buried features and deeply buried Holocene deposits containing prehistoric archeological remains, the Frost Town site represents a setting that is considered to be historically significant at the state level and retains archeological integrity. The Pruitt survey and the JKWCO survey recommended that the site meet the criteria for designation as a State Archeological Landmark (SAL) under the Antiquities Code of Texas. “

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

### APPROVAL CRITERIA FOR ARCHAEOLOGICAL SITE DESIGNATION

#### Sec. 33-224. Criteria for designation of a Landmark or Archaeological Site.

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

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<sup>1</sup>U. S Department of the Interior 1997:2

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S NA

S - satisfies D - does not satisfy NA - not applicable

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

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

**STAFF RECOMMENDATION:**

Staff recommends that the Houston Planning Commission accept the recommendation of the Houston Archaeological and Historical Commission and recommend to City Council the Archaeological Site Designation of the Frost Town Archaeological Site at 80 Spruce Street.



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

*Reso*

<b>SUBJECT:</b> Approval of a resolution designating 2 Landmarks and Protected Landmarks in accordance with Chapter 33, Code of Ordinances		<b>Category #</b>	<b>Page</b> 1 of 1	<b>Agenda Item #</b>  <i>20</i>	
<b>FROM (Department or other point of origin):</b> Planning and Development		<b>Origination Date</b> 10-12-2009		<b>Agenda Date</b> OCT 21 2009	
<b>DIRECTOR'S SIGNATURE:</b>  <i>Marlene K. Spillane</i> <i>RP</i>		<b>Council District affected:</b> H			
<b>For additional information contact:</b> Courtney Spillane <b>Phone:</b> (713) 837-7894		<b>Date and identification of prior authorizing Council action:</b>			
<b>RECOMMENDATION: (Summary)</b> Approval of a resolution designating 2 Landmarks and Protected Landmarks					
<b>Amount and Source of Funding:</b> N/A			<b>Finance Budget:</b>		
<b>SPECIFIC EXPLANATION:</b> A property owner may initiate an application for the designation of a Landmark and Protected Landmark, for which a 90-day waiver certificate may not be issued by the planning official. These applications for Landmark and Protected Landmark designation were initiated by the owners.  Public hearings were held by the Houston Archaeological and Historical Commission and the Houston Planning Commission on September 24, 2009 and October 1, 2009, respectively. There were no objections to the designations. Both commissions determined that the applications satisfied applicable criteria of the ordinance and unanimously recommended approval of the Landmark and Protected Landmark designations.  Photos of the proposed landmarks can be found by going to the following on the Planning Department's website: <a href="http://www.houstontx.gov/planning/historic_pres/pending.htm">http://www.houstontx.gov/planning/historic_pres/pending.htm</a>					
	<b>LANDMARK AND PROTECTED LANDMARK NAME/ADDRESS:</b>	<b>INITIATED BY:</b>	<b>COUNCIL DISTRICT:</b>	<b>HAHC HEARING:</b>	<b>PLANNING COMMISSION HEARING:</b>
1	Frost Town Archaeological Site 80 Spruce Street	Owner	H	9-24-2009	10-1-2009
2	Sidney Sherman Brady House 3805 Wilmer Street	Owner	H	9-24-2009	10-1-2009
MG: rp					
Attachments: Applications and Staff Reports					
xc: Minnette Boesel, Mayor's Assistant for Cultural Affairs Arturo G. Michel, City Attorney Deborah McAbee, Land Use Division, Legal Department Harold L. Hurtt, Chief, Police Department Phil Boriskie, Chief, Fire Department					
<b>REQUIRED AUTHORIZATION</b>					
<b>Finance Director:</b>		<b>Other Authorization:</b>		<b>Other Authorization:</b>	

**LANDMARK, PROTECTED LANDMARK OR ARCHAEOLOGICAL SITE  
DESIGNATION APPLICATION  
CITY OF HOUSTON, TEXAS**

- Complete all information. Incomplete applications may cause delays in processing.
- If you have questions or need help, call the Planning & Development Department at 713/837-7796.

**To Be Completed by Planning Staff**

Date accepted as complete: 9/11/2009 HPO File Number: 09-AS001  
 Accepted By: [Signature] and 09-PL080

**APPLICANT INFORMATION**

Legal Owner's Name of Site (Please print) <u>Art &amp; Environmental Architecture, Inc.</u>	
Address <u>Houston 1654 Bonnie Brae</u>	
City <u>Houston</u>	State <u>Texas</u>
Zip Code <u>77006</u>	Day Phone <u>713 521 9453</u>
Signature	Date

Agent's Name (if applicable)(Please print) <u>Kirk FARRIS</u>	
Address <u>1654 Bonnie Brae</u>	
City <u>Houston</u>	State <u>Texas</u>
Zip Code <u>77006</u>	Daytime Phone <u>282 859 8189</u>
Signature	Date

**PROPOSED DESIGNATION**

- Landmark (subject to 90-day waiver\*)  
 Protected Landmark (and Landmark) (NOT subject to 90-day waiver\* and subject to Demolition by Neglect Provision)  
 Archaeological Site

\*Sec. 33-250 Ninety-day waiver certificate and Sec. 33-254 Demolition by Neglect - see Code of Ord. Chapter 33 - Historic Preservation Ordinance - ([www.houstontx.gov/codes/chapters31to35.html](http://www.houstontx.gov/codes/chapters31to35.html))

**SITE INFORMATION**

NOTE: Site information is required and must accompany the application.

Site Address <u>80 Spruce</u>
General description <u>Corner lot Race &amp; Spruce</u>
<u>200 feet north of Runnels</u>

Tax account number <u>01426000005</u>	
Subdivision <u>Frost Town</u>	
Lot <u>TR5</u>	Block <u>F</u>

**DOCUMENTATION MUST BE PROVIDED WITH APPLICATION (WHERE APPLICABLE)**

- IF Site is already designated as a City of Houston Landmark, OR listed individually in the National Register of Historic Place OR designated as a Recorded Texas Historic Landmark OR State Archeological Landmark:

- Complete copy of the original nomination. If site has received multiple designations, or if there have been any amendments/revisions which provide information necessary to meet designation criteria found in the Historic Preservation Ordinance, please provide this information too.
- Statement/description regarding current physical condition and information/dates of previous alterations and renovations since the original nomination(s) was (were) written

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Planning and Development Department

## PROTECTED LANDMARK SITE DESIGNATION REPORT

**LANDMARK NAME:** Frost Town Archaeological Site – 80 Spruce Street

**OWNER:** Art and Environmental Architecture, Inc.

**APPLICANT:** Kirk Farris

**LOCATION:** 80 Spruce Street – Frost Town

**30-DAY HEARING NOTICE:** N/A

**AGENDA ITEM:** IV.a

**HPO FILE NO:** 09PL80

**DATE ACCEPTED:** Sept-09-09

**HAHC HEARING:** Sept-24-09

**PC HEARING:** Oct-1-09

### SITE INFORMATION

Lot 5 (being .1284 acres situated at the northwest corner of), Block F, Frost Town Subdivision, SSBB, City of Houston, Harris County, Texas. The site is a vacant tract of land located within the former Frost Town site and has been designated as a State of Texas Archaeological Site.

**TYPE OF APPROVAL REQUESTED:** Landmark and Protected Landmark Site Designation

### HISTORY AND SIGNIFICANCE SUMMARY

Frost Town was first settled in 1836 and would become the first residential suburb of the City of Houston, then-Capitol of the new Republic of Texas. Frost Town was located in a bend on the south bank of Buffalo Bayou approximately ½ mile downriver from the present site of downtown Houston. The 15-acre site was purchased from Augustus and John Allen by Jonathan Benson Frost, a Tennessee native and a recent veteran of the Texas Revolution, who paid \$1,500 (\$100 per acre) for the land in April 1837. Frost built a house and blacksmith shop on the property, but died shortly after of cholera. His brother, Samuel M. Frost subdivided the 15 acres into eight blocks of 12 lots each, and began to sell lots on July 4, 1838. By 1839, nearly 70% of the lots were sold. Two lots were set aside for a cemetery, where Jonathan Frost himself was buried.

Frost Town's early development mimics that of nearby Houston's with one notable exception. Whereas downtown Houston first developed as a mix of residences and businesses, Frost Town was primarily residential in character. Early property owners in Frost Town provide an important glimpse into the social and business life of early Houston, and included Michael DeChaumes, a French-born architect who was responsible for some of the earliest architect-designed buildings in Houston; Peter Gabel, a prominent local German-American brewer; and William Settegast, another German-American Houstonian who was a real estate partner of George Hermann.

By late 1840s, there were approx 75 families living in Frost Town. Many of the early families were German immigrants, although the makeup of the neighborhood was not exclusively German. By the late 1800s, railroad lines criss-crossed the area, and the land surrounding Frost Town was used increasingly for industrial purposes. By the 1930s, the ethnic makeup of the neighborhood had shifted to Mexican-American, and the neighborhood came to be known as Barrio Del Alacran. In the 1950s, Schrimp's Field on the east edge of Frost Town was redeveloped as the Clayton Homes public housing project, and the Elysian Street Viaduct and Highway 59 were constructed through the area. In the 1990s, the last

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remaining house in Frost Town was demolished and the former Frost Town streets were removed. Today, James Bute Park marks the former community.

Several archaeological studies of Frost Town have been performed at different locations over the past 18 years. Archaeological testing in 2004 uncovered archaeological remains at 80 Spruce Street dating to Frost Town's 19<sup>th</sup> century occupation. The site's location is also favorable for Pre-historic occupation due to its relatively high elevation, good drainage and close proximity to flowing water, although no archaeological testing has confirmed artifacts from the Pre-historic period. A Texas State Archaeological Landmark designation is currently pending for Frost Town, including the 80 Spruce Street location.

The Frost Town Archaeological Site at 80 Spruce Street represents a tangible link to the earliest phase of Houston's development and meets Criteria 1, 3, 7, and 8 for Landmark and Protected Landmark Site Designation.

### **HISTORY AND SIGNIFICANCE**

The first known Anglo settlers to southeast Texas were members of Austin's Old 300 who first settled in Brazoria County in the 1820s. This group of settlers, which actually numbered 297, was encouraged to come to Texas at the urging of entrepreneur Stephen F. Austin, who was working with the then government of Mexico. The Mexican government encouraged Austin to promote Texas by recruiting potential new residents to colonize Texas contingent on meeting certain requirements as set forth by the Mexican government. Austin was expected to recruit the settlers and oversee all administrative duties associated with their arrival in the Mexican territory of Texas as prescribed under Spanish law. One of the earliest accounts of Anglo settlement in the Houston vicinity includes Jane Wilkins and family, and James Phelps, who arrived in 1822. The brothers John and Augustus Allen acknowledged the fact that there were already settlers in the general vicinity at the time of their arrival in 1836 although they do not offer specifics as to exact locations. Prior to and to some extent concurrent with the Anglo settlement, the area was inhabited by Native American groups which were comprised of members of the Atakapa, Akokisa, and Karankawa groups with the Alabama and Coushatta tribes located to the northeast, which used the bayous adjacent to Frost Town.

In August 1836 the brothers Augustus and John Allen, who had first arrived in Texas five years earlier, arranged to purchase 6,000 acres of land abutting Buffalo Bayou which had been a part of the original John Austin survey. In November 1836, the land was surveyed and the original town plat for Houston was created with its peculiar grid pattern oriented approximately 33 degrees off of true North with Main Street forming the spine for the new town site. The earliest accounts of Houston tell of newly cleared streets and blocks, which after rains, were muddy and further impeded by the presence of tree stumps in the right of way.

Houston, in its ambitious first years, was not well prepared for the influx of new residents. The Allens had promoted the new town site, cleared and surveyed the land, and sold parcels with little attention paid to how the city would develop beyond that point. With little development regulation established or adopted, aside from the reserves set aside for a courthouse and market house, Houston developed early on with a mix of land uses. It was not uncommon in the first decade (1836-1846) to see both residences and businesses located beside one another. However, as Houston matured and the value of downtown

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real estate increased, the land became too valuable for residential use and was increasingly used for commercial purposes.

The first generation buildings erected by newcomers to the vicinity were emergency accommodations. Merchants and residents alike were forced to live and conduct business in whatever structure would provide shelter from the elements. First generation structures were usually the result of readily available materials or that which had been transported with the settlers. Vast timberlands were located nearby, but there were few if any sawmills to process the lumber. Pit sawing, a method of dressing lumber involving two men and the use of a two man saw, was available, but was slow and laborious and overall output was minimal. As a result of the deficiency of readily available building materials, accommodations were often tents and simple log dwellings. Tents could be erected until more substantial log dwellings could be built. Eventually these log buildings gave way to wood frame buildings constructed of dressed lumber. These were eventually replaced with masonry structures due to the frequency of fires which decimated Houston's first generation wood frame buildings.

Frost Town is generally acknowledged as the first residential addition to the newly created City of Houston, but was located approximately one half of a mile down river. As the fledgling township of Houston struggled with drainage, sanitation, and other infrastructure problems, Frost Town existed more like a small town near Houston or as an early suburb despite its very close proximity to downtown Houston. Although initially located downstream from Houston, Frost Town remained relatively isolated due to its location on a high peninsula which was surrounded by Buffalo Bayou on three sides. The community was laid out as a rectangular grid with its narrow end parallel to Buffalo Bayou on the north and with its long sides parallel with the sides of the peninsula on which it was located. The major thoroughfare through the Frost Town community was Spruce Street which was the main North-South axis. Other streets in the neighborhood included Pine, Arch, Race, and Vine. The main road connecting Frost Town to Houston was Commerce Street located to the south of the neighborhood.

Jonathan Benson Frost settled the 15 acres, which would come to be known as Frost Town in 1836 while fresh from service in the Texan army during the Texas Revolution. His closest neighbor, and abutting property owner, William Hodge, was also a veteran of the Texas Revolution. Frost was a Tennessee native born circa 1802. His father, John M. Frost, was a veteran of the war of 1812 under the command of General Andrew Jackson, and Jonathan Frost's grandfather had seen military service during the Revolutionary War on the loyalist side. Like many Tennesseans, Frost had come to Texas because of the lure of adventure offered through participation in the Texas Revolution as well as for the healthy reward of land promised to any volunteers who would enlist in the Texas Army for a period of one year or more. Frost enlisted with the Nacogdoches Mounted Volunteers on April 11, 1836 and was honorably discharged on July 12, 1836. Frost returned briefly to Tennessee, but was back in Texas by late 1836 or early 1837. Frost constructed a new house for himself on the eventual Frost Town Site which he had purchased, but without any formal contract or exchange of money. The sale of the land to Frost from the Allen Brothers did not occur until April 1837, at which time the Allen brothers had begun to finalize sales which had taken place during the first year of Houston's existence. Frost purchased fifteen acres in total at the rate of \$100 per acre.

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The influx of Germans to Frost Town in the late 1840s mirrored similar settlement patterns elsewhere in Houston and in Texas. According to the 1860 Harris County census, the Second Ward, in which Frost Town was located, had a total population of 906 inhabitants. Of those inhabitants, 270 were born in one of the pre-unification German kingdoms. Several German families resided in Frost Town, but the overall make up of the neighborhood was not exclusively German.

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The Frost Town community began to change rapidly during the first two decades of the 20<sup>th</sup> century. At this point in Frost Town history, many of the original families had moved to more prestigious parts of

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The Mexican Revolution of 1910 also played a deciding role in the future of Frost Town. The revolution had spurred large numbers of Mexican immigrants to move from their home country to Texas and eventually to Houston. Because of the rise of industrialization in Houston and specifically in the East End near Frost Town, many new immigrants settled in this area. The population shift was so pronounced that the Roman Catholic Diocese established Our Lady of Guadalupe Church within a short distance from Frost Town, in 2<sup>nd</sup> Ward, in 1912 to serve the spiritual needs of the new inhabitants. This was the first Catholic Church in the Houston area which held mass in Spanish. By the 1930s, 1940s, and 1950s Frost Town was predominantly Hispanic in its cultural make up. Frost Town eventually shed its early moniker as the original families had since died or moved away. The area came to be known by its most recent residents as "El Alacran" or the Scorpion. Schrimpf's Alley, (aka "Shrimp's Alley") located on the eastern edge of the Frost Town site, became the new focal point of the community and by the 1950s the area was considered to be one of Houston's most underserved neighborhoods. Frost Town is no longer a neighborhood as the last house was demolished in the early 1990s and the former Frost Town streets were removed. Schrimpf's Field, located to the eastern boundary of the neighborhood, was redeveloped in the early 1950s as Clayton Homes, a Public Housing project of 296 residential units.

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“The current site of the Frost Town Subdivision has been capped with fill since 1984 with minimal intrusions into the site aside from the construction of the Viaduct. Limited archeological testing by JKW&CO and more substantial testing by Prewitt and Associates, Inc. indicates that the potential remains high for substantial archaeological remnants to still exist beneath this fill and the removal debris from the post 1907 habitation period.

Identified archeological features from the post-1907 Hispanic neighborhood include the in-situ bases of foundation piers and brick walkways/sidewalks. This would argue that significant portions of cellars, trash and privy pits, and cisterns should still exist, more-or-less intact, within portions of the Frost Town Site. The capping of the original, 1800s Anglo settlement by the later, post-1907 construction, indicates that it is likely that at least some intact, in-situ features from that early period may well still exist.

The integrity and partial survival of intact levels of two important periods of Houston development (the first subdivision in Houston and one of the earliest Hispanic neighborhoods in Houston) make the Frost Town Site an important and delicate piece of the City of Houston’s history.

The Pruitt survey recommended that, due to the numerous and intact cultural features, including cisterns and cultural clusters of features, much of the historic community remains buried at James Bute Park and the old town of Frost Town. Frost Town is eligible under Criteria A due to its association with “events that have made a significant contribution to the broad patterns of our history, and under Criterion D, that Frost Town has yielded or is likely to yield information important in prehistory or history.<sup>1</sup>

Due to the high potential for additional buried features and deeply buried Holocene deposits containing prehistoric archeological remains, the Frost Town site represents a setting that is considered to be historically significant at the state level and retains archeological integrity. The Pruitt survey and the JKWCO survey recommended that the site meet the criteria for designation as a State Archeological Landmark (SAL) under the Antiquities Code of Texas. “

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

## **APPROVAL CRITERIA FOR PROTECTED LANDMARK DESIGNATION**

The HAHC shall review each application for designation of a protected landmark that is included in an application for designation of a landmark at the same time and in the same manner as it reviews and considers the application for a landmark. The HAHC and the Planning Commission, in making recommendations with respect to a protected landmark designation, and the City Council, in making a designation, shall consider whether the building, structure, site, or area meets at least three of the criteria in Section 33-224, or one of the criteria in Section 33-229, as follows:

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<sup>1</sup> U. S Department of the Interior 1997:2

# CITY OF HOUSTON

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Planning and Development Department

S NA

S - satisfies D - does not satisfy NA - not applicable

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

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

**AND**

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

**OR**

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

**OR**

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

**OR**

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

# CITY OF HOUSTON

**Archaeological & Historical Commission**

**Planning and Development Department**

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**STAFF RECOMMENDATION:**

Staff recommends that the Houston Planning Commission accept the recommendation of the Houston Archaeological and Historical Commission and recommend to City Council the Landmark and Protected Landmark Site Designation of the Frost Town Archaeological Site at 80 Spruce Street.

# CITY OF HOUSTON

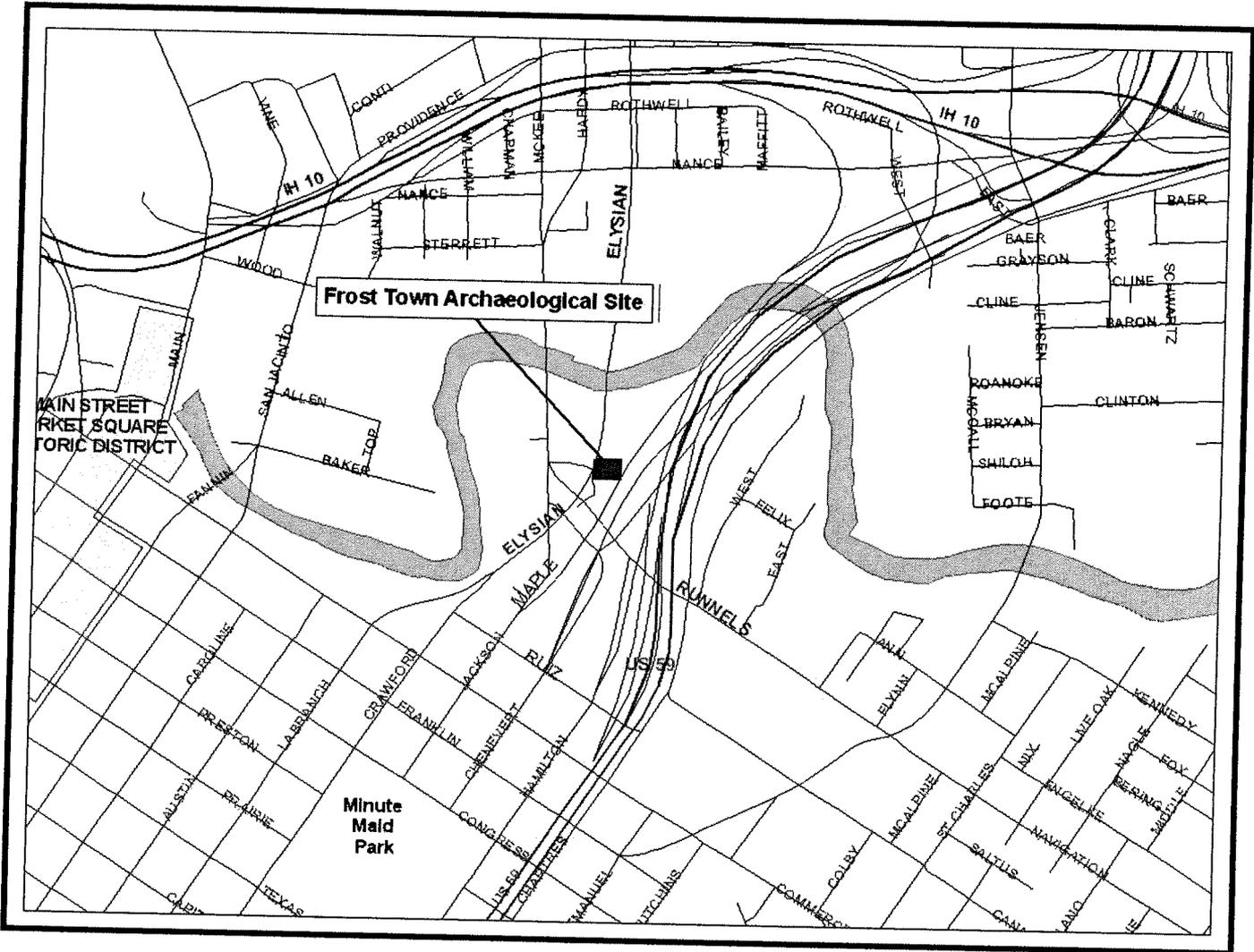
Archaeological & Historical Commission

Planning and Development Department

## SITE LOCATION MAP

80 SPRUCE STREET

NOT TO SCALE



**LANDMARK, PROTECTED LANDMARK OR ARCHAEOLOGICAL SITE  
DESIGNATION APPLICATION  
CITY OF HOUSTON, TEXAS**

- Complete all information. Incomplete applications may cause delays in processing.
- If you have questions or need help, call the Planning & Development Department at 713/837-7796.

**To Be Completed by Planning Staff**

Date accepted as complete: 9/8/09 HPO File Number: 09 PL 79  
 Accepted By: Courtney [Signature]

**APPLICANT INFORMATION**

Legal Owner's Name (Please print) <b>SUSAN DELGADO</b>		
Address <b>2284 JEAN</b>		
City <b>HOUSTON</b>	State <b>TX</b>	ZIP <b>77023</b>
Phone/Fax <b>(832) 258-8232</b>		
Email <b>Delgado4Senate@afol.com</b>		
Signature <u>Susan Delgado</u>	Date	

Agent's Name (if applicable)(Please print) <b>None</b>		
Address		
City	State	ZIP
Phone/Fax		
Email		
Signature	Date	

**PROPOSED DESIGNATION**

- Landmark (subject to 90-day waiver\*)
  Protected Landmark (and Landmark) (NOT subject to 90-day waiver\* and also subject to Demolition by Neglect Provision)
  Archaeological Site

\*Sec. 33-250 -90 day waiver certificate and Sec. 33-254 - Demolition by Neglect - see Code of Ord. -Chapter 33 VII - Historic Preservation - ([www.houstontx.gov/codes/chapters31to35.html](http://www.houstontx.gov/codes/chapters31to35.html))

**SITE INFORMATION**

NOTE: Site information is required and must accompany the application. Please provide a copy of the deed or other similar document verifying ownership and providing the property legal description.

Site Address <b>3805 WILMER (Home)</b>
General description <b>STONEYSHERMAN BRADY</b>
<b>Built 1901</b>

Tax account number <b>052-046-000-0002</b>	
Subdivision <b>BRADY HOME</b>	
Lot <b>LT 3 + TR 2</b>	Block <b>BLK 2</b>

**DOCUMENTATION MUST BE PROVIDED WITH APPLICATION (WHERE APPLICABLE)**

- IF Site is already designated as a City of Houston Landmark, OR listed individually in the National Register of Historic Place OR designated as a Recorded Texas Historic Landmark OR State Archeological Landmark:
  - A) Complete copy of the original nomination. If site has received multiple designations, or if there have been any amendments/revisions which provide information necessary to meet designation criteria found in the Historic Preservation Ordinance, please provide this information too.

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## PROTECTED LANDMARK DESIGNATION REPORT

**LANDMARK NAME:** SIDNEY SHERMAN BRADY HOUSE  
**OWNER:** SUSAN AVILA DELGADO  
**APPLICANT:** SAME  
**LOCATION:** 3805 WILMER STREET (FORMERLY 405 MILBY STREET)  
**30-DAY HEARING NOTICE:** N/A

**AGENDA ITEM:** IV.B  
**HPO FILE NO:** 09PL79  
**DATE ACCEPTED:** SEP-7-09  
**HAHC HEARING:** SEP-24-09  
**PC HEARING:** OCT-1-09

**SITE INFORMATION:** Lot 3 and Tract 2, Block 2, Brady Home, Harris County, Texas. The site includes a one story, masonry with stucco house.

**TYPE OF APPROVAL REQUESTED:** Landmark and Protected Landmark Designation

### HISTORY AND SIGNIFICANCE SUMMARY

Sidney Sherman Brady was a member of one of the oldest families of the South. His grandfather was General Sidney Sherman, hero of the battle of San Jacinto, and his father was John Thomas Brady, one of Houston's most prominent pioneers. Sidney Sherman was made lieutenant colonel of the Texas army in March 1836 and led troops in the Battle of San Jacinto on April 21, 1836. He served as a Harris County representative; Major General of Militia; commandant of Galveston during the Civil War; and organized the Buffalo Bayou, Brazos and Colorado Railway Company, which constructed the first rail line in Texas.

After moving to Houston in 1856, John Thomas Brady established a law practice, became a Confederate soldier, served two terms in the Texas legislature and was among the first Texas lawyers to appear before the Supreme Court of the United States after Texas was readmitted to the Union. John Brady was a principal organizer of the Texas Transportation Company, which became part of the Southern Pacific Railroad. Brady was instrumental in deepening the ship channel to bring large ships and commerce to the port of Houston. Magnolia Park, one of Houston's oldest neighborhoods, which was laid out in 1890 on a 1,374-acre site owned by John Thomas Brady.

Following in the footsteps of his well-known family, Sidney Sherman Brady left a lasting impression on Houston through his achievements in Houston's business ventures and prominence in social circles. He served as president of the Sherman Brady Brick Company, Brady Hamilton Land Company, and Sherman Brady Brick Works. He was the organizer of the Buffalo Bayou Transportation Company and was one of the largest personal holders of real estate in the city. He also served as Secretary and Treasurer of the Courtlandt Improvement Company, which developed Courtlandt Place, both a National Register of Historic Places and City of Houston Historic District.

The Sidney Sherman Brady House was custom built for Sidney Sherman Brady in 1905. The home was designed in the Queen Anne style and features a wrap around front porch. The building is of true masonry construction unlike many historic and modern counterparts which utilize only a brick veneer cladding system over a wood frame.

The Sidney Sherman Brady House meets Criteria 1, 3, 4, 5, and 8 for Landmark and Protected Landmark designation.

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**Archaeological & Historical Commission**

**Planning and Development Department**

## **HISTORY AND SIGNIFICANCE**

*SIDNEY SHERMAN BRADY*

Sidney Sherman Brady was a member of one of the oldest families of the South, whose members have left an indelible mark on local, state, and national history. Brady was the grandson of General Sidney Sherman, the hero of the battle of San Jacinto. His father was John Thomas Brady, lawyer, legislator, newspaperman, and Houston Ship Channel organizer. Although his life was cut tragically short, Sidney Sherman Brady left a lasting impression on Houston through his achievements in the city's business world and involvement in social circles.

Brady was active in many business ventures. According to a Houston Chronicle article which reported his death, he maintained a well respected reputation in the business community, "and the connection of his name with a business venture was an insurance of success for that venture." He was president of several companies including the Sherman Brady Brick Company, the Brady Hamilton Land Company, and the Sherman Brady Brick Works. He was the organizer of the Buffalo Bayou Transportation company and was one of the largest personal holders of Houston real estate in the city.

Brady was the Secretary and Treasurer of the Courtlandt Improvement Company, which purchased the land and laid out the Courtlandt Place subdivision on the southern edge of the city. Courtlandt Place is one of Houston's earliest elite residential subdivisions. Modeled on suburban planning developed in St. Louis, known as the "private place," gated Courtlandt Place is an example of neighborhoods built as small, private enclaves in response to the urban chaos of Houston in the early 1900s. The first houses in Courtlandt Place were built in 1909. Many of the houses were designed by renowned Houston architects, including Sanguinet and Staats, Birdsall P. Briscoe, John F. Staub, and Warren and Wetmore. Early residents were the old elite of Houston, known for their "congeniality in philosophy and politics," and were frequently related. Sidney Sherman Brady's two sisters, Henrietta Brady and Lucy Brady owned homes in Courtlandt Place with their husbands, Wilmer Sperry Hunt and John Van Wanroy Garrow, respectively. Courtlandt Place was designated a National Register of Historic Places Historic District in 1979, received a Texas historical marker in 1989, and was designated a City of Houston Historic District in 1996.

In addition to his many business pursuits, Brady was active in social clubs throughout the city. He was a member of the Country Club, the Thalian Club, and the Houston Club. He was a charter member of Houston Council 803 Knights of Columbus, the sixth Knights of Columbus Council to be instituted in Texas. He owned the first high-speed car in Harris County, was an authority on automotive matters, and was one of the first officers of the local automotive club.

Sidney Sherman Brady died November 3, 1910 in a high-speed car accident. He was 26 years old. Brady and his friend, Charles Dieke, were driving along Harrisburg Road, heading home from La Porte, when Brady lost control of the car. The car veered into a ditch, rolled over onto him and pinned him beneath it. It was estimated that he was traveling between 70 and 75 mph. A passerby who saw a man pinned beneath the car drove Brady to the Country club, where he was examined by Dr. R. W. Link. He was pronounced dead on arrival from a broken neck. The funeral took place at the Church of the Blessed Sacrament on Sherman Avenue and Brady Place at 10:30am on November 5, 1910. Brady was buried at

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Glenwood Cemetery. Brady was survived by his wife, Chaille M. Jones, and their two daughters, Florence M. (born 1907) and Harriett A. (born 1908).

The house at 3805 Wilmer Street was custom built for Brady in 1905. He resided there with his wife, Cecille, and two daughters from 1907 until his death in 1910. Chaille, Florence, and Harriet continued to live in the house until 1912, after which time it was occupied by a series of owners.

### *COL. JOHN THOMAS BRADY*

Sidney Sherman Brady was the only son of Col. John Thomas Brady. John Brady was born in Maryland on October 10, 1830. Before his arrival in Houston in 1856, Brady was admitted to the bar at Port Tobacco, Maryland in 1855 where he practiced law briefly; was editor of the *Frontier News* of Westport, Missouri for two years; assisted in organizing the new territorial government of Kansas where he was elected public printer, a position in which he published the journals and laws of the state's first legislature; and became district attorney for the Third Judicial District of the Territory of Kansas.

Brady came to Houston in 1856 as a young lawyer. He established a law practice, and settled along the bayou near Harrisburg. Shortly after moving to Houston, John Brady became a Confederate soldier. In the Civil War, Brady served the Confederacy on Gen. John B. Magruder's staff and was a volunteer aide to Commodore Leon Smith on the steamer Bayou City in the capture of the Harriet Lane and the defeat of the federal fleet at Galveston Harbor on January 1, 1863. He received special mention for his courage at the battle of Galveston.

After the war, Brady served two terms in the Texas state legislature. He was elected to the Tenth Legislature in 1863 and served as chairman of the committee on finance. In 1866 he was chairman of the committee on internal improvements in the Eleventh Legislature, and he was an advocate of the State Plan for building railroads. As a senator in the Sixteenth Legislature in 1878, he was chairman of the committee on public debt. In 1880 he was nominated for Congress by the National Greenback Labor party. He was among the first Texas lawyers to appear before the Supreme Court of the United States after the state was readmitted to the Union.

Brady was a principal organizer of the Texas Transportation Company, which became part of the Southern Pacific Railroad. The Texas Transportation Company was chartered on September 6, 1866, to construct a railroad along the south side of Buffalo Bayou from Houston to a point near Bray's Bayou. By early 1876, Texas Transportation Company constructed an eight-mile line from Clinton to Houston along the north side of Buffalo Bayou. The railroad line was completed and opened in September 1876. The Texas Transportation Company was merged into the Texas and New Orleans in June 1896, and the line is still operated as an industrial branch of the Southern Pacific.

From the time he arrived in Houston, Brady was interested in deepening the ship channel to bring large ships to the port. In 1876, with his own funds, he had the channel dredged along the section where the turning basin now stands. The new channel cut Brady's Island from his property. Partly in response to his efforts, the Houston Ship Channel Company was organized to dredge the bayou to a minimum of nine feet. The city eventually invested in the Buffalo Bayou Ship Channel Company and in July 1870, Congress designated Houston a 'port of delivery' and posted a customs official in the city.

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Magnolia Park, one of Houston's oldest Hispanic neighborhoods, was laid out in 1890 on a 1,374-acre site owned by Thomas Brady. It was named for the 3,750 magnolias that developers planted there. Magnolia Park became an independent municipality in 1909 and was annexed to the city of Houston in October 1926. Though whites first inhabited the town, Mexican Americans began arriving by 1911, brought here by political and economic unrest in their native country. The new settlers first settled in an area they called Las Arenas (the Sands), residential property laid out from the sands dredged from the nearby Houston Ship Channel. Composed mostly of working class families, the Mexican-American community would become Magnolia Park's predominant ethnic group. Most of the new settlers worked as laborers, laying railroad tracks or dredging and widening Buffalo Bayou. Others loaded cotton on ships and railroad cars or helped construct the ship channel. Mexican-American women worked in jute mills, making gunnysack material for binding cotton bales. Residents of Mexican origin purchased lots at the townsite, built single-family homes, and fostered an active Mexican cultural life through clubs, fraternal organizations, theatrical groups, and events. By 1929 Magnolia Park, surrounded by refineries, factories, textile mills, industrial plants, and wharves, was the largest Mexican settlement in Houston. The local population increased in the early 1940s, as war-related jobs drew Mexican Americans to Houston from across the Southwest. By the 1960s, the middle class had expanded under the programs of President Lyndon Baines Johnson's Great Society, but the bulk of the local Mexican-American residents remained poor. In 1978 up to 20 percent of local residents were below the poverty level. In 1990 the community was a working-class neighborhood with a population of 14,000. Today, Magnolia Park continues to be a Hispanic community deeply rooted in Mexican-American history.

After John Brady's first wife, Caledonia Tinsley of Brazoria County, died, he married Lennie Sherman, General Sidney Sherman's daughter, on November 24, 1880. Lennie and John had two children, daughter, Lucy Sherman (born August 1881; married attorney Wilmer Sperry Hunt) and son Sidney Sherman Brady. After Lennie died, he remarried to Estelle Jenkins and had one daughter, Henrietta B. Brady (born February 1887; married John Van Wanroy Garrow). Col. John Thomas Brady died after suffering a stroke on an inspection of the port of Houston on June 26, 1890, and was buried at Glenwood Cemetery.

## *SIDNEY SHERMAN*

Sidney Sherman was born at Marlboro, Massachusetts, on July 23, 1805. He was orphaned at twelve; at sixteen served as clerk in a Boston mercantile house; and at seventeen was in business for himself but failed for lack of capital. He spent five years in New York City; in 1831 he went to Cincinnati. In Newport, Kentucky Sherman formed a company, the first to make cotton bagging by machinery. Sherman became a captain of a volunteer company of state militia in Kentucky and in 1835 sold his cotton bagging plant and used the money to organize fifty-two volunteers for the Texas Revolution. The fifty-two volunteers in his company were later regarded as official soldiers in the Texas army. Sherman's soldiers left for Texas on the last day of 1835 and arrived the day before the election for delegates to the Convention of 1836. Sherman's company demanded and received the right to vote. When Sam Houston organized his first regiment at Gonzales in March 1836, Sherman was made lieutenant colonel. The army was reorganized at Groce's Ferry and Sherman, recently promoted to colonel, was given command of the Second Regiment of the Texas Volunteers. On April 21, 1836 Sherman commanded the left wing of the Texas army, opened the attack, and has been credited with the battle cry, "Remember the Alamo."

# CITY OF HOUSTON

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After the battle he acted as president of the board of officers that distributed captured property among the soldiers.

President David G. Burnet refused to accept Sherman's resignation when the fighting was over and instead commissioned him as colonel in the regular army and sent him to the United States to raise more troops. After weeks of illness Sherman made his way back to Kentucky and sent troops and clothing back to Texas. His wife, the former Catherine Isabel Cox, returned to Texas with him. They established their home, Mount Vernon, a one-room log house, on a bluff below the San Jacinto battleground. In 1839 the family moved to Crescent Place on San Jacinto Bay. Sherman was Harris County's representative in the Seventh Congress of the republic, serving as chairman of the committee on military affairs. During his term in office he introduced a bill to establish the position of Major General of the Militia and increase protection along the western and southwestern frontiers. In 1843 he was elected major general of militia, a position he held until annexation. It was in his capacity as head of the militia that he presided over the trial of Capt. Edwin W. Moore.

After annexation, Sherman moved to Harrisburg and with the financial support of investors bought the town and the local railroad company. He organized the Buffalo Bayou, Brazos and Colorado Railway Company, which constructed the first rail line in the state. In the Civil War, Sherman was appointed commandant of Galveston by the Secession Convention. He performed his duties until he became ill at which time he retired to his home on San Jacinto Bay. Sherman spent his last years in Galveston. He died there at the home of his daughter, Mrs. J. M. O. Menard, on August 1, 1873. Sherman County and the city of Sherman in Grayson County are named in his honor.

## **ARCHITECTURAL DESCRIPTION AND RESTORATION HISTORY**

The Sidney Sherman Brady House is a one-story, masonry brick home. The brick is clad with stucco, and the home rests on a high-raised brick foundation which features an above-ground full basement. The home was designed in the Queen Anne style and features a wrap around front porch. The windows are arched at the top and are capped with masonry brick arches on both the basement and main living floor levels. Windows are comprised of double hung wood sash windows with 1/1 glass lites. The building features a combination hipped and gable roof with prominent intersecting gable ends which face south and west. Each gable end features decorative shingle work. The use of a Palladian window arrangement on the south facing gable is a hallmark of the Queen Anne period. The roof structure is punctuated by three masonry chimneys with decorative integral chimney pots which are clad with smooth finish cement.

The building is of true masonry construction unlike many historic and modern counterparts which utilize only a brick veneer cladding system over a wood frame. The building is divided into three levels although the building features only one main living floor. The building rests atop a full size solid brick foundation which encloses a full basement which is constructed half above and half below the ground surface. The basement is punctuated by regularly spaced arched headed windows which allow light into the basement area. The primary living floor is accessed by a tall flight of steps leading to the wraparound porch which begins at the southwest corner of the building and wraps around the west end.

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The main living floor features a formal floor plan with double parlors and separate library each serviced by a fireplace with decorative wooden mantels and glazed ceramic tile surrounds. Circulation between the formal rooms occurs via a long hallway located at the north side of the building and which forms a long central east-west axis that runs along the building's primary rooms. The internal hallway leads to a staircase at the east end of the home which allows access to the partially finished attic area.

The house has experienced several alterations in the past which have not seriously diminished the architectural and historic importance of the building. At some point in the past, three shed roof dormers were added at the attic level which face south, west, and north. The applied roof of the wrap around porch is now missing, but the porch deck, masonry railing and stoop are intact. A 1970's era photograph shows the now missing porch roof and slender pairs of wooden colonettes supporting the roof structure. An enclosed wood framed sleeping porch has been constructed to the east side of the building closest to the side property line which is also constructed on a continuation of the same raised basement and which may have functioned as an early porte-cochere. The wood framed sleeping porch features a series of double hung wood sash windows and is clad in horizontal lap wood 117 siding.

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

### **BIBLIOGRAPHY:**

Knights of Columbus Houston Council 803. <http://www.kc803.org/index.html>

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Handbook of Texas Online, *John Thomas Brady*.  
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Handbook of Texas Online, *Courtlandt Place Historic District*.  
<http://www.tshaonline.org/handbook/online/articles/CC/ghcwm.html> (accessed September 18, 2009).

Sanborn Map, 1907, Volume 1, Key Sheet.

Sanborn Map, 1924-1950, Volume 4, 1925, Sheet 428.

Houston City Directories: 1901; 1902-1903; 1903-1904; 1905-1906; 1907; 1908-1909; 1910-1911; 1911-1912; 1913; 1915 (no 1916); 1917; 1918; 1920-1921; 1922; 1923-1924.



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(7) Whether specific evidence exists that unique archaeological resources are present;

(8) Whether the building, structure, object or site has value as a significant element of community sentiment or public pride.

**AND**

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

**OR**

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

**OR**

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

**OR**

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

**STAFF RECOMMENDATION:**

Staff recommends that the Houston Planning Commission accept the recommendation of the Houston Archaeological and Historical Commission and recommend to City Council the Protected Landmark Designation of the Sidney Sherman Brady House at 3805 Wilmer Street.

# CITY OF HOUSTON

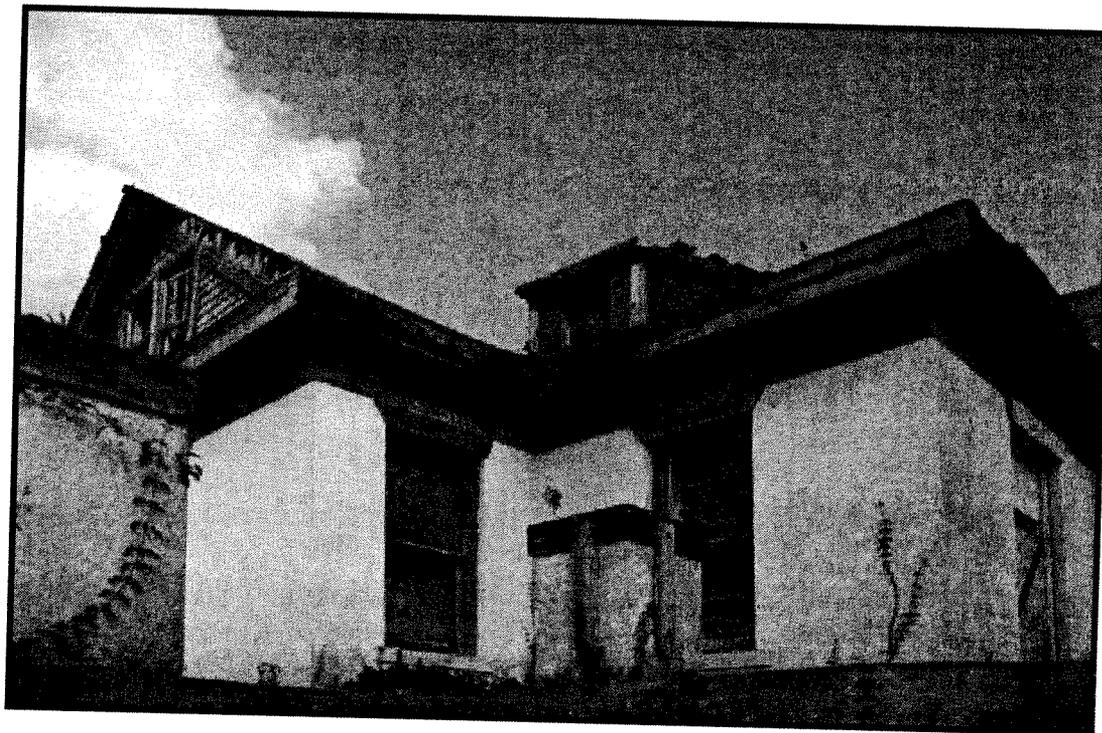
Archaeological & Historical Commission

Planning and Development Department

## EXHIBIT A

SIDNEY SHERMAN BRADY HOUSE

3805 WILMER STREET (FORMERLY 405 MILBY STREET)



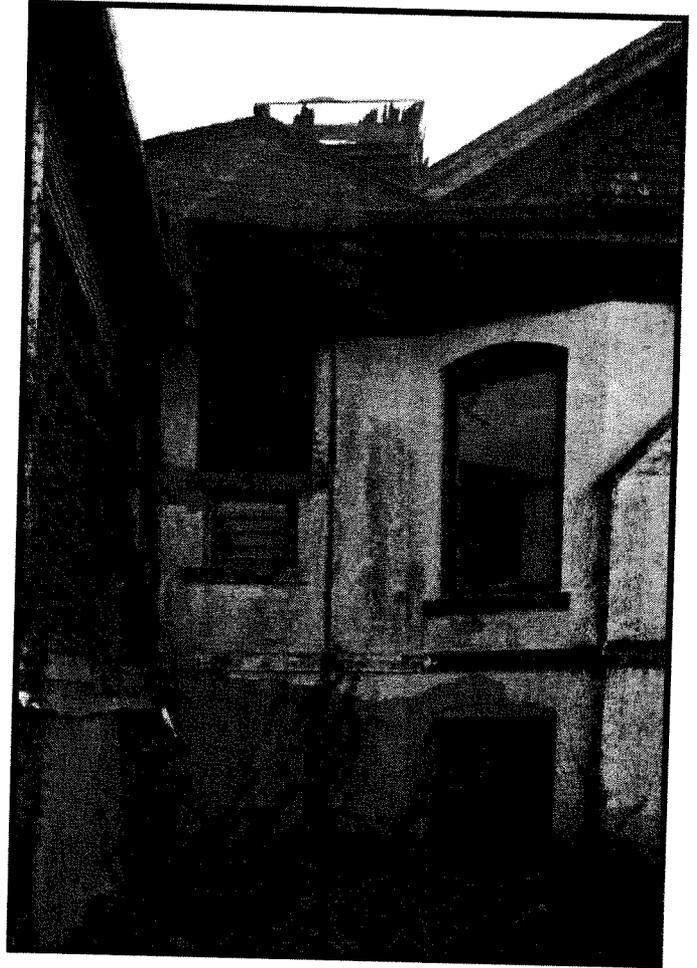
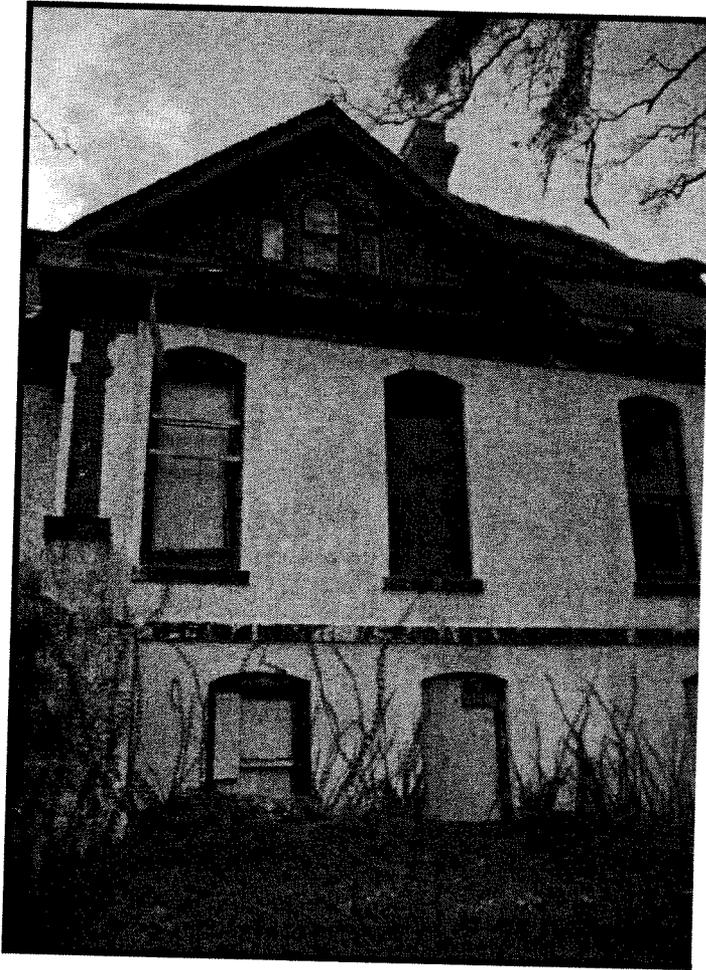
# CITY OF HOUSTON

Archaeological & Historical Commission

Planning and Development Department

## EXHIBIT A

SIDNEY SHERMAN BRADY HOUSE  
3805 WILMER STREET (FORMERLY 405 MILBY STREET)



# CITY OF HOUSTON

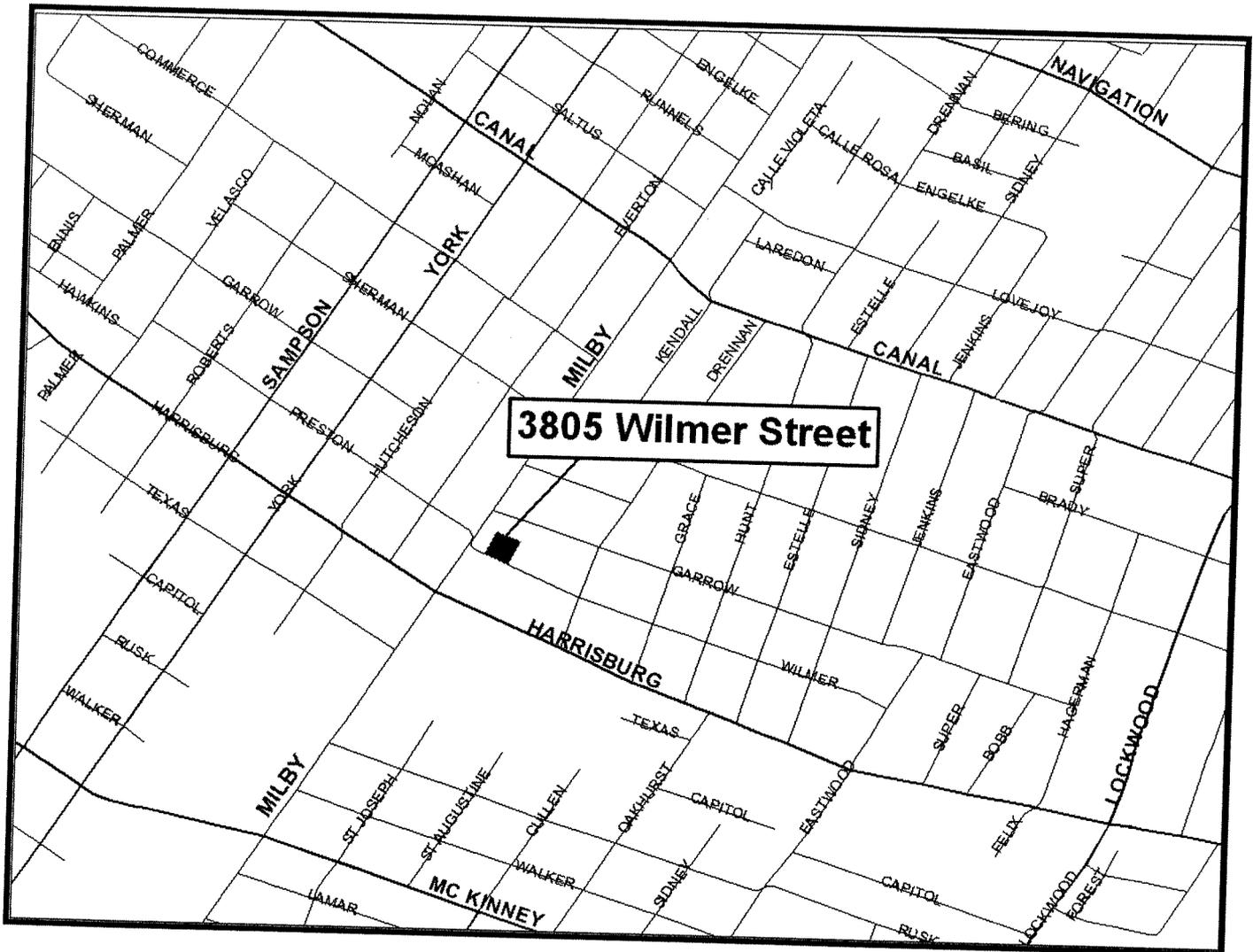
Archaeological & Historical Commission

Planning and Development Department

## EXHIBIT B SITE LOCATION MAP

SIDNEY SHERMAN BRADY HOUSE  
3805 WILMER STREET (FORMERLY 405 MILBY STREET)

NOT TO SCALE

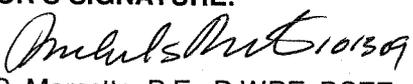


TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

<b>SUBJECT:</b> Ordinance amending the Houston Sign Code (Chapter 46 of the Houston Construction Code) by adding a provision to Section 4605(b)(8) permitting directional signage for medical institutions and amending 4602 to include new definitions for medical institutions.	<b>Category #</b>	<b>Page 1 of 1</b>	<b>Agenda Item #</b>  21
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<b>FROM (Department or other point of origin):</b> Department of Public Works and Engineering	<b>Origination Date</b> 10-15-09	<b>Agenda Date</b> OCT 21 2009
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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> Andrew F. Icken Phone: (713) 837-0510 Deputy Director	<b>Date and identification of prior authorizing Council action:</b>
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**RECOMMENDATION:** Adopt an ordinance revising Section 4605 of the Houston Sign Code to allow one single permitted directional sign per entrance no larger than 25 square feet and no more than 8 feet in height or 30 square feet in total size and no more than 6 feet in height for medical institutions over 20 acres in size and 4602 to include a new definition for medical institutions.

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

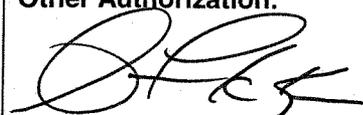
**BACKGROUND:**  
Currently, Section 4605(b) of the Houston Sign Code allows 2 directional signs at each entrance of a business premise. The signs are limited to no larger than 6 sq. feet in size and no more than 5 feet in height. The signs can be lighted indirectly and may only display either the business name or logo.

These size limitations have proven to be too restrictive for large medical institutions that have numerous visitors to their campuses on a daily basis. The Department of Public Works and Engineering recommends the following revisions to Section 4605(b)(8):

Medical institutions over 20 acres in size may have (in lieu of 2 directional signs):

- A permitted single directional sign per entrance no larger than 25 square feet in total size and no more than 8 feet in height, or
- A permitted single sign no larger than 30 square feet in total size and no more than 6 feet in height.
- The sign may be lighted indirectly and be consistent with the other requirements for electrical signs, but no changeable message or spectacular sign is allowed.
- No more than 20 percent of the sign can be dedicated to logos and/or institutions name.

The changes above are consistent with the changes made to this provision for institutions of higher education in December 2008.

<b>REQUIRED AUTHORIZATION 20AFI46</b>	
<b>Other Authorization:</b>	<b>Other Authorization:</b>  Andrew F. Icken Deputy Director Planning and Development Services

Added to Section 4602:

**MEDICAL INSTITUTION** shall mean one or more facilities located on a single campus comprising an area in excess of twenty acres located within the corporate limits of the city, and dedicated to the prevention and treatment of illness and disease and the preservation of good health through the services of medical, nursing or allied health professionals recognized by the American Medical Association. In determining the size of the campus, areas containing dedicated streets shall be included as part of the campus.

---

Redline of Section 4605(b)(8)

**(8) Directional and Locational Signs**

- a. On-premise signs no larger than 6 square feet in size, and no more than 5 feet in height, that display only business names or logos, setting forth the location of or directions to parking or buildings located on the premises, or regulating the flow of the on-premise traffic. Such directional signs may be lighted, consistent with the other requirements for electrical signs in this chapter and with the requirements of the Construction Code. Such directional signs shall be limited to a maximum of two in number for each entrance utilized for vehicular access to the business premises. A sign permit is required.
- b. Institutions of higher education and medical institutions may utilize a single directional sign per entrance in lieu of the two signs permitted above, provided such sign is no larger than 25 square feet in total size and no more than 8 feet in height, or no larger than 30 square feet in total size and no more than 6 feet in height; any illumination is indirect; and no more than 20 percent of the sign surface is devoted to the logo or entity name. Electronic signs, spectacular signs, and changeable message signs are prohibited. A sign permit is required.

**City of Houston, Texas, Ordinance No. 20\_\_\_\_\_**

**AN ORDINANCE AMENDING THE HOUSTON SIGN CODE RELATING TO DIRECTIONAL AND LOCATIONAL SIGNS FOR MEDICAL INSTITUTIONS; CONTAINING FINDINGS AND OTHER PROVISIONS RELATING TO THE FOREGOING SUBJECT; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.**

\* \* \* \* \*

**WHEREAS**, large medical institutions require multiple points of entry because of the specialized facilities and multiple destination points located across the campus; and

**WHEREAS**, it is especially important for large medical institutions to have effective directional signage because of the need to direct emergency vehicles and personnel as well as family members speedily but safely to emergency rooms for lifesaving services; and

**WHEREAS**, effective locational and directional signage for such large campus institutions is important to the overall traffic flow of vehicles, not only on the campus of such institutions, but also for adjacent streets, thoroughfares, and feeder roads; and

**WHEREAS**, the Mayor's Task Force on On-Premise Signage has studied the locational and directional signage needs of large campus medical institutions and has recommended that provisions for alternative locational and directional signage be included in the City's Sign Code to accommodate the unique traffic demands of such institutions; **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 4602 of the Houston Sign Code (Chapter 46 of that volume of the City of Houston Construction Code known as the City of Houston Building Code) is hereby amended by adding, in the appropriate alphabetical order position, a new definition to read as follows:

**"MEDICAL INSTITUTION** shall mean one or more facilities located on a single campus comprising an area in excess of twenty acres located within the corporate limits of the city, and dedicated to the prevention and treatment of illness and disease and the preservation of good health through the

services of medical, nursing or allied health professionals recognized by the American Medical Association. In determining the size of the campus, areas containing dedicated streets shall be included as part of the campus."

**Section 3.** That Item (8) of Subsection (b) of Section 4605 of the Houston Sign Code is hereby amended to read as follows:

**"(8) Directional and Locational Signs**

- a. On-premise signs no larger than 6 square feet in size, and no more than 5 feet in height, that display only business names or logos, setting forth the location of or directions to parking or buildings located on the premises, or regulating the flow of the on-premise traffic. Such directional signs may be lighted, consistent with the other requirements for electrical signs in this chapter and with the requirements of the Construction Code. Such directional signs shall be limited to a maximum of two in number for each entrance utilized for vehicular access to the business premises. A sign permit is required.
- b. Institutions of higher education and medical institutions may utilize a single directional sign per entrance in lieu of the two signs permitted above, provided such sign is no larger than 25 square feet in total size and no more than 8 feet in height, or no larger than 30 square feet in total size and no more than 6 feet in height; any illumination is indirect; and no more than 20 percent of the sign surface is devoted to the logo or entity name. Electronic signs, spectacular signs, and changeable message signs are prohibited. A sign permit is required."

**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.

**PASSED AND APPROVED** this \_\_\_ day of \_\_\_\_\_, 20\_\_.

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

Prepared by Legal Dept.   
LWS:asw 10/13/2009 Senior Assistant City Attorney   
Requested by Michael S. Marcotte, P.E., Director, Public Works and Engineering  
L.D. File No. 0650800014001

<b>SUBJECT:</b> Ordinance amending Art. IX of Chapter 10 of the Code of Ordinances to revise provisions regarding notice provisions for dangerous buildings and the criteria for imminent danger.		<b>Page</b> 1 of	<b>Agenda Item</b> # 22 <i>22</i>
<b>FROM (Department or other point of origin):</b>  Legal Department		<b>Origination Date</b>  October 19, 2009	<b>Agenda Date</b>  <i>OCT 21 2009</i>
<b>DIRECTOR'S SIGNATURE:</b>  <i>MS</i> Arturo G. Michel, City Attorney 		<b>Council District affected:</b>  ALL	
<b>For additional information contact:</b> Larry W. Schenk  Phone: 832-393-6447		<b>Date and identification of prior authorizing Council action:</b>	
<b>RECOMMENDATION: (Summary)</b> Adopt an ordinance amending Article IX of Chapter 10 of the Code of Ordinances. The revisions will change notice provisions for dangerous buildings to conform with State law and will expand the criteria for identifying buildings that represent an imminent danger.			
<b>Amount and Source of Funding:</b> N/A			
<b>SPECIFIC EXPLANATION:</b>  Dangerous buildings plague many parts of the City and often present an imminent danger to health or safety. Houston Hope areas are a prime example of neighborhoods which suffer this problem. The City has not pursued demolitions, including emergency demolitions, to the full extent permitted by law and available resources. In particular, it has not sufficiently pursued demolitions as permitted by law where a vacant building is inadequately secured regardless of whether collapse is imminent. Failing to secure a vacant building leads to dangerous conditions, criminal activity and the evidence is apparent and readily determined. The amended ordinance gives clear authority and direction to demolish dangerous buildings as a priority of the City. The amended ordinance also expands persons covered by a demolition order to include lien holders and mortgagees so demolitions can occur more quickly, and it further gives the City greater flexibility in scheduling hearings.			
<b>REQUIRED AUTHORIZATION</b>			
<b>Finance Department:</b>	<b>Other Authorization:</b>	<b>Other Authorization:</b>	

**ARTICLE IX. COMPREHENSIVE URBAN  
REHABILITATION AND BUILDING  
MINIMUM STANDARDS**

**DIVISION 1. GENERALLY**

**Sec. 10-316. Title.**

This article is, and may be cited as, the "Houston Comprehensive Urban Rehabilitation and Building Minimum Standards Code."

**Sec. 10-317. Definitions**

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

\* \* \*

*Imminent danger to health ~~or and safety~~ or imminent danger* means a condition violating the terms of this article which the director has determined (i) currently constitutes a hazard to the health or safety of the occupant of a building or any other person, and (ii) requires immediate action to abate or cure such condition. Without limitation, specific examples of imminent danger to health or and safety are (A) a building, or any portion of a building, which is reasonably expected to collapse at any time; ~~and~~ (B) conditions which could reasonably be expected to lead directly to the transmission of serious disease; (C) a dangerous building that is within 1,500 feet (as measured in a direct line from the closest point of the property line of each relevant property) of a school, park, church, synagogue, temple, mosque, or licensed day care facility; (D) unoccupied structures used for criminal activity, which is evidenced by but not limited to, any of the following factors: (1) interior graffiti, (2) discarded food wrappers, (3) food waste, (4) discarded liquor or beer containers, (5) abandoned campfires, partially burned candles or matches, or other similar detritus, (6) drug paraphernalia or similar detritus, (7) any sign of entry by a person, or (E) an attractive nuisance to children. Evidence of these conditions can be determined by personal observation or circumstantially.

\* \* \*

## DIVISION 4. DANGEROUS BUILDINGS

\* \* \*

### **Sec. 10-367. Time allowed for action.**

If the hearing official determines that a building is a dangerous building, the order shall state the date by which the action ordered must be completed, and that the neighborhood protection official shall cause the building to be secured, vacated, repaired and/or demolished if the persons having an interest in the property do not comply with the order. The order shall require the owner, lien holder, or mortgagee of a dangerous building to comply with the order within 30 days; provided that, if the owner, lien holder, or mortgagee establishes at the hearing that the work cannot reasonably be performed within 30 days, and the hearing official determines from the record that a greater period of time is warranted, the hearing official may provide for a specified period greater than 30 days as provided below.

If the hearing official allows the owner, lien holder, or mortgagee more than 30 days to comply with the order, the hearing official shall establish specific time schedules for the commencement and performance of work and shall require the owner, lien holder, or mortgagee to secure the property in a reasonable manner from unauthorized entry while the work is being performed.

The hearing official may not allow the owner, lien holder, or mortgagee more than 90 days to perform fully all work required to comply with the order unless the owner, lien holder, or mortgagee: (i) submits a detailed plan and time schedule for the work at the hearing; and (ii) establishes at the hearing that the work cannot reasonably be completed within 90 days because of the scope and complexity of the work. If the hearing official allows the owner, lien holder, or mortgagee more than 90 days to comply with the order, or any part of the work required to comply with the order, the hearing official shall require the owner, lien holder, or mortgagee to submit regular progress reports to the city to demonstrate that the owner, lien holder, or mortgagee has complied with the time schedules established for the commencement and performance of the work. The order may require that the owner, lien holder, or mortgagee appear before the hearing official to demonstrate compliance with specified time schedules.

\* \* \*

## DIVISION 7. EMERGENCIES

### **Sec. 10-431. ~~Immediate~~ Imminent dangers.**

In cases where the neighborhood protection official reasonably believes that a building or structure constitutes an ~~immediate~~ imminent danger to the health, ~~life~~ or safety of ~~any person~~, the neighborhood protection official shall report the building and the conditions creating the ~~immediate~~ imminent danger to the director. If the director finds that an ~~immediate~~ imminent danger to the health, ~~life~~ or safety of ~~any person~~ exists and that the conditions of the building are the cause of the ~~immediate~~ imminent danger, the director, without the necessity of any notice to the owner of the building or any other person having an interest in the building or structure where the imminent danger exists, shall order immediate appropriate action taken with respect to the building or structure. For purposes of this division, the term "appropriate action" means vacating, repairing, or demolishing the building or structure, or other action reasonably calculated to eliminate the conditions that create the ~~immediate~~ imminent danger.

### **Sec. 10-432. Notice; hearing.**

(a) Whenever the director takes action under this division, the hearing official shall convene a hearing to consider the emergency action taken and, if the building or structure was not demolished, to order further action regarding the building or structure in accordance with the provisions of division 4 of this article. The hearing shall be held no later than ~~90~~ 180 days after the director has taken action under this division, unless all persons of record having either an ownership interest or a possessory interest in the building or structure consent to a longer period.

(b) At the hearing, the city shall show that the building or structure was an ~~immediate~~ imminent danger to health, ~~life~~ or safety necessitating the immediate action at the time the action was taken. After completion of the presentation of the testimony by all parties appearing, the hearing official shall make written findings of fact as to whether or not the building, structure or condition was an ~~immediate~~ imminent danger to health, ~~life~~ or safety necessitating the action taken by the director, and whether the building or structure constituted a dangerous building within the provisions of this article.

(c) If the hearing official finds that there was an ~~immediate~~ imminent danger to public health, ~~life~~ or safety that required the action that was taken, all administrative expenses and any cost of the action taken shall be calculated and assessed against the owners of the building, and shall constitute a lien on the land on which the building stands or stood, which lien shall be filed and bear interest as provided in section 10-373 of this Code. If the building or structure was not demolished, and the hearing official finds that the building, at the time of the hearing, continues to constitute a danger within the provisions of this article, the hearing official shall issue an order for its abatement as set out in division 4 of this article.

City of Houston, Texas, Ordinance No. 2009-\_\_\_\_\_

**AN ORDINANCE AMENDING ARTICLE IX OF CHAPTER 10 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS, RELATING TO DANGEROUS BUILDINGS; CONTAINING FINDINGS AND OTHER PROVISIONS RELATING TO THE FOREGOING SUBJECT; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.**

\* \* \* \* \*

**WHEREAS**, the City Council of the City of Houston finds and determines that buildings which remain vacant and unoccupied for any appreciable period of time become an attractive nuisance to children, a harborage for rodents, an invitation to derelicts, vagrants and criminals as a temporary abode, a source of vermin and other vectors dangerous to human health and life, and an increased fire hazard; and

**WHEREAS**, the unkept grounds surrounding such property invite the dumping of garbage and rubbish thereon; and

**WHEREAS**, such buildings become dilapidated since such buildings are often economically obsolete and the owners of such buildings are unwilling to expend the necessary funds to repair or raze the buildings; and

**WHEREAS**, such buildings contribute to the growth of blight within the city, depress market values of surrounding properties to the detriment of the various taxing districts and require additional governmental services; and

**WHEREAS**, buildings in such condition are an extreme safety hazard to the general public as well as to public safety personnel, who have to enter such structures to fight fires or control the criminal element; and

**WHEREAS**, the use and maintenance of property in such condition and manner endangers the public safety and health, constitutes an unreasonable use and condition to the annoyance, discomfort and repose of the general public, is detrimental to the public good and to the common welfare; and renders the public insecure in the use and enjoyment of their property; and

**WHEREAS**, the City Council finds and determines that in addition to the other threats to health and safety caused by dangerous buildings as summarized herein, dangerous buildings represent a threat to the lives and well being of children when located within 1500 feet of a school, park, church, synagogue, temple, mosque, or licensed day care center; and

**WHEREAS**, Chapters 54 and 214 of the Texas Local Government Code extend broad authority to Texas cities to control and remove such buildings, in addition to the broad authority of the City of Houston as a Home Rule city; and

**WHEREAS**, Divisions 4, 5, 6, and 7 of Article IX of Chapter 10 of the Code of Ordinances address the process and procedure for disposing of such buildings as dangerous buildings; and

**WHEREAS**, the City Council deems it necessary to enact additional measures to Article IX of Chapter 10 of the Code of Ordinances to enhance the ability of the City to address the imminent danger to the health and safety of its citizens represented by the plethora of dangerous buildings; **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 definition of the term *imminent danger to health and safety* in Section 10-317 of the Code of Ordinances, Houston, Texas, is hereby amended to read as follows:

*"Imminent danger to health or safety or imminent danger means a condition violating the terms of this article which the director has determined (i) currently constitutes a hazard to the health or safety of the occupant of a building or any other person, and (ii) requires immediate action to abate or cure such condition. Without limitation, specific examples of imminent danger to health or safety are (A) a building, or any portion of a building, which is reasonably expected to collapse at any time; (B) conditions which could reasonably be expected to lead directly to the transmission of serious disease; (C) a dangerous building that is within 1,500 feet (as measured in a direct line from the closest point of the property line of each relevant property) of a school, park, church, synagogue, temple, mosque, or licensed day care facility; (D) unoccupied structures used for criminal activity, which is evidenced by but not limited to, any of the following factors: (1) interior graffiti, (2) discarded food wrappers, (3) food waste, (4) discarded liquor or beer containers, (5) abandoned campfires, partially burned candles or matches, or other similar detritus, (6) drug paraphernalia or similar detritus, (7) any sign of entry by a person, or (E) an attractive nuisance to children. Evidence of these conditions can be determined by personal observation or circumstantially."*

**Section 3.** That Section 10-367 of the Code of Ordinances, Houston, Texas, is hereby amended by replacing the word "owner" with the phrase "owner, lien holder, or mortgagee" wherever it appears therein.

**Section 4.** That Sections 10-431 and 10-432 of the Code of Ordinances, Houston, Texas, are hereby amended to read as follows:

**"Sec. 10-431. Imminent dangers.**

In cases where the neighborhood protection official reasonably believes that a building or structure constitutes an imminent danger to health or safety, the neighborhood protection official shall report the building and the conditions creating the imminent danger to the director. If the director finds that imminent danger to health or safety exists, the director, without the necessity of any notice to the owner of the building or any other person having an interest in the building or structure where the imminent danger exists, shall order immediate appropriate action taken with respect to the building or structure. For purposes of this division, the term "appropriate action" means vacating, repairing, or demolishing the building or structure, or other action reasonably calculated to eliminate the conditions that create the imminent danger.

**Sec. 10-432. Notice; hearing.**

(a) Whenever the director takes action under this division, the hearing official shall convene a hearing to consider the emergency action taken and, if the building or structure was not demolished, to order further action regarding the building or structure in accordance with the provisions of division 4 of this article. The hearing shall be held no later than 180 days after the director has taken action under this division, unless all persons of record having either an ownership interest or a possessory interest in the building or structure consent to a longer period.

(b) At the hearing, the city shall show that the building or structure was an imminent danger to health or safety necessitating the immediate action at the time the action was taken. After completion of the presentation of the testimony by all parties appearing, the hearing official shall make written findings of fact as to whether or not the building, structure or condition was an imminent danger to health or safety necessitating the action taken by the director, and whether the building or structure constituted a dangerous building within the provisions of this article.

(c) If the hearing official finds that there was an imminent danger to public health or safety that required the action that was taken, all administrative expenses and any cost of the action taken shall be calculated and assessed against the owners of the building, and shall constitute a lien on the land on which the building stands or stood, which lien shall be filed and bear interest as provided in section 10-373 of this Code. If the building or structure was not demolished, and the hearing official finds that the

building, at the time of the hearing, continues to constitute a danger within the provisions of this article, the hearing official shall issue an order for its abatement as set out in division 4 of this article."

**Section 5.** That, if any provision, section, subsection, sentence, clause, or phrase of this Ordinance, or the application of same to any person or set of circumstances, is for any reason held to be unconstitutional, void or invalid, the validity of the remaining portions of this Ordinance or their application to other persons or sets of circumstances shall not be affected thereby, it being the intent of the City Council in adopting this Ordinance that no portion hereof or provision or regulation contained herein shall become inoperative or fail by reason of any unconstitutionality, voidness or invalidity of any other portion hereof, and all provisions of this Ordinance are declared to be severable for that purpose.

**Section 6.** That there exists a public emergency requiring that this Ordinance be passed finally on the date of its introduction as requested in writing by the Mayor; therefore, this Ordinance shall be passed finally on such date and shall take effect 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 \_\_\_\_\_, 2009.**

**APPROVED this \_\_\_\_ day of \_\_\_\_\_, 2009.**

\_\_\_\_\_  
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 10/20/2009

  
Senior Assistant City Attorney

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

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

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

<b>SUBJECT:</b> Ordinance authorizing the abandonment and sale of Semmes Street, between Brooks Street and Burnett Street, located in the S.F. Noble Addition, S.M. Harris Survey, A-327. Parcel SY9-028	<b>Page</b> <u>1</u> of <u>1</u>	<b>Agenda Item #</b>  <b>23</b>
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<b>FROM (Department or other point of origin):</b>  Department of Public Works and Engineering	<b>Origination Date</b> <b>10/15/09</b> <i>ND</i>	<b>Agenda Date</b> <b>OCT 21 2009</b>
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<b>DIRECTOR'S SIGNATURE:</b>  <i>MS</i>  Michael S. Marcotte, P.E., D.WRE, BCEE, Director	<b>Council District affected:</b> B  <b>Key Map:</b> 494E
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<b>For additional information contact:</b>  Nancy P. Collins <i>AG for NPC</i> Phone: (713) 837-0881 Senior Assistant Director-Real Estate	<b>Date and identification of prior authorizing Council Action:</b>  C.M. 2009-0077 (2/18/2009)
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**RECOMMENDATION: (Summary)** It is recommended City Council approve an ordinance authorizing the abandonment and sale of Semmes Street, between Brooks Street and Burnett Street, located in the S.F. Noble Addition, S.M. Harris Survey, A-327. Parcel SY9-028

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

**SPECIFIC EXPLANATION:**

By Council Motion 2009-0077, City Council authorized the subject transaction. Kurkel Manufacturing Inc., (Bob Kurtz, President) the property owner, plans to construct an additional warehouse to manufacture various plastic products.

Kurkel Manufacturing Inc., has completed the transaction requirements, has accepted the City's offer, and has rendered payment in full.

The City will abandon and sell to Kurkel Manufacturing Inc.:

<b>Parcel SY9-028</b>	
18,000-square-foot portion of Semmes Street	\$54,000.00
Valued at \$3.00 per square foot	
<b>Total Abandonment</b>	<b><u>\$54,000.00</u></b>

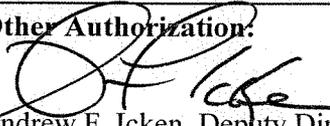
Therefore, it is recommended City Council approve an ordinance authorizing the abandonment and sale of Semmes Street, between Brooks Street and Burnett Street, located in the S.F. Noble Addition, S.M. Harris Survey, A-327.

MSM:NPC:agd

c: Daniel Menendez, P.E.  
Marty Stein  
Jeffrey Weatherford, P.E., PTOE

agd\sy9-028.rca2.doc CUIC #20AGD001

REQUIRED AUTHORIZATION

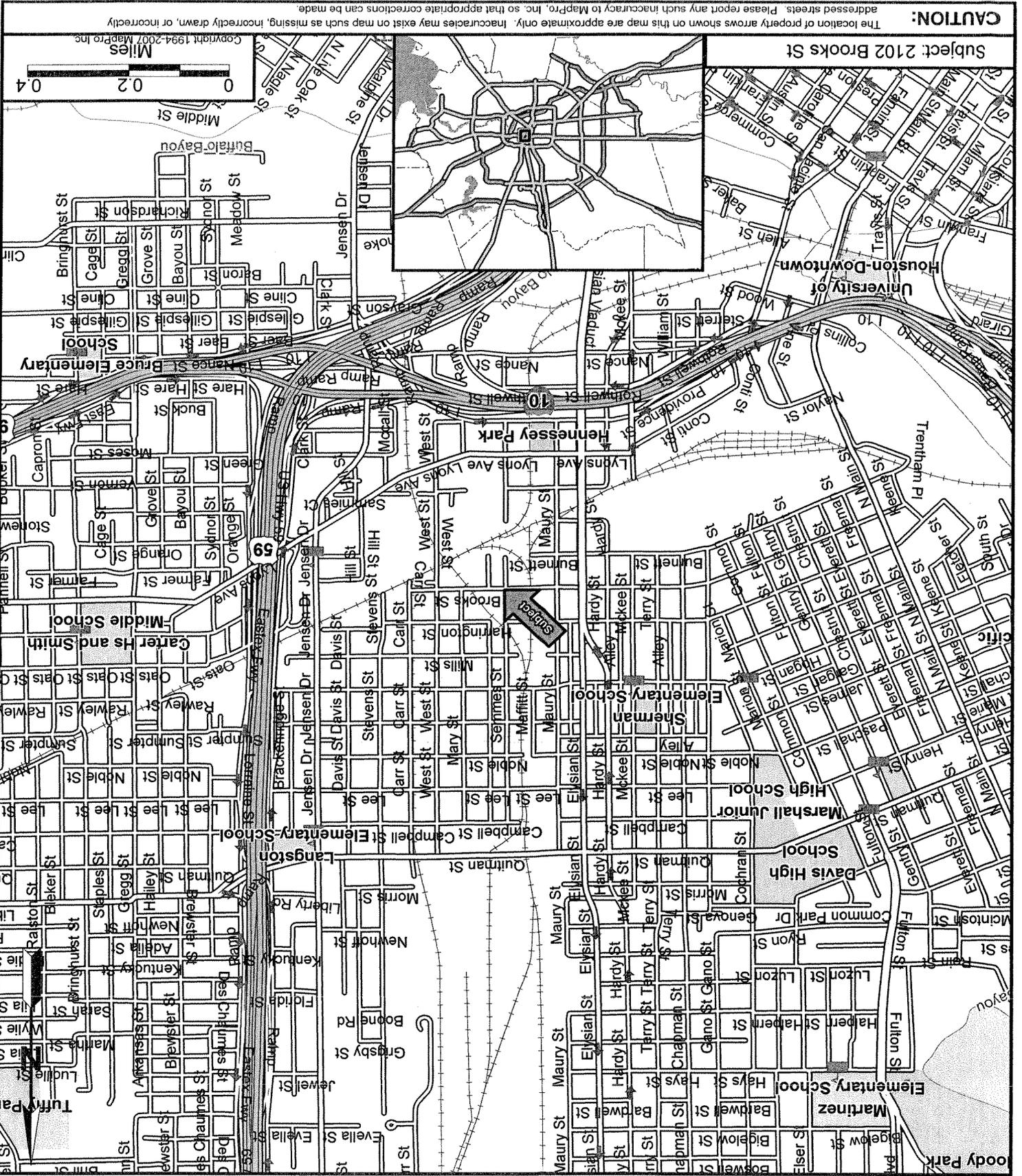
<b>Finance Department:</b>	<b>Other Authorization:</b>	<b>Other Authorization:</b>   Andrew F. Icken, Deputy Director Planning and Development Services Division
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# LOCATION MAP

Description: Abandonment of Semmes Street, from Brooks Street to Burnett Street.

Subject Address: Semmes Street, Houston, TX

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



## 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 inaccuracies to MapPro, Inc. so that appropriate corrections can be made.

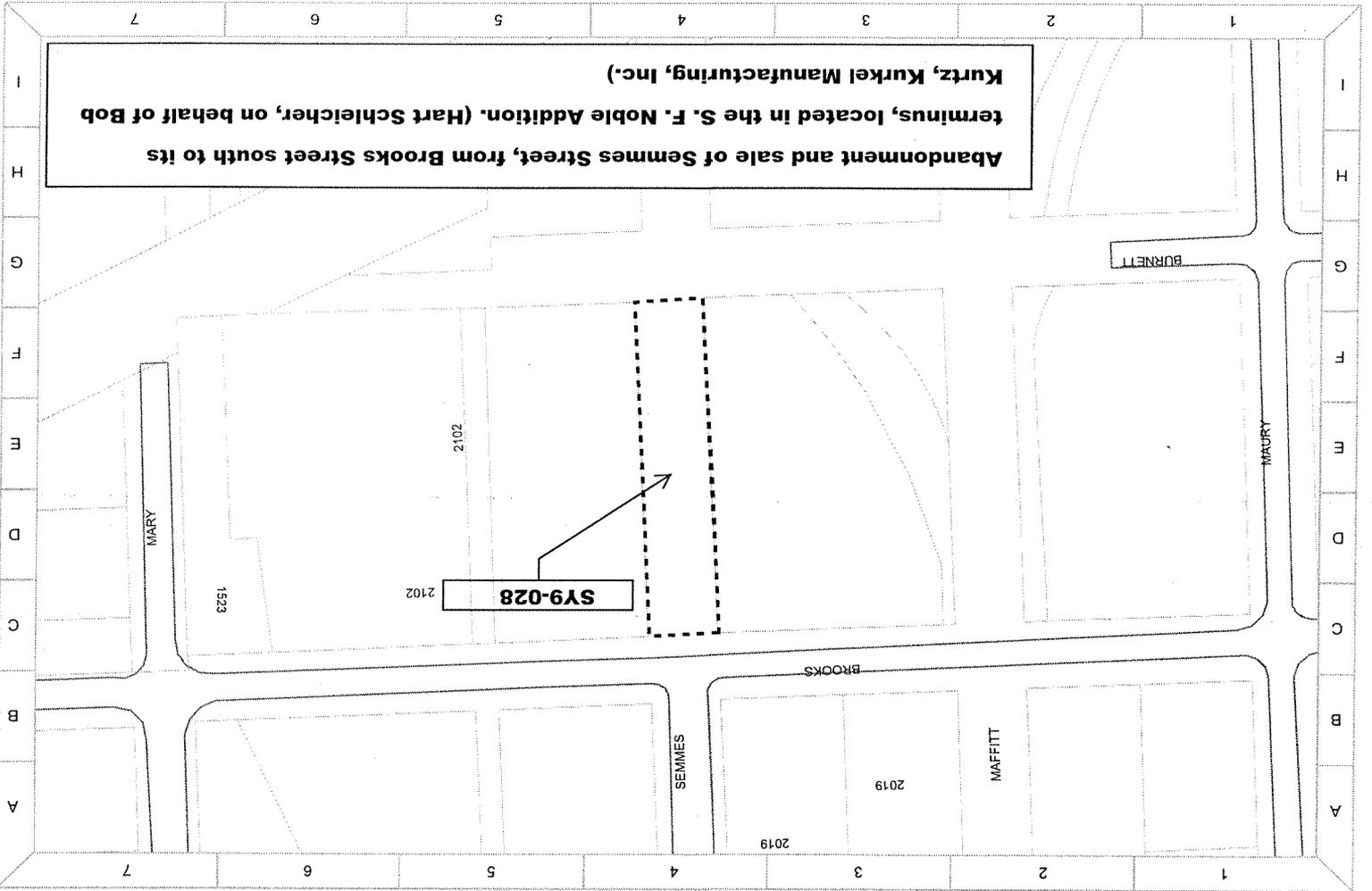
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**CITY OF HOUSTON**  
 Department of Public Works & Engineering  
 Geographic Information & Management System (GIMS)  
 DISCLAIMER: THIS MAP IS PROVIDED AS IS. THE CITY DOES NOT WARRANT THE ACCURACY OR COMPLETENESS OF THE DATA. FIELD VERIFICATIONS SHOULD BE DONE AS NECESSARY.



1 inch equals 110 feet  
 0 8162432



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 Hart Schleicher of Capital Real Estate Commercial, 7720 Westview Drive, Houston, Texas, 77055, on behalf of Kurkel Manufacturing Inc., (Bob Kurtz President), for the abandonment and sale of Semmes Street, from Brooks Street south to its terminus, located in the S.F. Noble Addition, Parcel No. SY9-028, be adopted as follows:

1. The City abandon and sell Semmes Street, from Brooks Street south to its terminus, located in the S.F. Noble Addition;
2. The applicant be required to furnish the Department of Public Works and Engineering with a durable, reproducible (Mylar) survey plat and field notes of the affected property;
3. The applicant be required to: (a) cut, plug and abandon the active 6-inch water line in Semmes Street, from the 8-inch water line in Brooks Street to the 6-inch water line in Burnett Street; (b) relocate any existing service connections to the 6-inch water main in Chase Street; (c) construct a new 6-inch water line from the 6-inch water line in Burnett Street to the 8-inch water line located at the intersection of Burnett and Maffitt; and (d) pay a depreciated value charge for the abandonment of the water line. All of the foregoing items must be completed at no cost to the City and under the proper permits;
4. The applicant be required to prepare drawings that show all public utilities (water) that are to be abandoned, relocated, and/or constructed as part of this project and submit drawings to the Office of the City Engineer for plan review and approval. A copy of the Council Motion shall be attached to the plan set when it is submitted for plan review;
5. The applicant be required to: (a) remove existing public street name signs and return them to the Traffic Operations Center at 2200 Patterson and replace with a street name sign that indicates "Private" or "Pvt." Street, and (b) eliminate the public street appearance of Semmes Street at its intersection with Brooks Street by removing the Semmes Street pavement and extending the curb along Brooks Street across Semmes Street pavement or gating Semmes Street. All of the foregoing items must be completed at no cost to the City and under the proper permits.

- 6. 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 Items 3 and 5 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;

- 7. The applicant be required to obtain a letter of no objection from each of the privately owned utility companies for the street being abandoned and sold;
- 8. The Legal Department be authorized to prepare the necessary transaction documents; and
- 9. Inasmuch as the value of the property interests is not expected to exceed \$1,000,000.00 that the value be established by an independent appraiser, appointed by the Director of Public Works and Engineering.

Seconded by Council Member Green and carried.

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

Council Member Johnson out of the City on City business

PASSED AND ADOPTED this 18th day of February, 2009.

Pursuant to Article VI, Section 6 of the City Charter, the effective date of the foregoing motion is February 24, 2009.

  
City Secretary

<b>SUBJECT:</b> Ordinance authorizing the abandonment of a 10-foot-wide sanitary sewer easement, located within Lot 6 (SY8-098) and Lot 7 (SY8-097), Block 2 of Normandy Place Subdivision, out of the Obedience Smith Survey. <b>Parcels SY8-097 and SY8-098</b>	<b>Page</b> <u>1</u>	<b>Agenda Item #</b>  <div style="text-align: right; font-size: 2em; font-weight: bold;">24</div>
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<b>FROM (Department or other point of origin):</b> Department of Public Works and Engineering	<b>Origination Date</b> 10/15/09	<b>Agenda Date</b> OCT 21 2009
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<b>DIRECTOR'S SIGNATURE:</b> <i>MS</i>  Michael S. Marcotte, P.E., D.WRE, BCEE, Director	<b>Council District affected: C</b> Key Map 492L <i>JF for GG</i>
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<b>For additional information contact:</b> Nancy P. Collins <b>Phone:</b> (713) 837-0881 <i>mpe</i> Senior Assistant Director-Real Estate	<b>Date and identification of prior authorizing Council Action:</b> C.M. 2008-0755 (10/08/08)
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**RECOMMENDATION: (Summary)** It is recommended City Council approve an ordinance authorizing the abandonment of a 10-foot-wide sanitary sewer easement, located within Lot 6 (SY8-098) and Lot 7 (SY8-097), Block 2 of Normandy Place Subdivision, out of the Obedience Smith Survey. **Parcels SY8-097 and SY8-098**

<b>Amount and Source of Funding:</b> Not Applicable	
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**SPECIFIC EXPLANATION:**  
 By Motion 2008-0755, City Council authorized the abandonment and sale of a 10-foot-wide sanitary sewer easement, located within Lot 6 (SY8-098) and Lot 7 (SY8-097), Block 2 of Normandy Place Subdivision, out of the Obedience Smith Survey. Thereafter, the applicant requested the abandonment of the 10-foot-wide sanitary sewer easement 1) be in two portions, and 2) in consideration of the earlier dedication to the City in 1992 of an easement by the applicant's father, Robert Wilson, consisting of a ±1,639-square-foot easement for a portion of the Camp Logan sanitary sewer line. This portion of the Camp Logan sanitary sewer easement was relocated to the property boundaries to facilitate development of the property, however the older existing sanitary sewer easement, which is the subject of this request for Council Action, was not extinguished at that time. The Department of Public Works and Engineering approved this request and the transaction was processed as reflected in the subject description. Mary Wilson and Ellen W. Schultz, et al, the property owners, plan to resell these residential lots.

Mary Wilson and Ellen W. Schultz, et al, have completed the transaction requirements and have accepted the City's offer.  
 The City will abandon to Mary Wilson and Ellen W. Schultz, et al:

**Parcel SY8-097**  
 324-square foot portion of sanitary sewer easement valued at \$27.00 per square foot                      \$8,748.00

**Parcel SY8-098**  
 570-square foot portion of sanitary sewer easement valued at \$27.00 per square foot                      \$15,390.00

**TOTAL ABANDONMENTS** **\$ 24,138.00**

Inasmuch as the total square footage of the easement that was dedicated to the City in March 1992 is greater than the total square footage of the easement to be abandoned, it is recommended City Council approve an ordinance authorizing the abandonment of a 10-foot-wide sanitary sewer easement, located within Lot 6 (SY8-098) and Lot 7 (SY8-097), Block 2 of Normandy Place Subdivision, out of the Obedience Smith Survey.

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

s:\gg\sy8-097.rca2.doc	CUIC #20GG003
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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

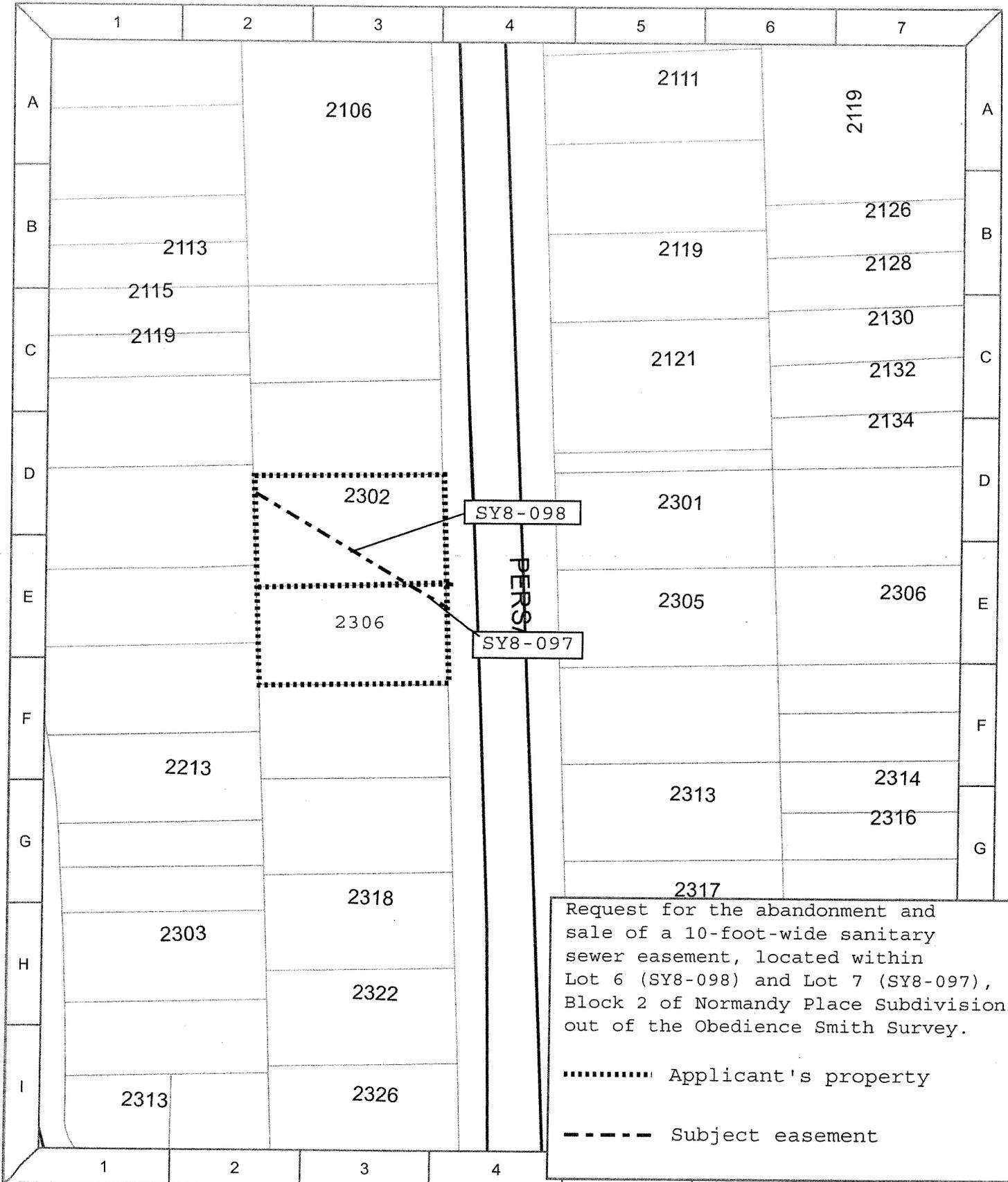
**Descriptor** Ordinance authorizing the abandonment of a 10-foot-wide sanitary sewer easement, located within Lot 6 (SY8-098) and Lot 7 (SY8-097), Block 2 of Normandy Place Subdivision, out of the Obedience Smith Survey. **Parcels SY8-097 and SY8-098**

**Subject Address:** 2302 Persa St, Houston, TX 77019

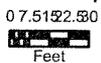
**Prepared by:** City of Houston, 611 Walker, , Houston, TX 77002



**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.



1 inch equals 71 feet



# 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.



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 Nancy W. Hargrove, Thompson & Knight, L.L.P., 333 Clay Street, Suite 3300, Houston, Texas, 77002, on behalf of Mary Wilson and Ellen W. Schultz, et al, for the abandonment and sale of a 10-foot-wide sanitary sewer easement located within Lots 6 and 7, Block 2 of Normandy Place Subdivision, out of the Obedience Smith Survey, Parcel Nos. SY8-097 and SY8-098, be adopted as follows:

1. The City abandon and sell a 10-foot-wide sanitary sewer easement located within Lots 6 and 7, Block 2 of Normandy Place Subdivision, out of the Obedience Smith Survey;
2. The applicant be required to furnish the Department of Public Works and Engineering with a durable, reproducible (Mylar) survey plat and field notes of the affected property;
3. The Legal Department be authorized to prepare the necessary transaction documents; and
4. Inasmuch as the value of the property interests is not expected to exceed \$50,000.00, that the value be established by staff appraisal, according to City policy.

Seconded by Council Member Lawrence and carried.

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

PASSED AND ADOPTED this 8th day of October, 2008.

Pursuant to Article VI, Section 6 of the City Charter, the effective date of the foregoing motion is October 14, 2008.

  
City Secretary

<b>SUBJECT:</b> An Ordinance rescinding Ordinance 2008-0819 and Approving and Authorizing a Purchase and Sale Agreement between Congregation Beth Israel of Houston and City of Houston for the sale of 35,880 square feet (0.8237 acres) of land located at 1109 Antoine Drive, Houston, Texas, <b>Parcel SY7-040.</b>		<b>Page</b> 1 of 2	<b>Agenda Item</b>  25
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<b>FROM (Department or other point of origin):</b> General Services Department	<b>Origination Date</b> 10-15-09	<b>Agenda Date</b> OCT 21 2009
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<b>DIRECTOR'S SIGNATURE:</b> <i>Issa Z. Dadoush</i> 10/12/09 Issa Z. Dadoush, P.E.	<b>Council District affected:</b> A
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<b>For additional information contact:</b> Jacquelyn L. Nisby Phone: 832-393-8023	<b>Date and identification of prior authorizing Council action:</b> Ordinance: 2008-0819; 09/10/08
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**RECOMMENDATION:** An Ordinance rescinding Ordinance 2008-0819 and approving and authorizing a Purchase and Sale Agreement between Congregation Beth Israel of Houston, Texas, a Texas nonprofit corporation (Purchaser) and City of Houston (Seller) for the sale of 35,880 square feet (0.8237 acres) of land located at 1109 Antoine Drive, **Parcel SY7-040.**

<b>Amount and Source Of Funding:</b> Revenue	<b>Finance Budget:</b>
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**SPECIFIC EXPLANATION:** On September 10, 2008, Ordinance 2008-0819, City Council approved a Purchase and Sale Agreement with Congregation Beth Israel of Houston, Texas (Beth Israel), conveying 35,880 square feet of land located at 1109 Antoine Drive (City Property), which is contiguous to the Beth Israel Memorial Gardens Cemetery. However, due to the recent economic downturn, Beth Israel's charitable fundraising efforts were dramatically and negatively affected; resulting in the previously contemplated transaction becoming financially untenable.

To complete the transaction, Beth Israel and the City have reached an agreement to exchange a contiguous tract of land owned by Beth Israel for the City Property. The City Property has been appraised at \$256,950.00. Beth Israel's property, located in the 1200 block of Antoine Drive, on the west side of Antoine, just south of the intersection of Antoine Drive and Tickner Drive (the Exchange Property), has been appraised at \$229,000.00. As consideration for the purchase of the City Property, Beth Israel will convey to the City the Exchange Property and make a cash payment in the sum of \$27,950.00, being the difference between the value of the City Property and the value of the Exchange Property.

At the closing of the sale of the City Property, Beth Israel and the City will enter into a Contract for Deed that will give Beth Israel the right to repurchase the Exchange Property under certain conditions. Beth Israel will make annual payments of \$13,740.00 for a period of six years, at which time the balance of the purchase price will be due and payable. In accordance with the Contract for Deed, Beth Israel may extend the final payment due date for up to two years upon the payment of an extension fee, which is not applied to the price of the Exchange Property. Once Beth Israel has completed the terms of the Contract for Deed and has paid the City in full, Beth Israel will receive a deed to the Exchange Property. If Beth Israel does not remit full payment to the City, the City will retain title to the Exchange Property. The Contract for Deed may be prepaid at any time, without penalty.

**REQUIRED AUTHORIZATION**

CUIC ID# 25 RB 75

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

<b>Date</b>	<b>SUBJECT:</b> An Ordinance rescinding Ordinance 2008-0819 and Approving and Authorizing a Purchase and Sale Agreement between Congregation Beth Israel of Houston and City of Houston for the sale of 35,880 square feet (0.8237 acres) of land located at 1109 Antoine Drive, Houston, Texas, <b>Parcel SY7-040.</b>	<b>Originator's Initials</b> RB	<b>Page</b> 2 of 2
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This transaction will provide Beth Israel with the immediate use of the City Property, subject to the imposed restrictions, and allow Beth Israel to complete the contemplated transaction in a timely and financially responsible and acceptable manner, while allowing the City to dispose of surplus property in a manner which benefits the citizens of the City of Houston both financially and aesthetically.

Beth Israel intends to expand and develop the property as a cemetery, and for 20 years after the date of the Deed, agrees to maintain the property and use it in ways that, in addition to the property's use as a cemetery, complement and expand the green space of the adjacent Beth Israel Memorial Gardens Cemetery and provide an appropriate space for meditation, introspection, and contemplation.

The sale is in accordance with Section 272.001 (b) (4) of the Texas Local Government Code, which permits a political subdivision to sell real property to an independent foundation for development, and is subject to the City's billboard restrictions; historic landmark restrictions; all easements and public utilities; and the applicable covenants, conditions and restrictions.

Therefore, the General Services Department recommends that City Council approve and authorize a Purchase and Sale Agreement with Congregation Beth Israel for the sale and purchase of the above-described property. It is further recommended that City Council authorize the Mayor to execute and the City Secretary to attest a Contract for Deed conveying the property to Beth Israel.

The net sale proceeds will be directed to the PWE - Water & Sewer System Operating Fund (8300).

IZD:BC:JLN:RB:

xc: Marty Stein, Anna Russell, Jacquelyn L. Nisby

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

<b>SUBJECT:</b> Purchase and Sale Agreement between Fifth Ward Community Redevelopment Corporation, a Texas non-profit corporation (Seller) and the City of Houston (Purchaser) for the purchase of 23,205 square feet, more or less, tract of land out of Block 5, Ingraham Addition, commonly known as 3301, 3303, and 3305 Lyons Avenue, for the Houston Public Library. WBS No. E-000178-0001-2		<b>Page</b> 1 of 1	<b>Agenda Item</b>  26
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<b>FROM (Department or other point of origin):</b> General Services Department	<b>Origination Date</b> 10-15-09	<b>Agenda Date</b> OCT 21 2009
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<b>DIRECTOR'S SIGNATURE:</b> <i>Issa Z. Dadoush</i> 10/14/09 Issa Z. Dadoush, P.E.	<b>Council District affected:</b> 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>
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**RECOMMENDATION:** Approve a Purchase and Sale Agreement between Fifth Ward Community Redevelopment Corporation, a Texas non-profit corporation (Seller) and the City of Houston (Purchaser) for the purchase of 23,205 square feet of land, commonly known as 3301, 3303, and 3305 Lyons Avenue, for the Houston Public Library, and allocate funds.

<b>Amount and Source Of Funding:</b> \$499,500.00 Federal Government – Grant Funded (5000) CDBG	<b>Finance Budget:</b>
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**SPECIFIC EXPLANATION:** The City desires to acquire the abandoned historic Fifth Ward Deluxe Theater located at 3301 Lyons Avenue and convert it into a neighborhood library. Built in 1941, the Deluxe Theater served as a movie house from 1941 to 1969, and as an art gallery from 1971 to 1973. The new Fifth Ward Deluxe Library will promote the cultural history of performing and visual arts of the Fifth Ward community and the City of Houston.

Therefore, the General Services Department recommends that City Council approve a Purchase and Sale Agreement with Fifth Ward Community Redevelopment Corporation, a Texas non-profit corporation, to purchase 23,205 square feet, more or less, tract of land out of Block 5, Ingraham Addition, commonly known as 3301, 3303, and 3305 Lyons Avenue, for a purchase price of \$470,000.00 plus additional expenses of \$29,500.00, for the Houston Public Library.

Purchase Price	\$470,000.00
Environmental Report	13,000.00
Survey	6,500.00
Closing Costs	10,000.00
<b>TOTAL</b>	<b>\$499,500.00</b>

Council will be requested to approve a second Purchase and Sale Agreement for the new Fifth Ward Deluxe Library under a separate Council action.

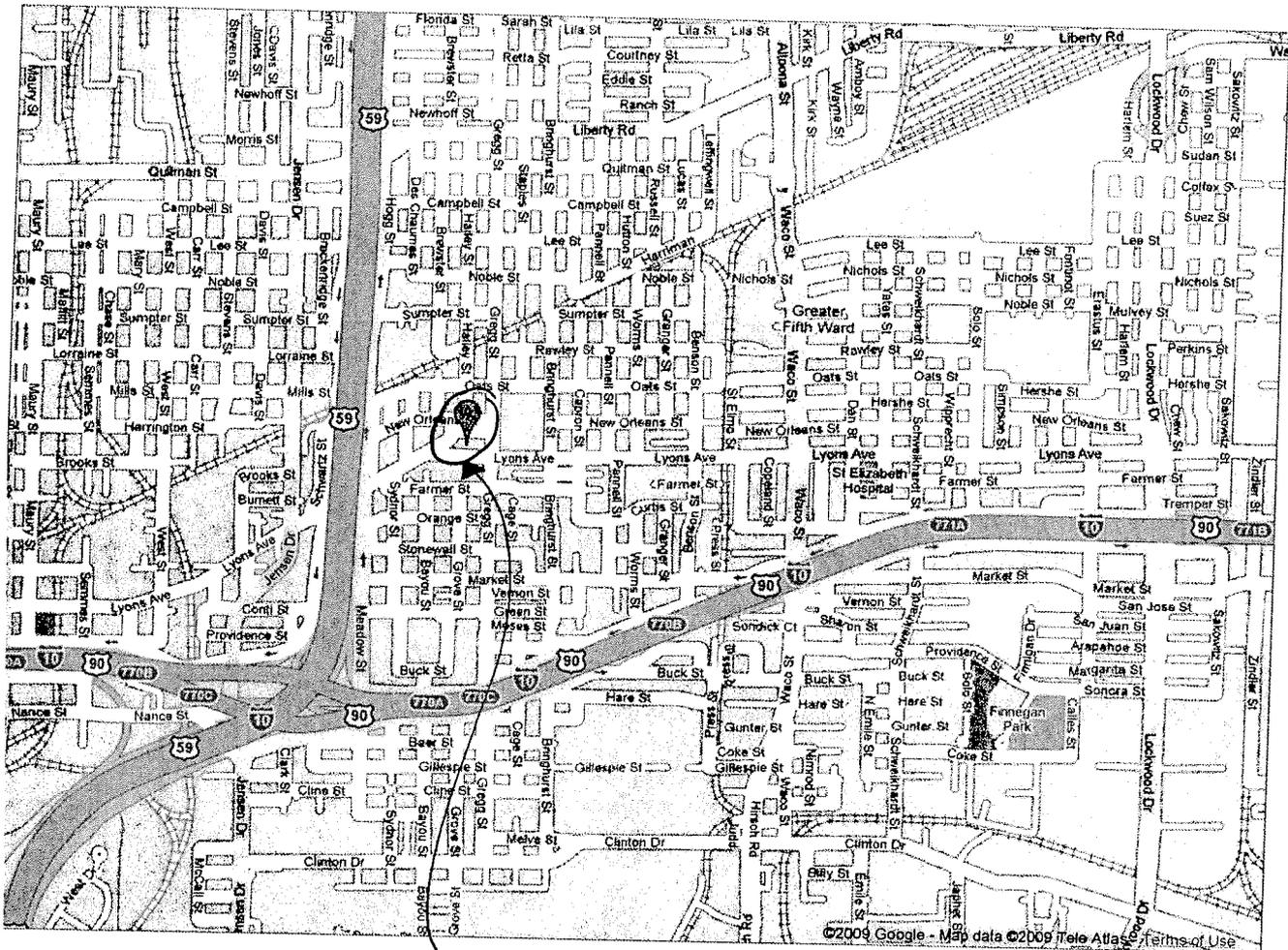
IZD:BC:JLN:RB:ddc

xc: Marty Stein, Anna Russell, Jacquelyn L. Nisby, Wendy Heger, and David Godwin

**REQUIRED AUTHORIZATION** CUIC ID# 25 RB 49

<b>General Services Department:</b> <i>Forest R. Christy, Jr.</i> Forest R. Christy, Jr., Director Real Estate Division	<b>Housing and Community Development Department:</b> <i>Richard S. Celli</i> Richard S. Celli Director	<b>Houston Public Library:</b> <i>Rhea Brown Lawson</i> Rhea Brown Lawson, Ph.D. Director
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# Google maps Address



Site

<b>SUBJECT:</b> Purchase and Sale Agreement between Fifth Ward Community Redevelopment Corporation, a Texas non-profit corporation (Seller) and the City of Houston (Purchaser) for the purchase of a 28,462 square feet, more or less, tract of land, commonly known as 3308 Ellis Court, for the Houston Public Library.		<b>Page</b> 1 of 1	<b>Agenda Item</b>  27
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<b>FROM (Department or other point of origin):</b> General Services Department	<b>Origination Date</b> 10-15-09	<b>Agenda Date</b> OCT 21 2009
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<b>DIRECTOR'S SIGNATURE:</b>  Issa Z. Dadoush, P.E.	<b>Council District affected:</b> B
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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 a Purchase and Sale Agreement between Fifth Ward Community Redevelopment Corporation, a Texas non-profit corporation (Seller) and the City of Houston (Purchaser) for the purchase of 28,462 square feet of land, commonly known as 3308 Ellis Court, for the Houston Public Library.

<b>Amount and Source Of Funding:</b> \$242,195.55 Promissory Note	<b>Finance Budget:</b>
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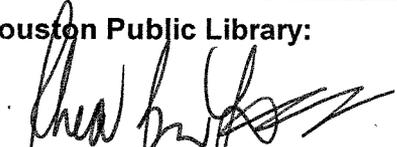
**SPECIFIC EXPLANATION:** The City desires to convert the abandoned historic Fifth Ward Deluxe Theater located at 3301 Lyons Avenue into a neighborhood library. The Fifth Ward Community Redevelopment Corporation, a Texas nonprofit corporation, has agreed to sell to the City 28,462 square feet of land, located in the same block as the Deluxe Theater tract at 3308 Ellis Court. The tract will be conveyed to the City without any improvements. In exchange for the acquisition of the land, the City will assign to Fifth Ward Community Redevelopment Corporation, a promissory note executed by Pleasant Hill Community Development Corporation, payable to City of Houston, in the principal amount of \$300,000.00 dated October 9, 2001, with an unpaid principal balance of \$242,195.55.

The General Services Department recommends that City Council approve a Purchase and Sale Agreement with Fifth Ward Community Redevelopment Corporation, a Texas non-profit corporation, to purchase 28,462 square feet of land, commonly known as 3308 Ellis Court, for the Houston Public Library.

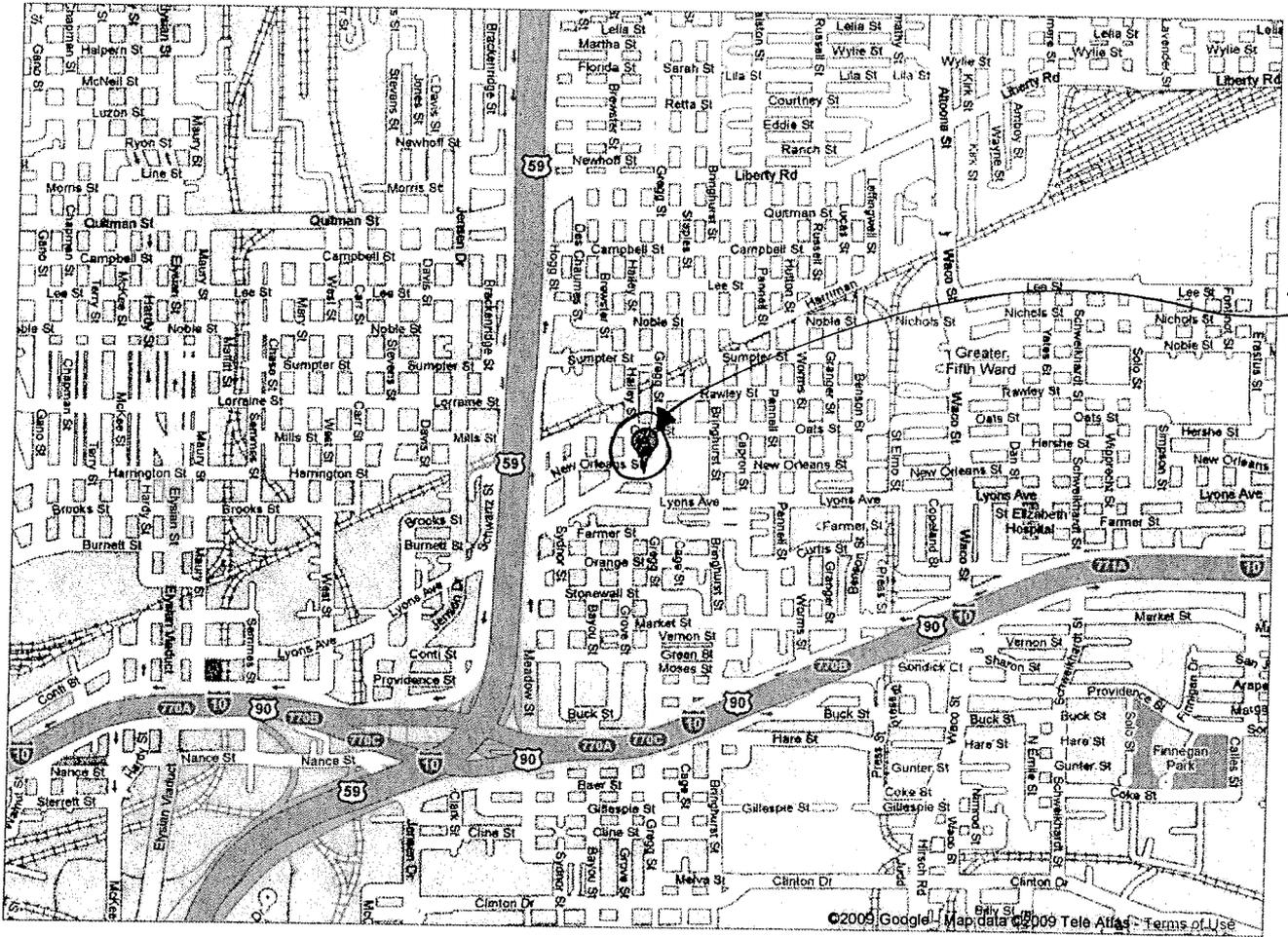
IZD:BC:JLN:RB:ddc

xc: Marty Stein, Anna Russell, Jacquelyn L. Nisby and Wendy Heger

**REQUIRED AUTHORIZATION** CUIC ID# 25 RB 50

<b>General Services Department:</b>   Forest R. Christy, Jr., Director Real Estate Division		<b>Houston Public Library:</b>   Rhea Brown Lawson, Ph.D. Director
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# Google maps Address



📍 3301 Lyons Avenue Houston TX

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

<b>SUBJECT:</b> Ordinance designating the 900 - 1000 blocks of E 25th Avenue, north and south sides, between Princeton and Baylor Streets as a Special Building Line Requirement Area	<b>Category #</b>	<b>Page 1 of 1</b>	<b>Agenda Item #</b> <i>28</i>
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<b>FROM (Department or other point of origin):</b> Marlene L. Gafrick, Director Planning and Development Department	<b>Origination Date</b> September 25, 2009	<b>Agenda Date</b> OCT 21 2009
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<b>DIRECTOR'S SIGNATURE:</b> <i>Marlene L. Gafrick</i>	<b>Council District affected:</b> H
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<b>For additional information contact:</b> Kevin Calfee Phone: 713.837.7768	<b>Date and identification of prior authorizing Council action:</b> N/A
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**RECOMMENDATION:** (Summary) Approval of an ordinance designating the 900 -1000 blocks of E 25th Avenue, north and south sides, between Princeton and Baylor Streets as a Special Building Line Requirement Area, pursuant to Chapter 42 of the Code of Ordinances, and establishing a 22'-0" special building line.

<b>Amount and Source of Funding:</b>	<b>Finance Budget:</b>
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**SPECIFIC EXPLANATION:** In accordance with Section 42-163 of the Code of Ordinances, the property owner of Lots 14 and 15, Block 61 of the Sunset Heights Subdivision initiated an application for the designation of a special building line requirement area. The application includes written evidence of support from owners of 66% of the area. Notification was mailed to 23 property owners indicating that the special building line requirement area application had been made. The notification further stated that written protest could be filed with the Planning and Development Department within thirty days of mailing. Since no protests were filed, no action was required by the Houston Planning Commission.

It is recommended that the City Council adopt an ordinance establishing a 22'-0" Special Building Line for the area.

MLG:md

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

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

**REQUIRED AUTHORIZATION**

<b>Finance Director:</b>	<b>Other Authorization:</b>	<b>Other Authorization:</b>
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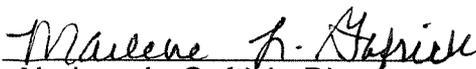
# Special Building Line Requirement Area No. 158

## Planning Director's Approval

Planning Director Evaluation:

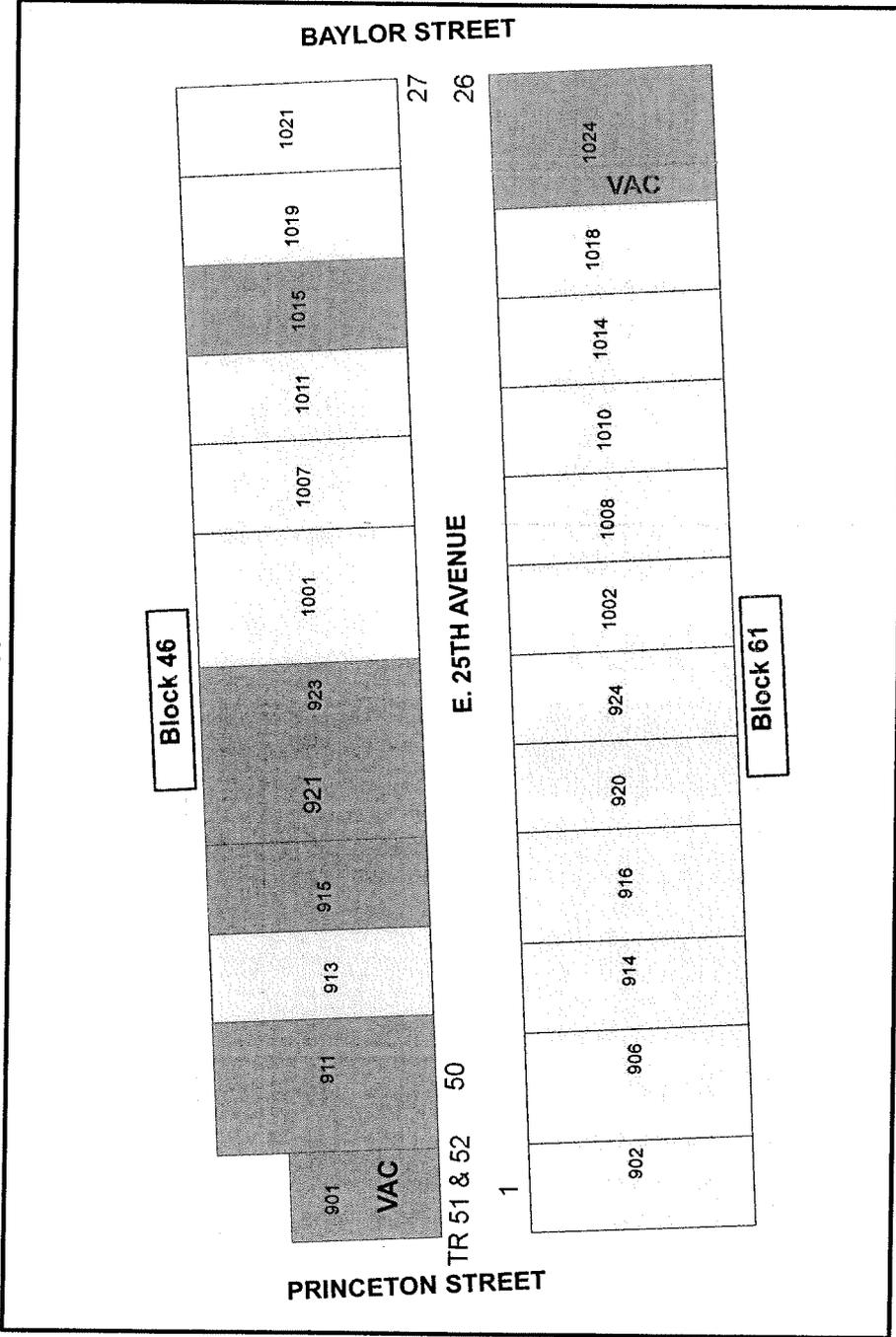
Satisfies	Does Not Satisfy	Criteria
X		<p><i>SBLRA includes all property within at least one block face and no more than two opposing block faces;</i></p> <p><b>The application is for the 900 - 1000 blocks of E 25<sup>th</sup> Avenue, north and south sides.</b></p>
X		<p><i>More than 60% of the proposed SBLRA is developed with or is restricted to not more than two single-family residential (SFR) units per lot;</i></p> <p><b>95% of the proposed application area is developed with not more than two SF residential units per property.</b></p>
X		<p><i>Demonstrated sufficient evidence of support;</i></p> <p><b>Petition signed by owners of 66% of the SBLRA.</b></p>
X		<p><i>Establishment of the SBLRA will further the goal of preserving the building line character of the area; and,</i></p> <p><b>A minimum building line of 22 ft exists on thirty-four (34) properties in the blockface.</b></p>
X		<p><i>The proposed SBLRA has a building line character that can be preserved by the establishment of a special building line, taking into account the age of the neighborhood, the age and architectural features of structures in the neighborhood, existing evidence of a common plan and scheme of development, and such other factors that the director, commission or city council, respectively as appropriate, may determine relevant to the area.</i></p> <p><b>The subdivision was platted in 1910. The houses mostly originate from the 1920's. The establishment of a 22 ft minimum building line will preserve the building line character of the area.</b></p>
<p><i>The minimum building line for this application was determined by finding the current building line that represents a minimum standard for at least 70% of the application area.</i></p> <p><b>Thirty-four (34) out of forty-seven (47) developed properties (representing 72% of the application area) have a building line of at least twenty-two (22) feet.</b></p>		

**The Special Building Line Requirement Area meets the criteria.**


9/25/09  
 Marlene L. Gafrick, Director Date

# SUNSET HEIGHTS

NW N NE



W E SW SE

S  
22' Special Building Line  
MAP/SKETCH  
SBLRA No. 158

-  Properties that meet the 22' Special Minimum Building Line
-  Properties less than the 22' Special Minimum Building Line
- MF Multi Family
- COM Commercial
- VAC Vacant
- EXC Excluded

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

<b>SUBJECT:</b> Ordinance designating the 900 - 1000 blocks of E 25th Avenue, north and south sides, between Princeton and Baylor Streets as a Special Minimum Lot Size Area	<b>Category #</b>	<b>Page 1 of 1</b>	<b>Agenda Item #</b> <i>29</i>
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<b>FROM (Department or other point of origin):</b> Marlene L. Gafrick, Director Planning and Development Department	<b>Origination Date</b> September 25, 2009	<b>Agenda Date</b> OCT 21 2009
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<b>DIRECTOR'S SIGNATURE:</b> <i>Marlene L. Gafrick</i>	<b>Council District affected:</b> H
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<b>For additional information contact:</b> Kevin Calfee Phone: 713.837.7768	<b>Date and identification of prior authorizing Council action:</b> N/A
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**RECOMMENDATION: (Summary)** Approval of an ordinance designating the 900 - 1000 blocks of E 25th Avenue, north and south sides, between Princeton and Baylor Streets as a Special Minimum Lot Size Area, pursuant to Chapter 42 of the Code of Ordinances.

<b>Amount and Source of Funding:</b>	<b>Finance Budget:</b>
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**SPECIFIC EXPLANATION:** In accordance with Section 42-194 of the Code of Ordinances, the property owner of of Lots 14 and 15, Block 61, of the Sunset Heights Subdivision initiated an application for the designation of a special minimum lot size area. The application includes written evidence of support from the owners of 66% of the area. Notification was mailed to the 23 property owners indicating that the special minimum lot size area application had been made. The notification further stated that written protest could be filed with the Planning and Development Department within thirty days of mailing. Since no protests were filed, no action was required by the Houston Planning Commission.

It is recommended that the City Council adopt an ordinance establishing a Special Minimum Lot Size of 3,000 sf.

MLG:kw

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

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

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

## Special Minimum Lot Size Area No. 313

### Planning Director's Approval

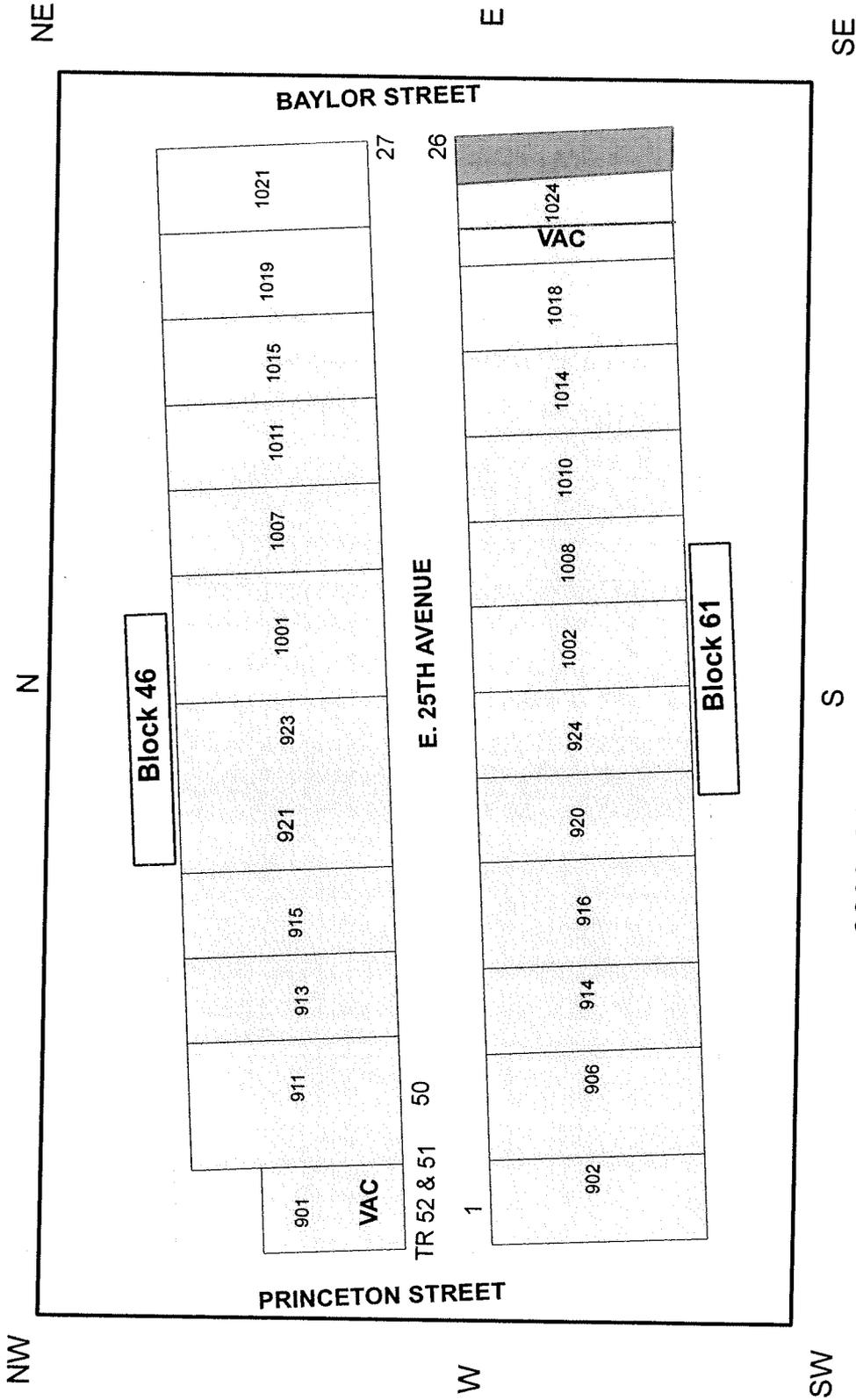
Planning Director Evaluation:

Satisfies	Does Not Satisfy	Criteria
X		<p><i>SMLSA includes all property within at least one block face and no more than two opposing block faces;</i></p> <p><b>The application is for the 900 - 1000 blocks of E 25<sup>th</sup> Avenue, north and south sides.</b></p>
X		<p><i>At least 60% of the proposed SMLSA is developed with or is restricted to not more than two single-family residential (SFR) units per lot;</i></p> <p><b>95% of the proposed application area is developed with not more than two SF residential units per property.</b></p>
X		<p><i>Demonstrated sufficient evidence of support;</i></p> <p><b>Petition signed by owners of 66% of the SMLSA.</b></p>
X		<p><i>Establishment of the SMLSA will further the goal of preserving the lot size character of the area; and,</i></p> <p><b>A minimum lot size of 3,000 sq ft exists on forty-eight (48) lots in the blockface.</b></p>
X		<p><i>The proposed SMLSA has a lot size character that can be preserved by the establishment of a special minimum lot size, taking into account the age of the neighborhood, the age of structures in the neighborhood, existing evidence of a common plan and scheme of development, and such other factors that the director, commission or city council, respectively as appropriate, may determine relevant to the area.</i></p> <p><b>The subdivision was platted in 1910. The houses mostly originate from the 1920's. The establishment of a 3,000 sf minimum lot size will preserve the lot size character of the area.</b></p>
<p><i>The minimum lot size for this application was determined by finding the current lot size that represents a minimum standard for at least 70% of the application area.</i></p> <p><b>Forty-eight (48) out of forty-nine (49) lots (representing 98% of the application area) are at least 3,000 square feet in size.</b></p>		

**The Special Minimum Lot Size Area meets the criteria.**

*Marlene L. Gafrick* 9/25/09  
 Marlene L. Gafrick, Director      Date

# SUNSET HEIGHTS



## 3000sf Special Minimum Lot Size

MAP/SKETCH

SMLSA No. 313

-  Properties that meet the 3,000sf Special Minimum Lot Size
-  Properties less than the 3,000sf Special Minimum Lot Size
- MF** Multi Family
- COM** Commercial
- VAC** Vacant
- EXC** Excluded

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

<b>SUBJECT:</b> Ordinance designating the 3200 - 3300 block of Morrison Avenue, east side, between Bayland and W. Norma Avenues as a Special Minimum Lot Size Area	<b>Category #</b>	<b>Page 1 of _____</b>	<b>Agenda Item #</b> <b>30</b>
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<b>FROM (Department or other point of origin):</b> Marlene L. Gafrick, Director Planning and Development Department	<b>Origination Date</b> 09/25/09	<b>Agenda Date</b> OCT 21 2009
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<b>DIRECTOR'S SIGNATURE:</b> <i>Marlene L. Gafrick</i>	<b>Council District affected:</b> H
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<b>For additional information contact:</b> Kevin Calfee Phone: 713.837.7768	<b>Date and identification of prior authorizing Council action:</b> N/A
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**RECOMMENDATION: (Summary)** Approval of an ordinance designating the 3200 - 3300 block of Morrison Avenue, east side, between Bayland and W. Norma Avenues as a Special Minimum Lot Size Area, pursuant to Chapter 42 of the Code of Ordinances.

<b>Amount and Source of Funding:</b>	<b>Finance Budget:</b>
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**SPECIFIC EXPLANATION:** In accordance with Section 42-194 of the Code of Ordinances, the property owner of of Lot 13 & Tract 14A, Block 1, of the Woodland Heights Subdivision initiated an application for the designation of a special minimum lot size area. The application includes written evidence of support from the owners of 62% of the area. Notification was mailed to the ten (10) property owners indicating that the special minimum lot size area application had been made. The notification further stated that written protest could be filed with the Planning and Development Department within thirty days of mailing. One written protest was filed. The Houston Planning Commission considered the protest on July 23, 2009 and voted to recommend that the City Council establish the Special Minimum Lot Size Area.

It is recommended that the City Council adopt an ordinance establishing a Special Minimum Lot Size of 6,500 sf.

MLG:kw

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

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

**REQUIRED AUTHORIZATION**

<b>Finance Director:</b>	<b>Other Authorization:</b>	<b>Other Authorization:</b>
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**Ikpo, Stanley - PD**

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**From:** [REDACTED]  
**Sent:** Tuesday, May 12, 2009 3:12 PM  
**To:** stanley.ikpo@cityofhouston.net  
**Subject:** Protest of Minimum Lot Size Application for 3200-3300 Morrison Avenue

When I sent you my earlier email, I misspelled a word. That is the reason you didn't get it. It was nothing that you did and I appreciate you returning my call.

I wish to protest the application for the creation of a special Minimum Lot Size Area under Section 42-194 of the Code of Ordinances. for the 3200-3300 block of Morrison Avenue, east side, between Bayland and W. Norma Avenues. I am opposed to the application and wish for a hearing to be scheduled before the Houston Planning Commission.

If this email is sufficient, that works for me very well. If you need a written document, mailed certified, I can do that tomorrow.

Would you please email me back and tell me which you would prefer.

Thank you.

Harry Guyton  
3212 Morrison  
Houston, Texas 77009

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**A Good Credit Score is 700 or Above. See yours in just 2 easy steps!**

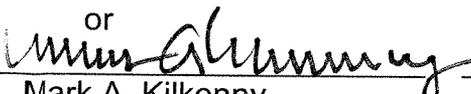
## Special Minimum Lot Size Requirement Area No. 312

### Planning Commission Approval

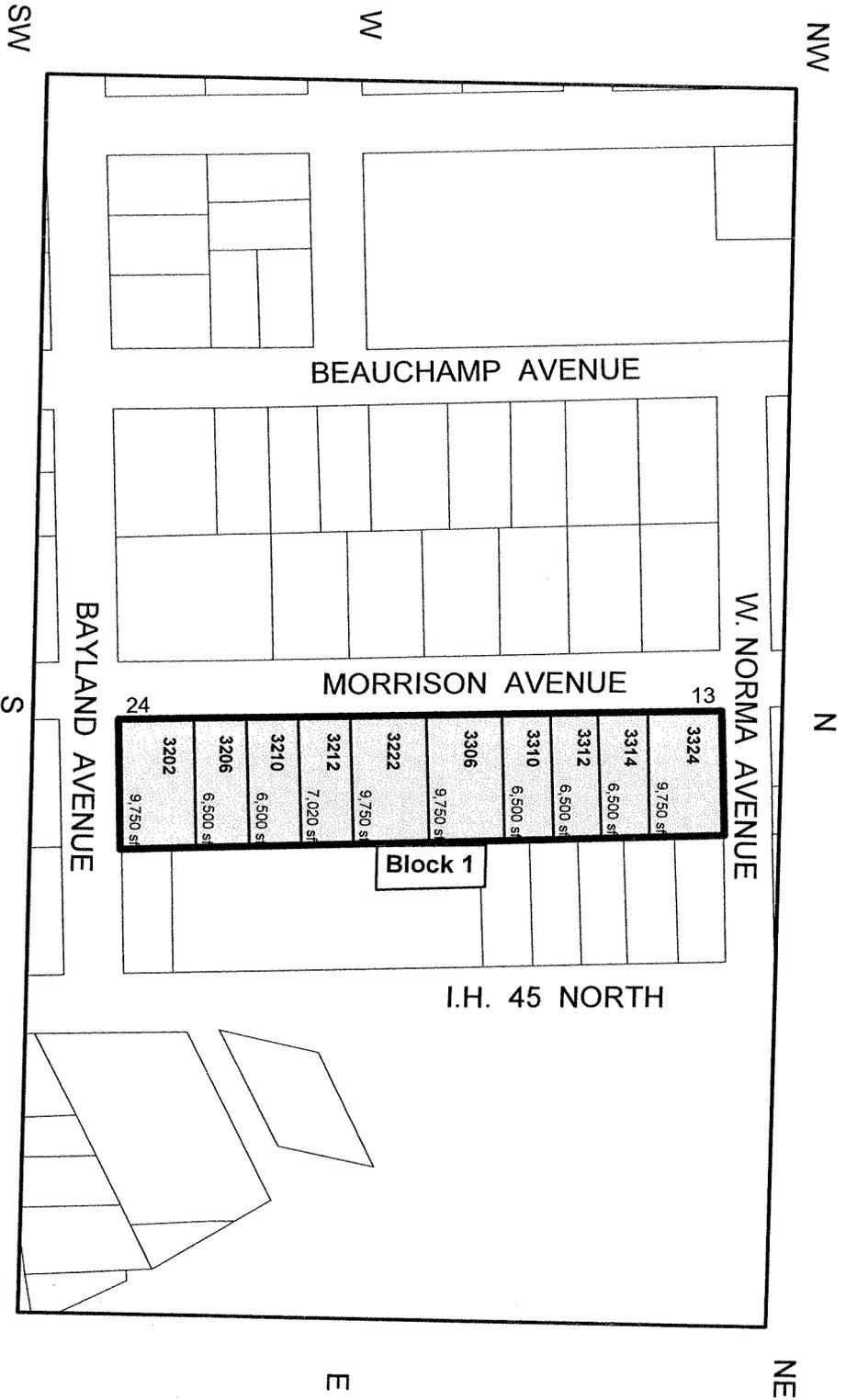
Planning Commission Evaluation:

Satisfies	Does Not Satisfy	Criteria
X		<p><i>MLS area includes all property within at least one block face and no more than two opposing block faces;</i></p> <p><b>The application is for the 3200-3300 block of Morrison Avenue, east side.</b></p>
X		<p><i>At least 60% of the proposed SMLSA is developed with or is restricted to not more than two single-family residential (SFR) units per lot;</i></p> <p><b>100% of the proposed application area is developed with not more than two SF residential units per property.</b></p>
X		<p><i>Demonstrated sufficient evidence of support;</i></p> <p><b>Petition signed by owners of 62% of the SMLSA.</b></p>
X		<p><i>Establishment of the SMLSA will further the goal of preserving the lot size character of the area; and,</i></p> <p><b>A minimum lot size of 6,500 sq ft exists on ten (10) lots in the blockface.</b></p>
X		<p><i>The proposed SMLSA has a lot size character that can be preserved by the establishment of a special minimum lot size, taking into account the age of the neighborhood, the age of structures in the neighborhood, existing evidence of a common plan or scheme of development, and such other factors that the director, commission or city council, respectively as appropriate, may determine relevant to the area.</i></p> <p><b>The subdivision was platted in 1907. The houses originate from the 1920's. The establishment of a 6,500 sf minimum lot size will preserve the lot size character of the area.</b></p>
<p><i>The minimum lot size for this application was determined by finding the current lot size that represents a minimum standard for at least 70% of the application area.</i></p> <p><b>Ten (10) out of ten (10) lots (representing 100% of the application area) are at least 6,500 square feet in size.</b></p>		

**The Special Minimum Lot Size Requirement Area meets the criteria.**

Carol Lewis, Chair	Date
or	
	8-14-09
Mark A. Kilkenny,	Date
Vice-Chair	

# WOODLAND HEIGHTS



**6,500sf Special Minimum Lot Size**

**MAP/SKETCH**

**SMLSA No. 312**

- Properties that meet the 6,500sf Special Minimum Lot Size
- Properties less than the 6,500sf Special Minimum Lot Size
- MF** Multi Family
- COM** Commercial
- VAC** Vacant
- EXC** Excluded

HCDO9-118

TO: Mayor via City Secretary REQUEST FOR COUNCIL ACTION

CC-09-10

<b>SUBJECT:</b> An Ordinance authorizing a Contract between the City of Houston and Child Care Council of Greater Houston, Inc. for administration and funding of the Child Care Program.	<b>Category #</b> 1	<b>Page</b> 1 of 2	<b>Agenda Item #</b>  <b>31</b>

<b>FROM (Department or other point of origin):</b> Richard S. Celli, Director Housing and Community Development	<b>Origination Date</b> 9/14/09	<b>Agenda Date</b> OCT 21 2009
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MS

<b>DIRECTOR'S SIGNATURE:</b> 	<b>Council District affected:</b>  ALL
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<b>For additional information contact:</b> Keith Bynam Phone: 713-868-8396 	<b>Date and identification of prior authorizing Council action:</b> N/A
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**RECOMMENDATION: (Summary)**  
Approval of an Ordinance authorizing a Contract between the City of Houston and Child Care Council of Greater Houston, Inc. for the implementation, oversight and delivery of the Community Development Block Grant funded Child Care Program for \$597,694.00 funded under the 35th Year Community Development Block Grant.

<b>Amount of Funding:</b> \$597,694.00 – 1 YEAR	<b>Finance Budget:</b>
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**SOURCE OF FUNDING**       General Fund       Grant Fund       Enterprise Fund

Other (Specify) COMMUNITY DEVELOPMENT BLOCK GRANT FUND (5000)

**SPECIFIC EXPLANATION:**

The Housing and Community Development Department recommends approval of a Contract between the City of Houston and Child Care Council of Greater Houston, Inc. (Child Care Council).

This Contract provides for the implementation, oversight and delivery of the Community Development Block Grant funded Child Care Program. The Contract will provide funding in the amount of \$597,694.00 for 12 months (August 1, 2009 – July 31, 2010).

The City entered into a Contract with Child Care Council beginning March 9, 1994, to provide the above referenced services. These services include the selection of service providers through a Request for Proposal (RFP) process, negotiating contracts with providers, processing reimbursement requests, monitoring performance, providing technical assistance and training, and management assistance.

MS

**REQUIRED AUTHORIZATION**

NDT

<b>Finance Director:</b>	<b>Other Authorization:</b>	<b>Other Authorization:</b>
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<b>Date:</b> 9/14/09	<b>Subject:</b> An Ordinance authorizing a Contract between the City of Houston and Child Care Council of Greater Houston, Inc. for administration and funding of the Child Care Program.	<b>Originator's Initials</b> 	<b>Page</b> 2 of 2
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The total funds and sources and estimated number of persons to be served and the category of persons for the proposed Contract are as follows:

Total funds and sources: \$597,694.00  
Estimated number of unduplicated youth to be served: 200  
Category of persons: New Born to 12 years of age from low and moderate income families

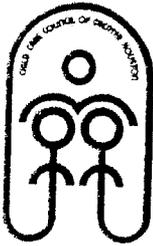
The Housing and Community Development Department recommends approval of a Contract to provide funding for the period August 1, 2009 – July 31, 2010 to nine (9) non-profit agencies that provide day care services (see attached). This Contract provides \$597,694.00 (\$152,500.00 for administrative costs associated with the cost of the program and \$445,194.00 for service providers).

A Request for Proposal was released on October 16, 2007 to allow for agencies to submit their proposal(s) by December 14, 2007, with the anticipation of having all proposals received, reviewed, awarded funds and contracts prepared for the effective date August 1, 2008 through July 31, 2009, with a one year renewal to begin August 1, 2009 through July 31, 2010.

Approval of this Ordinance is recommended.

RSC:KB:RLJ:rj

cc: City Secretary  
Legal Department  
Finance Department  
Mayor's Office



**CHILD CARE COUNCIL  
OF GREATER HOUSTON, INC.**

6220 Westpark, Suite 150  
P.O. Box 572043  
Houston, Texas 77257  
(713) 266-6045  
(713) 266-6586 FAX  
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July 23, 2009

Mr. Richard S. Celli  
Department of Housing and Community Development  
City of Houston  
601 Sawyer, 4<sup>th</sup> Floor  
Houston, Texas 77007

Re: 2009-2010 Community Development Block Grant/Child Care Program

Dear Mr. Celli:

In an effort to expedite the preparation of the 2009-2010 Community Development Block Grant Extension Agreements, we have prepared the following allocations based on the program allocation given verbally.

We respectfully submit for your approval, the following awards for the Extension Period (August 1, 2009 - July 31, 2010) of the Community Development Block Grant/ Child Care Program:

<b>Agency</b>	<b>Award</b>
AAMA	25,000.00
Chinese Community Center	35,000.00
Community Family Center	72,500.00
Julia C. Hester House	25,000.00
Neighborhood Centers, Inc.	43,000.00
S.E.A.R.C.H.	84,000.00
SHAPE Community Center	40,000.00
Wesley Community Center	64,294.00
YMCA	56,400.00
<b>Total Awarded:</b>	<b>\$445,194.00</b>

These recommendations were based on the agency's utilization of funds, enrollment of client and performance of contractual services. The enclosed table provides the pertinent information that was considered in allocating Extension Period funds.

As always, feel free to call upon me if you should have any questions.

Sincerely,

J.R. Harang  
Chief Executive Officer



United Way of Greater Houston

2009-2010 CCP Ext Cityrecsltr

Mission: Providing high quality programs, training and support services to young children and their families

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

09-10-CCC-ESG

*HCO 09/12/09*  
**32**

<b>SUBJECT:</b> An Ordinance authorizing a Contract between the City of Houston and Child Care Council of Greater Houston, Inc. for the administration and funding of the Emergency Shelter Grants Program.	<b>Category #</b> 1	<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> Richard S. Celli, Director Housing and Community Development	<b>Origination Date</b> 10/06/09	<b>Agenda Date</b> OCT 21 2009
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<b>DIRECTOR'S SIGNATURE:</b> <i>RS Celli</i>	<b>Council District affected:</b>  ALL
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<b>For additional information contact:</b> Keith Bynam Phone: 713-868-8396 <i>KB</i>	<b>Date and identification of prior authorizing Council action:</b>
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**RECOMMENDATION: (Summary)**  
Approval of an Ordinance authorizing a Contract between the City of Houston and Child Care Council of Greater Houston, Inc. in the amount of \$2,168,128.24 for the implementation, oversight and delivery of the Community Development Block Grant funded Emergency Shelter Grants Program funded under the 35<sup>th</sup> year Community Development Block Grant.

<b>Amount of Funding:</b> \$2,168,128.24 – 1 YEAR	<b>Finance Budget:</b>
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**SOURCE OF FUNDING**       General Fund       Grant Fund       Enterprise Fund

Other (Specify) **COMMUNITY DEVELOPMENT BLOCK GRANT FUND (5000)**

**SPECIFIC EXPLANATION:**

The Housing and Community Development Department recommends approval of a Contract between the City of Houston and Child Care Council of Greater Houston, Inc. (Child Care Council).

This Contract provides for the implementation, oversight and delivery of the Community Development Block Grant funded Emergency Shelter Grants Program. The Contract will provide funding in the amount of \$2,026,739.00 in ESG and CDBG funds for the program year 2009-2010 and additional funds in the amount of \$141,389.24 from prior years of funding remaining unexpended. Therefore the total amount of funding for a one- year period beginning August 1, 2009 – July 31, 2010 is \$2,168,128.24.

The City entered into a Contract with Child Care Council beginning March 9, 1994 to provide the above referenced services. These services also include the selection of service providers through a Request for Proposal (RFP) process, negotiating contracts with providers; processing reimbursement requests; monitoring performance, providing technical assistance and training; and providing management assistance.

*MS*

*NOT*

<b>Finance Director:</b>	<b>Other Authorization:</b>	<b>Other Authorization:</b>
--------------------------	-----------------------------	-----------------------------

<b>Date:</b> 10/06/09	<b>Subject:</b> An Ordinance authorizing a Contract between the City of Houston and Child Care Council of Greater Houston, Inc. for funding of the Emergency Shelter Grants Program.	<b>Originator's Initials</b> 	<b>Page</b> 2 of 2
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The total funds and sources and estimated number of persons to be served and the category of persons for the proposed Contract are as follows:

**Total Funds and Sources 2009: \$2,026,739.00**

(CDBG \$ 700,000.00)  
(ESG \$1,326,739.00)  
Essential Services \$398,021  
Operations \$464,361  
Homeless Prevention \$398,021  
Administration \$ 66,336

**Total Funds from Prior Years 2004 – 2007: \$141,389.24**

2004 - \$ 12,652.57  
2005 - \$127,583.64  
2006 - \$ 1,152.83  
2007 - \$ 0.20

**Estimated number of unduplicated persons to be served: 10,000**

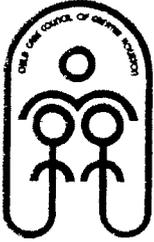
**Category of persons: Homeless or near homeless**

The Housing and Community Development Department recommends approval of this Contract to provide funding for the period August 1, 2009 – July 31, 2010 to nineteen (19) non-profit agencies that provide services to the homeless or near homeless. This Contract provides for funding in the amount of \$2,168,128.24 (\$1,326,739.00 ESG, \$700,000 CDBG) and \$141,389.24 from previous years of ESG funding remaining unexpended. Nineteen (19) non-profit agencies will receive funds totaling \$2,036,661.24 and \$131,467.00 (\$65,131.00 CDBG and \$66,336.00 ESG) for administrative costs associated with the program.

Approval of this Ordinance is recommended.

RSC:KB:PAB:pab

xc: City Secretary  
Legal Department  
Finance Department  
Mayor's Office



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*Chief Executive Officer*

July 31, 2009

Mr. Richard S. Celli.  
Department of Housing and Community Development  
City of Houston  
601 Sawyer, 4<sup>th</sup> Floor  
Houston, Texas 77007

Re: 2009-2010 Community Development Block Grant/ Emergency Shelter Grants Program

Dear Mr. Celli:

We have prepared the following allocations for the 2009 - 2010 Community Development Block Grant Contracts based on the allocations we have received from your office. Your signature below will confirm that the total CDBG funds available for the twelve month 2009-2010 Contract Term for the CDBG/ Emergency Shelter Grants Program is \$2,036,661.24

We respectfully submit for your approval, the following awards for the twelve month 2009-2010 Contract Term (August 1, 2009 – July 31, 2010) of the Community Development Block Grant/ Emergency Shelter Grants Program:

<b>Agency</b>	<b>Award</b>
Aids Foundation Houston	155,000.00
Asian American Family Services	75,000.00
Bridge Over Troubled Waters	68,000.00
Catholic Charities of the Archdiocese of Galveston-Houston	239,266.00
Covenant House Texas	217,115.00
Fort Bend Women's Center	25,163.00
Gulf Coast Community Services Association	60,000.00
Gulf Coast Trades Center	95,000.00
Harris County Community & Economic Development Department	80,000.00
Healthcare for the Homeless - Houston	70,000.00
Houston Area Women's Center	225,000.00
Memorial Assistance Ministries	75,000.00
Prevent Blindness Texas	55,906.24
SEARCH	109,436.00
Star of Hope	111,775.00
The Women's Home	100,000.00
Wellsprings, Inc.	55,000.00
Wesley Community Centers, Inc.	70,000.00
YMCA of Greater Houston (Downtown)	150,000.00
<b>Total Awarded:</b>	<b>\$2,036,661.24</b>



United Way of Greater Houston

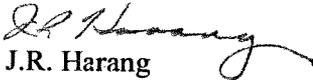
C:\Users\CDBG\Documents\MY CDBG PROGRAM\Contract Year 2008-2009\Extention Period 2009-2010\City Letters  
Extentions Recommendations 2009-2010\0910 Cityrecsltr ESGP.doc

Mission: Providing high quality programs, training and support services to young children and their families

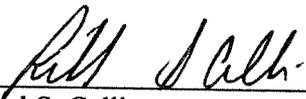
These recommendations were based on the agency's utilization of funds, enrollment of client and performance of contractual services. The enclosed table provides the pertinent information that was considered in allocating Renewal Period funds.

Your dated signature below indicates your agreement with these recommendations. Please sign both copies below and return one to our office. As always, feel free to call upon me if you should have any questions.

Sincerely,

  
J.R. Harang  
Chief Executive Officer

I hereby agree to the above-mentioned Awards for the 2009 - 2010 Contract Term (August 1, 2009 - July 31, 2010) of the Community Development Block Grant/ Emergency Shelter Grants Program Contract and confirm the total amount of CDBG funds available for allocation is \$2,036,661.24.

  
\_\_\_\_\_  
Richard S. Celli  
City of Houston  
Director, Department of Housing and Community Development

9/30/09  
Date

Encl.

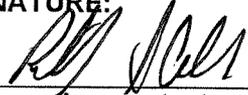
TO: Mayor via City Secretary REQUEST FOR COUNCIL ACTION

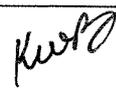
CCC-JD-09-10

HCD09-119

<b>SUBJECT:</b> An Ordinance authorizing a Contract between the City of Houston and Child Care Council of Greater Houston, Inc. for administration and funding of the Juvenile Delinquency Prevention Program.	<b>Category #</b> 1	<b>Page</b> 1 of 2	<b>Agenda Item #</b>  33
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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> 9/14/09	<b>Agenda Date</b> OCT 21 2009
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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> Keith Bynam Phone: 713-868-8396 	<b>Date and identification of prior authorizing Council action:</b> N/A
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**RECOMMENDATION: (Summary)**  
 Approval of an Ordinance authorizing a Contract between the City of Houston and Child Care Council of Greater Houston, Inc. for the implementation, oversight and delivery of the Community Development Block Grant funded Juvenile Delinquency Prevention Program for \$623,453.00 funded under the 35th Year Community Development Block Grant.

<b>Amount of Funding:</b> \$623,453.00 – 1 YEAR	<b>Finance Budget:</b>
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**SOURCE OF FUNDING**       General Fund       Grant Fund       Enterprise Fund

Other (Specify)    COMMUNITY DEVELOPMENT BLOCK GRANT FUND (5000)

**SPECIFIC EXPLANATION:**

The Housing and Community Development Department recommends approval of a Contract between the City of Houston and Child Care Council of Greater Houston, Inc. (Child Care Council).

This Contract provides for the implementation, oversight and delivery of the Community Development Block Grant funded Juvenile Delinquency Prevention Program. The Contract will provide funding in the amount of \$623,453.00 for 12 months (August 1, 2009 – July 31, 2010).

The City entered into a Contract with Child Care Council beginning March 9, 1994, to provide the above referenced services. These services include the selection of service providers through a Request for Proposal (RFP) process, negotiating contracts with providers, processing reimbursement requests, monitoring performance, providing technical assistance and training, and management assistance.

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

MS

SL

MT

221

<b>Date:</b> 9/14/09	<b>Subject:</b> An Ordinance authorizing a Contract between the City of Houston and Child Care Council of Greater Houston, Inc. for administration and funding of the Juvenile Delinquency Prevention Program.	<b>Originator's Initials</b> 	<b>Page</b> 2 of 2
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The total funds and sources and estimated number of persons to be served and the category of persons for the proposed Contract are as follows:

- Total funds and sources: \$623,453.00
- Estimated number of unduplicated youth to be served: 2000
- Category of persons: Youth ages 6 to 21 of low and moderate income families

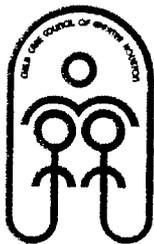
The Housing and Community Development Department recommends approval of a Contract to provide funding for the period August 1, 2009 – July 31, 2010 to eleven (11) non-profit agencies. This Contract provides \$623,453.00 (\$163,837.00 for administrative costs associated with the cost of the program and \$459,616.00 for service providers). Eleven (11) non-profit agencies (see attached list) were selected to receive funds for this program.

A Request for Proposal was released on October 16, 2007, to allow for agencies to submit their proposal(s) by December 14, 2007, with the anticipation of having all proposals received, reviewed, awarded funds and contracts prepared for the effective date August 1, 2008 through July 31, 2009, with a one year renewal that will begin August 1, 2009 through July 31, 2010.

Approval of this Ordinance is recommended.

RSC:KB:PAB:pab

- cc: City Secretary
- Legal Department
- Finance Department
- Mayor's Office



**CHILD CARE COUNCIL  
OF GREATER HOUSTON, INC.**  
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Joyce Kao Soliman  
Lynda Kay Lochridge  
Theresa E. Savoy  
Tiffany M. Dugar  
Shawn E. Simmons  
William M. Greer

**Lifetime Member**

Lullelia W. Harrison  
Raymond M. Hill

**Administration**

Juanita R. Harang  
*Chief Executive Officer*

July 31, 2009

Mr. Richard S. Celli.  
Department of Housing and Community Development  
City of Houston  
601 Sawyer, 4<sup>th</sup> Floor  
Houston, Texas 77007

Re: 2009 - 2010 Community Development Block Grant/ Juvenile Delinquency Prevention Program

Dear Mr. Celli:

We have prepared the following allocations for the 2009 -2010 Community Development Block Grant Contracts based on the allocations we have received from your office. Your signature below will confirm that the total CDBG funds available for the twelve month 2009-2010 Contract Term for the CDBG/ Juvenile Delinquency Prevention Program is \$459,616.00

We respectfully submit for your approval, the following awards for the twelve month 2009-2010 Contract Term (August 1, 2009 – July 31, 2010) of the Community Development Block Grant/ Juvenile Delinquency Prevention Program:

<b>Agency</b>	<b>Award</b>
Asian American Family Services	36,000
Boys & Girls Clubs	54,000
Children's Assessment Center	54,000
Chinese Community Center	50,000
Communities In Schools	54,000
Crossroads	45,000
Harris County Juvenile Board	35,616
Pro-Vision, Inc.	50,000
Unlimited Visions Aftercare	36,000
Volunteers of America	45,000
<b>Total Awarded:</b>	<b>\$459,616</b>

These recommendations were based on the agency's utilization of funds, enrollment of client and performance of contractual services. The enclosed table provides the pertinent information that was considered in allocating Renewal Period funds.



United Way of Greater Houston

Your dated signature below indicates your agreement with these recommendations. Please sign both copies below and return one to our office. As always, feel free to call upon me if you should have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "J.R. Harang", with a stylized flourish at the end.

J.R. Harang  
Chief Executive Officer

Encl.

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

09- HHH

<b>SUBJECT:</b> An Ordinance authorizing the execution of a Contract between the City of Houston and Healthcare for the Homeless-Houston for the administration and operation of Project Access for Homeless Individuals.	<b>Category #</b>	<b>Page</b> 1 of 1	<b>Agenda Item #</b> <b>34</b>
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<b>FROM (Department or other point of origin):</b> Richard S. Celli, Director Housing and Community Development Department	<b>Origination Date</b> 10/07/09	<b>Agenda Date</b> OCT 21 2009
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<b>DIRECTOR'S SIGNATURE:</b> <i>R. Celli</i>	<b>Council District affected:</b> District I
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<b>For additional information contact:</b> Keith Bynam Phone: (713) 868-8396	<b>Date and identification of prior authorizing Council action:</b>
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**RECOMMENDATION: (Summary)**  
Approval of an ordinance authorizing a Contract between the City of Houston ("City") and Healthcare for the Homeless-Houston, providing up to \$130,000 for the administration and operation of Project Access, which offers transportation services to homeless individuals and families seeking health care and supportive services.

<b>Amount of Funding:</b> \$130,000.00	<b>Finance Budget:</b>
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**SOURCE OF FUNDING**    General Fund    Grant Fund    Enterprise Fund    Other (Specify)  
CDBG Grant Fund (5000)

**SPECIFIC EXPLANATION:**  
The Housing and Community Development Department ("HCDD") recommends approval of a Contract between the City of Houston and Healthcare for the Homeless-Houston for the operation of Project Access to provide necessary transportation services for homeless individuals and families seeking health care and supportive services. Healthcare for the Homeless-Houston ("HHH") is a nonprofit corporation organized by a strategic alliance of local service providers whose mission is to promote health, hope, and dignity for Houston's homeless through accessible and comprehensive care. Since the program's implementation in August 2003, HHH has provided transportation services to thousands of homeless individuals. Project Access has been featured on an ABC affiliate and its story released for national distribution regarding the program's success. Healthcare for the Homeless-Houston desires to continue this project.

All programs and services are available free of charge to homeless individuals in Houston and Harris County. HHH has serviced more than double their proposed unduplicated number of 2,580 homeless individuals, during the 2008 to 2009 contract.

This agreement will provide \$130,000 and a 12-month contract. HHH is proposing to provide these services to a minimum of 4,000 unduplicated individuals/30,000 trips annually.

Total Funds and Services:                    \$130,000  
Number of Persons Served:                    4,000  
Category of Persons:                            Homeless persons and families

RC:KB:MA  
City Secretary  
Mayor's Office  
Legal Department  
Finance Department

REQUIRED AUTHORIZATION

<b>Finance Director:</b>	<b>Other Authorization:</b>	<b>Other Authorization:</b>
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*MD*

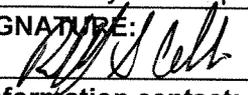
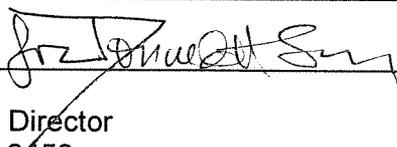
TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

HCD09-129

<b>SUBJECT:</b> An ordinance authorizing a First Amendment to the Loan Agreement and First Amendment to the Land Use Restriction Agreement between the City of Houston and Creative Choice Texas I, Ltd. and a Loan Agreement between the City of Houston and Apartments of the Village.	<b>Category #</b>	<b>Page</b> 1 of 1	<b>Agenda Item #</b> <b>35</b>
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<b>FROM (Department or other point of origin):</b> Richard S. Celli, Director Housing and Community Development Department	<b>Origination Date</b> 9/24/09	<b>Agenda Date</b> OCT 21 2009
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<b>DIRECTOR'S SIGNATURE:</b>  	<b>Council District affected:</b> "H"
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<b>For additional information contact:</b> Donald Sampley, Assistant Director Phone: 713-868-8458	<b>Date and identification of prior authorizing Council action:</b> 2007 - 718
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**RECOMMENDATION: (Summary)** The Department recommends approval to amend the Loan Agreement and Land Use Restriction Agreement between the City and Creative Choice Texas I, Ltd. by increasing the loan amount and substituting a new borrower for the current borrower. Collateral and lien position will be unchanged.

<b>Amount of Funding:</b> \$310,000	<b>Finance Budget:</b>
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**SOURCE OF FUNDING**       General Fund       Grant Fund       Enterprise Fund

Other (Specify)      HOME Investment Partnership funds

**SPECIFIC EXPLANATION:**

On May 24, 2006, City Council approved a \$500,000 loan to Creative Choice Texas I, LTD. to assist in the acquisition and renovation of a 100 unit apartment complex located at 8210 Bauman for affordable housing. The project was financed primarily through 9% tax credits and is now complete.

The project experienced a cost overrun due to unforeseen conditions exposed by the renovation and Hurricane Ike. A portion of this cost overrun was funded with additional tax credits from the State of Texas; a portion was funded through contribution of part of the developer's fee; and HCDD proposes to fund the balance of the overrun via this transaction.

HCDD proposes to make a loan of \$310,000 to Apartments of the Village, the non-profit CHDO that owns 100% of Creative Ambassador North, LLC, the general partner of Creative Choice Texas I, LTD (the entity that owns the property). Apartments of the Village will have permission to lend this money to the limited partnership, Creative Choice Texas I LTD, to pay for the remaining cost overruns. The loan will mature on June 2, 2024 and carry a zero percent interest rate.

Simultaneously, HCDD proposes to restructure the current loan of \$500,000 that was made to Creative Choice Texas I LTD by substituting Apartments of the Village as the borrower. The loan will be identical in term and in structure.

These actions will accomplish two important goals. First, by covering the cost overrun, the project will be able to access the permanent loan that was part of HCDD's original underwriting. This step is necessary to obtain the balance of the equity due to the project from the tax credit investors. Second, these actions will structure this loan identically to all other tax-credit loans that have been made since 2006 and place the project on equal footing to other HCDD transactions.

In exchange for the total HOME investment of \$810,000 in the project, the project will provide 8 restricted units under the modified LURA. Six (6) units will be set aside for households earning less than 30% or Area Median Income (AMI) and two (2) units will target 60% AMI.

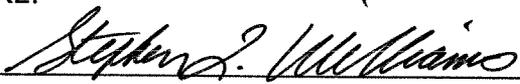
RSC:DHS:erw

cc: CSC, CTR, FIN, LGL, MYR

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

<b>SUBJECT: An ordinance approving and authorizing an agreement between the City and Community Health Choice</b>	<b>Category #</b>	<b>Page 1 of 1</b>	<b>Agenda Item #</b> <span style="font-size: 2em; font-weight: bold;">36</span>
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<b>FROM (Department or other point of origin):</b> Stephen L. Williams, M.Ed., M.P.A. Director-Houston Department of Health and Human Services	<b>Origination Date</b> 9/22/09	<b>Agenda Date</b> OCT 21 2009
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<b>DIRECTOR'S SIGNATURE:</b> 	<b>Council District affected:</b> All
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<b>For additional information contact: Kathy Barton</b> Telephone: 713-794-9998 or 713-826-5801	<b>Date and identification of prior authorizing Council action:</b>
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**RECOMMENDATION:**  
 Approval of an ordinance approving and authorizing an agreement between the City and Community Health Choice

<b>Amount of Funding:</b> Approximately \$45,000 per fiscal year – Revenue	<b>F&amp;A Budget:</b>
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**SOURCE OF FUNDING:**  General Fund  Grant Fund  Enterprise Fund  Other (Specify) Revenue

**SPECIFIC EXPLANATION:**

The Houston Department of Health and Human Services (HDHHS) requests City Council approval of an ordinance authorizing and approving an agreement between the City of Houston and Community Health Choice (CHC) for reimbursement of Title V eligible prenatal services. CHC is a medical management organization and a CHIP Prenatal provider in the Texas region.

In September 2006, Texas Department of Human Services (DSHS) privatized the administration of Title V for prenatal clients to CHC. In order to keep the Title V Prenatal funding received from DSHS, HDHHS is required to provide or arrange for the provision of the services of primary and specialty care physicians.

HDHHS will coordinate treatment plans and referral authorization for specialty consultation, diagnostic studies, outpatient procedures and hospitalizations, notify group providers of their rights and duties under the agreement, provide CHC with relevant information regarding all physicians and allied health professionals that contract with the Provider and annually submit a complete listing of all group providers used during a year.

CHC responsibilities include, but are not limited to, 1) administrative activities such as capital financing, marketing, advertising, customer service, underwriting, establishment and collection of premiums, maintenance and membership (non-medical) records, accounting, maintenance of a suitable medical management information system, and negotiation of agreements with various providers of Covered Medical Services, 2) compensation of provider for contracted services provided to beneficiaries/members under this agreement, 3) marketing or arrangement for the marketing of its benefit programs, 4) issuance of identification cards for each beneficiary/member, and 5) assisting provider in coordinating treatment plans and referral authorization for additional specialty consultation, diagnostic studies, outpatient procedures or hospitalizations.

cc: Finance & Administration  
 Legal Department  
 Agenda Director

REQUIRED AUTHORIZATION		
<b>F&amp;A Director</b>	<b>Other Authorization:</b>	<b>Other Authorization:</b>

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

<b>SUBJECT:</b> Ordinance designating all improved single-family residential lots in the Chateau Forest Subdivision Section 1 - 4 as a Prohibited Yard Parking Requirement Area	<b>Category #</b>	<b>Page 1 of</b> <u>1</u>	<b>Agenda Item #</b> <b>37</b>
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<b>FROM (Department or other point of origin):</b> Marlene L. Gafrick, Director Planning and Development Department	<b>Origination Date</b> October 6, 2009	<b>Agenda Date</b> OCT 21 2009
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<b>DIRECTOR'S SIGNATURE:</b> <i>Marlene L. Gafrick</i>	<b>Council District affected:</b> A
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<b>For additional information contact:</b> Kevin Calfee Phone: 713.837.7768	<b>Date and identification of prior authorizing Council action:</b> 2009-0059, 1-27-09
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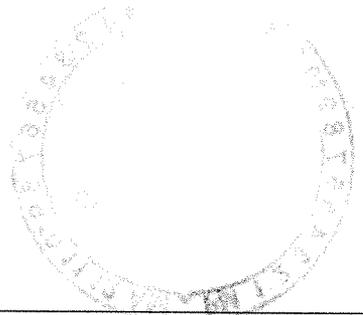
**RECOMMENDATION: (Summary)** Approval of an ordinance designating all improved single-family residential lots in the Chateau Forest Subdivision Section 1 - 4 as a Prohibited Yard Parking Requirement Area, pursuant to Chapter 28 of the Code of Ordinances, restricting parking on the front and side yard of single-family residential property.

<b>Amount and Source of Funding:</b> NA	<b>Finance Budget:</b>
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**SPECIFIC EXPLANATION:** In accordance with Section 28-303 of the Code of Ordinances, the Chateau Forest Community Association, Inc. initiated an application for the designation of a Prohibited Yard Parking Requirement Area. The application includes a letter of support from the president of the Chateau Forest Community Association, Inc. Notification was mailed to 524 property owners indicating that the prohibited yard parking requirement area application had been made. The notification further stated that written protest could be filed with the Planning and Development Department within twenty days of mailing. Two protests were timely filed with the Planning and Development Department. The Hearing Official held a public hearing on July 29, 2009 and recommended establishing the Prohibited Yard Parking Requirement Area.

- Attachments:**  
 Decision of the Hearing Official  
 Prohibited Yard Parking Requirement Application  
 Letter of Support  
 Map of the proposed requirement area / land use

- xc: Marty Stein, Agenda Director  
 Anna Russell, City Secretary  
 Arturo G. Michel, City Attorney  
 Don Cheatham, Land Use Division, Legal Department  
 Chief Hurtt, HPD  
 Alfred Moran, ARA



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

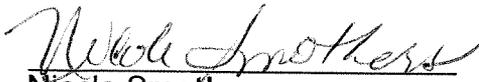
# Prohibited Yard Parking Requirement Area No. P090501

## Hearing Official's Approval

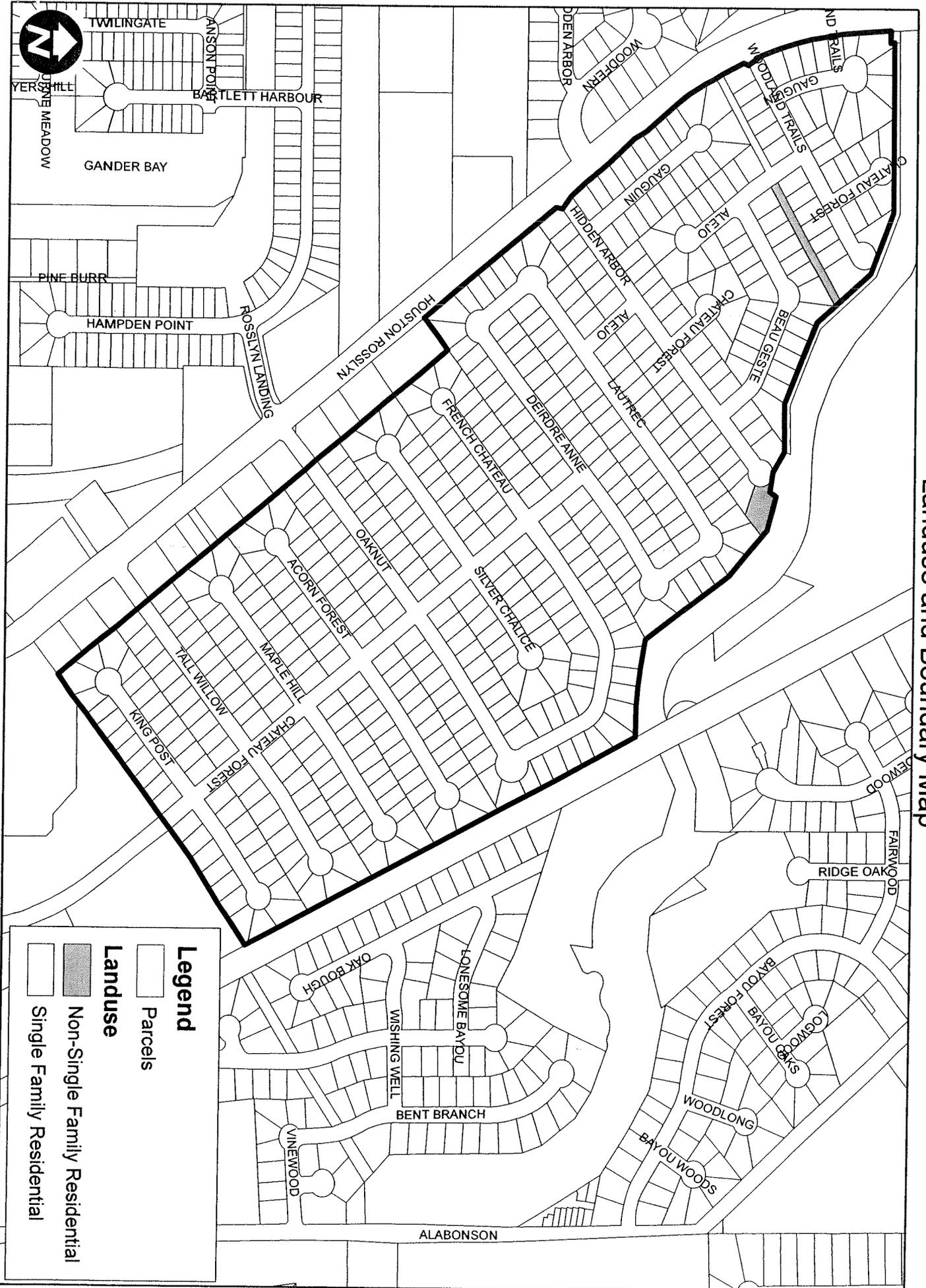
Hearing Official Evaluation:

Satisfies	Does Not Satisfy	Criteria
X		<p><i>PYPRA includes five contiguous block faces;</i></p> <p><b>The application area contains at least five contiguous block faces.</b></p>
X		<p><i>More than 60% of the proposed PYPRA is developed as single-family residential lots;</i></p> <p><b>99.6% of the proposed application area is developed as single-family residential.</b></p>
X		<p><i>The application is authorized by the board of an active homeowners association or civic club that encompasses the residential area described in the application;</i></p> <p><b>The president of the Chateau Forest Community Association, Inc. has signed a letter of support.</b></p>
X		<p><i>Available parking is sufficient to accommodate the typical parking needs for the residential area;</i></p> <p><b>The curbside parking spaces or areas within the residential subdivision available to owners for the parking of vehicles or equipment are sufficient to accommodate the number of vehicles or equipment typically parked within the area.</b></p>

**The Prohibited Yard Parking Requirement Area meets the criteria.**


10-2-09  
 Nicole Smothers, Date  
 Hearing Official, Presiding

Chateau Forest Community Association, Inc.  
Landuse and Boundary Map



**Legend**

**Landuse**

-  Parcels
-  Non-Single Family Residential
-  Single Family Residential

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

<b>SUBJECT:</b> Ordinance designating all improved single-family residential lots in the Forest Pines Subdivision, Section 1; Forest Pines Subdivision, Section 2A; Forest Pines Subdivision, Section 2B as a Prohibited Yard Parking Requirement Area	<b>Category #</b>	<b>Page 1 of</b> <u>1</u>	<b>Agenda Item #</b> <b>38</b>
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<b>FROM (Department or other point of origin):</b> Marlene L. Gafrick, Director Planning and Development Department	<b>Origination Date</b> October 6, 2009	<b>Agenda Date</b> OCT 21 2009
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<b>DIRECTOR'S SIGNATURE:</b> <i>Marlene L. Gafrick</i>	<b>Council District affected:</b> A
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<b>For additional information contact:</b> Kevin Calfee Phone: 713.837.7768	<b>Date and identification of prior authorizing Council action:</b> 2009-0059, 1-27-09
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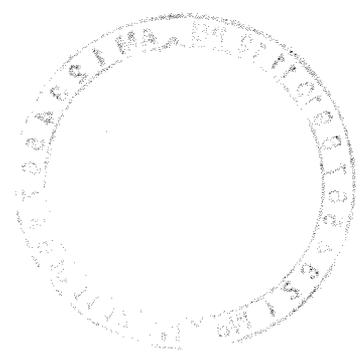
**RECOMMENDATION: (Summary)** Approval of an ordinance designating all improved single-family residential lots in the Forest Pines Subdivision, Section 1; Forest Pines Subdivision, Section 2A; Forest Pines Subdivision, Section 2B as a Prohibited Yard Parking Requirement Area, pursuant to Chapter 28 of the Code of Ordinances, restricting parking on the front and side yard of single-family residential property.

<b>Amount and Source of Funding:</b> NA	<b>Finance Budget:</b>
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**SPECIFIC EXPLANATION:** In accordance with Section 28-303 of the Code of Ordinances, the Forest Pines Civic Club, Inc. initiated an application for the designation of a Prohibited Yard Parking Requirement Area. The application includes a letter of support from the president of the Forest Pines Civic Club, Inc. Notification was mailed to 515 property owners indicating that the prohibited yard parking requirement area application had been made. The notification further stated that written protest could be filed with the Planning and Development Department within twenty days of mailing. Eight (8) protests were timely filed with the Planning and Development Department. The Hearing Official held a public hearing on July 29, 2009 and recommended establishing the Prohibited Yard Parking Requirement Area.

- Attachments:**  
 Decision of the Hearing Official  
 Prohibited Yard Parking Requirement Application  
 Letter of Support  
 Map of the proposed requirement area / land use

- xc: Marty Stein, Agenda Director  
 Anna Russell, City Secretary  
 Arturo G. Michel, City Attorney  
 Don Cheatham, Land Use Division, Legal Department  
 Chief Hurtt, HPD  
 Alfred Moran, ARA



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

# Prohibited Yard Parking Requirement Area No. P090502

## Hearing Official's Approval

Hearing Official Evaluation:

Satisfies	Does Not Satisfy	Criteria
X		<p><i>PYPRA includes five contiguous block faces;</i></p> <p><b>The application area contains at least five contiguous block faces.</b></p>
X		<p><i>More than 60% of the proposed PYPRA is developed as single-family residential lots;</i></p> <p><b>99.8% of the proposed application area is developed as single-family residential.</b></p>
X		<p><i>The application is authorized by the board of an active homeowners association or civic club that encompasses the residential area described in the application;</i></p> <p><b>The president of the Forest Pines Civic Club, Inc. has signed a letter of support.</b></p>
X		<p><i>Available parking is sufficient to accommodate the typical parking needs for the residential area;</i></p> <p><b>The curbside parking spaces or areas within the residential subdivision available to owners for the parking of vehicles or equipment are sufficient to accommodate the number of vehicles or equipment typically parked within the area.</b></p>

**The Prohibited Yard Parking Requirement Area meets the criteria.**

Nicole Smothers  
 Nicole Smothers,  
 Hearing Official, Presiding

10-2-09  
 Date

P090502

# Forest Pines Civic Club, Inc. Landuse and Boundary Map



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

<b>SUBJECT:</b> Ordinance designating all improved single-family residential lots in the Cole Creek Manor Subdivision, Sections 1 and 2 as a Prohibited Yard Parking Requirement Area	<b>Category #</b>	<b>Page 1 of</b> _____	<b>Agenda Item #</b> <b>39</b>
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<b>FROM (Department or other point of origin):</b> Marlene L. Gafrick, Director Planning and Development Department	<b>Origination Date</b> October 13, 2009	<b>Agenda Date</b>  OCT 21 2009
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<b>DIRECTOR'S SIGNATURE:</b> <i>MS Marlene L. Gafrick</i>	<b>Council District affected:</b> A
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<b>For additional information contact:</b> Kevin Calfee Phone: 713.837.7768	<b>Date and identification of prior authorizing Council action:</b> 2009-0059, 1-27-09
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**RECOMMENDATION: (Summary)** Approval of an ordinance designating all improved single-family residential lots in the Cole Creek Manor Subdivision, Sections 1 and 2 as a Prohibited Yard Parking Requirement Area, pursuant to Chapter 28 of the Code of Ordinances, restricting parking on the front and side yard of single-family residential property.

<b>Amount and Source of Funding:</b> NA	<b>Finance Budget:</b>
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**SPECIFIC EXPLANATION:** In accordance with Section 28-303 of the Code of Ordinances, the Cole Creek Manor Civic Club initiated an application for the designation of a Prohibited Yard Parking Requirement Area. The application includes a letter of support from the president of the Cole Creek Manor Civic Club. Notification was mailed to 212 property owners indicating that the prohibited yard parking requirement area application had been made. The notification further stated that written protest could be filed with the Planning and Development Department within twenty days of mailing. Two (2) protests were timely filed with the Planning and Development Department. The Hearing Official held a public hearing on September 9, 2009 and recommended establishing the Prohibited Yard Parking Requirement Area.

Attachments:  
Decision of the Hearing Official  
Prohibited Yard Parking Requirement Application  
Letter of Support  
Map of the proposed requirement area / land use

xc: Marty Stein, Agenda Director  
Anna Russell, City Secretary  
Arturo G. Michel, City Attorney  
Don Cheatham, Land Use Division, Legal Department  
Chief Hurtt, HPD  
Alfred Moran, ARA

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

# Prohibited Yard Parking Requirement Area No. P090604

## Hearing Official's Approval

### Hearing Official Evaluation:

Satisfies	Does Not Satisfy	Criteria
X		<i>PYPRA includes five contiguous block faces;</i> <b>The application area contains at least five contiguous block faces.</b>
X		<i>More than 60% of the proposed PYPRA is developed as single-family residential lots;</i> <b>99% of the proposed application area is developed as single-family residential.</b>
X		<i>The application is authorized by the board of an active homeowners association or civic club that encompasses the residential area described in the application;</i> <b>The president of the Cole Creek Manor Civic Club has signed a letter of support.</b>
X		<i>Available parking is sufficient to accommodate the typical parking needs for the residential area;</i> <b>The curbside parking spaces or areas within the residential subdivision available to owners for the parking of vehicles or equipment are sufficient to accommodate the number of vehicles or equipment typically parked within the area.</b>

**The Prohibited Yard Parking Requirement Area meets the criteria.**

*Nicole Smothers* 10-7-09

Nicole Smothers,  
Hearing Official, Presiding

Date

P090604

Cole Creek Manor Civic Club  
Landuse and Boundary Map



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

<b>SUBJECT:</b> Ordinance designating all improved single-family residential lots in the Westbury Subdivision, Sections 1 – 5; Westbury Subdivision R/P, Sections 1, 3 and 5; Westbury South Subdivision; and Parkwest Subdivision, Sections 1 – 3 as a Prohibited Yard Parking Requirement Area	<b>Category #</b>	<b>Page 1 of</b> _____	<b>Agenda Item #</b> <b>40</b>
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<b>FROM (Department or other point of origin):</b> Marlene L. Gafrick, Director Planning and Development Department	<b>Origination Date</b> October 6, 2009	<b>Agenda Date</b> OCT 21 2009
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<b>DIRECTOR'S SIGNATURE:</b> <i>MS Marlene L. Gafrick</i>	<b>Council District affected:</b> C
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<b>For additional information contact:</b> Kevin Calfee Phone: 713.837.7768	<b>Date and identification of prior authorizing Council action:</b> 2009-0059, 1-27-09
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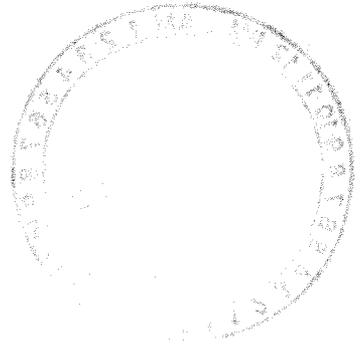
**RECOMMENDATION: (Summary)** Approval of an ordinance designating all improved single-family residential lots in the Westbury Subdivision, Sections 1 – 5; Westbury Subdivision R/P, Sections 1, 3 and 5; Westbury South Subdivision; and Parkwest Subdivision, Sections 1 – 3 as a Prohibited Yard Parking Requirement Area, pursuant to Chapter 28 of the Code of Ordinances, restricting parking on the front and side yard of single-family residential property.

<b>Amount and Source of Funding:</b> NA	<b>Finance Budget:</b>
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**SPECIFIC EXPLANATION:** In accordance with Section 28-303 of the Code of Ordinances, the Westbury Civic Club, Inc. initiated an application for the designation of a Prohibited Yard Parking Requirement Area. The application includes a letter of support from the president of the Westbury Civic Club, Inc. Notification was mailed to 4,945 property owners indicating that the prohibited yard parking requirement area application had been made. The notification further stated that written protest could be filed with the Planning and Development Department within twenty days of mailing. Eighteen (18) protests were timely filed with the Planning and Development Department. The Hearing Official held a public hearing on August 12, 2009 and recommended establishing the Prohibited Yard Parking Requirement Area.

- Attachments:  
 Decision of the Hearing Official  
 Prohibited Yard Parking Requirement Application  
 Letter of Support  
 Map of the proposed requirement area / land use

- xc: Marty Stein, Agenda Director  
 Anna Russell, City Secretary  
 Arturo G. Michel, City Attorney  
 Don Cheatham, Land Use Division, Legal Department  
 Chief Hurtt, HPD  
 Alfred Moran, ARA



**REQUIRED AUTHORIZATION**

<b>Finance Director:</b>	<b>Other Authorization:</b>	<b>Other Authorization:</b> L
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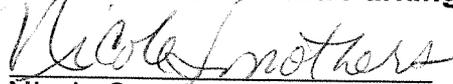
# Prohibited Yard Parking Requirement Area No. P090511

## Hearing Official's Approval

Hearing Official Evaluation:

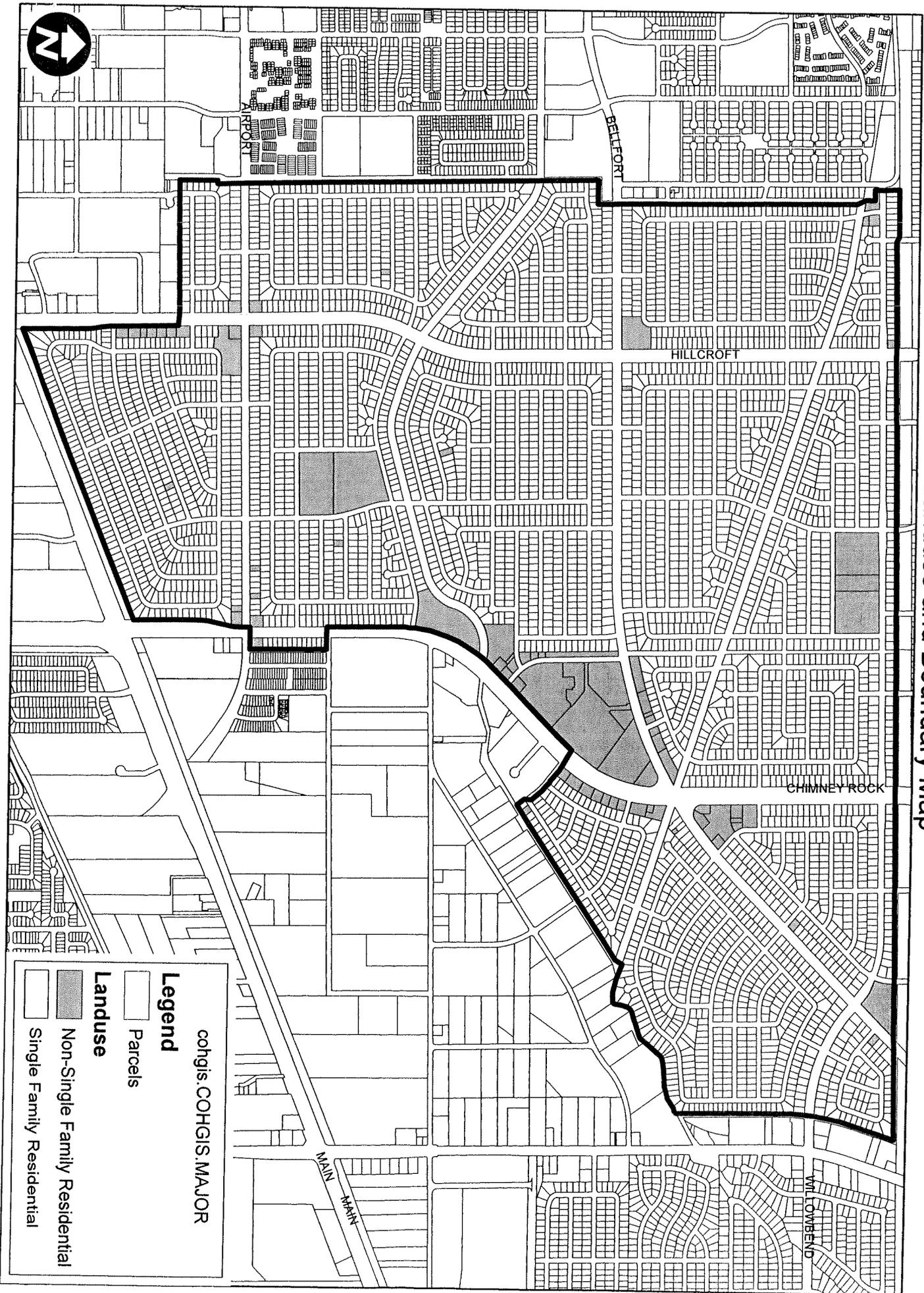
Satisfies	Does Not Satisfy	Criteria
X		<p><i>PYPRA includes five contiguous block faces;</i></p> <p><b>The application area contains at least five contiguous block faces.</b></p>
X		<p><i>More than 60% of the proposed PYPRA is developed as single-family residential lots;</i></p> <p><b>94.3% of the proposed application area is developed as single-family residential.</b></p>
X		<p><i>The application is authorized by the board of an active homeowners association or civic club that encompasses the residential area described in the application;</i></p> <p><b>The president of the Westbury Civic Club, Inc. has signed a letter of support.</b></p>
X		<p><i>Available parking is sufficient to accommodate the typical parking needs for the residential area;</i></p> <p><b>The curbside parking spaces or areas within the residential subdivision available to owners for the parking of vehicles or equipment are sufficient to accommodate the number of vehicles or equipment typically parked within the area.</b></p>

**The Prohibited Yard Parking Requirement Area meets the criteria.**


10-2-09  
 Nicole Smothers, Date  
 Hearing Official, Presiding

P090511

Westbury Civic Club, Inc.  
Landuse and Boundary Map



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

<b>SUBJECT:</b> Ordinance designating all improved single-family residential lots in the Shenandoah Subdivision, Section 1, excluding Block 1, Lots 10-18; Shenandoah Subdivision, Sections 2 & 3; and Sigrid Subdivision as a Prohibited Yard Parking Requirement Area	<b>Category #</b>	<b>Page 1 of _____</b>	<b>Agenda Item #</b> <b>41</b>
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<b>FROM (Department or other point of origin):</b> Marlene L. Gafrick, Director Planning and Development Department	<b>Origination Date</b> October 6, 2009	<b>Agenda Date</b> OCT 21 2009
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<b>DIRECTOR'S SIGNATURE:</b> <i>MS Marlene L. Gafrick</i>	<b>Council District affected:</b> C & F
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<b>For additional information contact:</b> Kevin Calfee Phone: 713.837.7768	<b>Date and identification of prior authorizing Council action:</b> 2009-0059, 1-27-09
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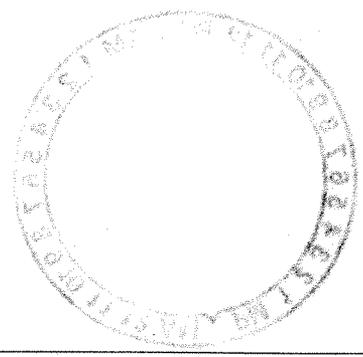
**RECOMMENDATION:** (Summary) Approval of an ordinance designating all improved single-family residential lots in the Shenandoah Subdivision, Section 1 excluding Block 1, Lots 10 - 18; Shenandoah Subdivision, Sections 2 & 3; and Sigrid Subdivision as a Prohibited Yard Parking Requirement Area, pursuant to Chapter 28 of the Code of Ordinances, restricting parking on the front and side yard of single-family residential property.

<b>Amount and Source of Funding:</b> NA	<b>Finance Budget:</b>
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**SPECIFIC EXPLANATION:** In accordance with Section 28-303 of the Code of Ordinances, the Shenandoah Civic Association initiated an application for the designation of a Prohibited Yard Parking Requirement Area. The application includes a letter of support from the president of the Shenandoah Civic Association. Notification was mailed to 263 property owners indicating that the prohibited yard parking requirement area application had been made. The notification further stated that written protest could be filed with the Planning and Development Department within twenty days of mailing. Two (2) protests were timely filed with the Planning and Development Department. The Hearing Official held a public hearing on August 12, 2009 and recommend establishing the Prohibited Yard Parking Requirement Area.

- Attachments:  
 Decision of Hearing Official  
 Prohibited Yard Parking Requirement Application  
 Letter of Support  
 Map of the proposed requirement area/land use

- xc: Marty Stein, Agenda Director  
 Anna Russell, City Secretary  
 Arturo G. Michel, City Attorney  
 Don Cheatham, Land Use Division, Legal Department  
 Chief Hurtt, HPD  
 Alfred Moran, ARA



**REQUIRED AUTHORIZATION**

<b>Finance Director:</b>	<b>Other Authorization:</b>	<b>Other Authorization:</b>
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# Prohibited Yard Parking Requirement Area No. P090508

## Hearing Official's Approval

Hearing Official Evaluation:

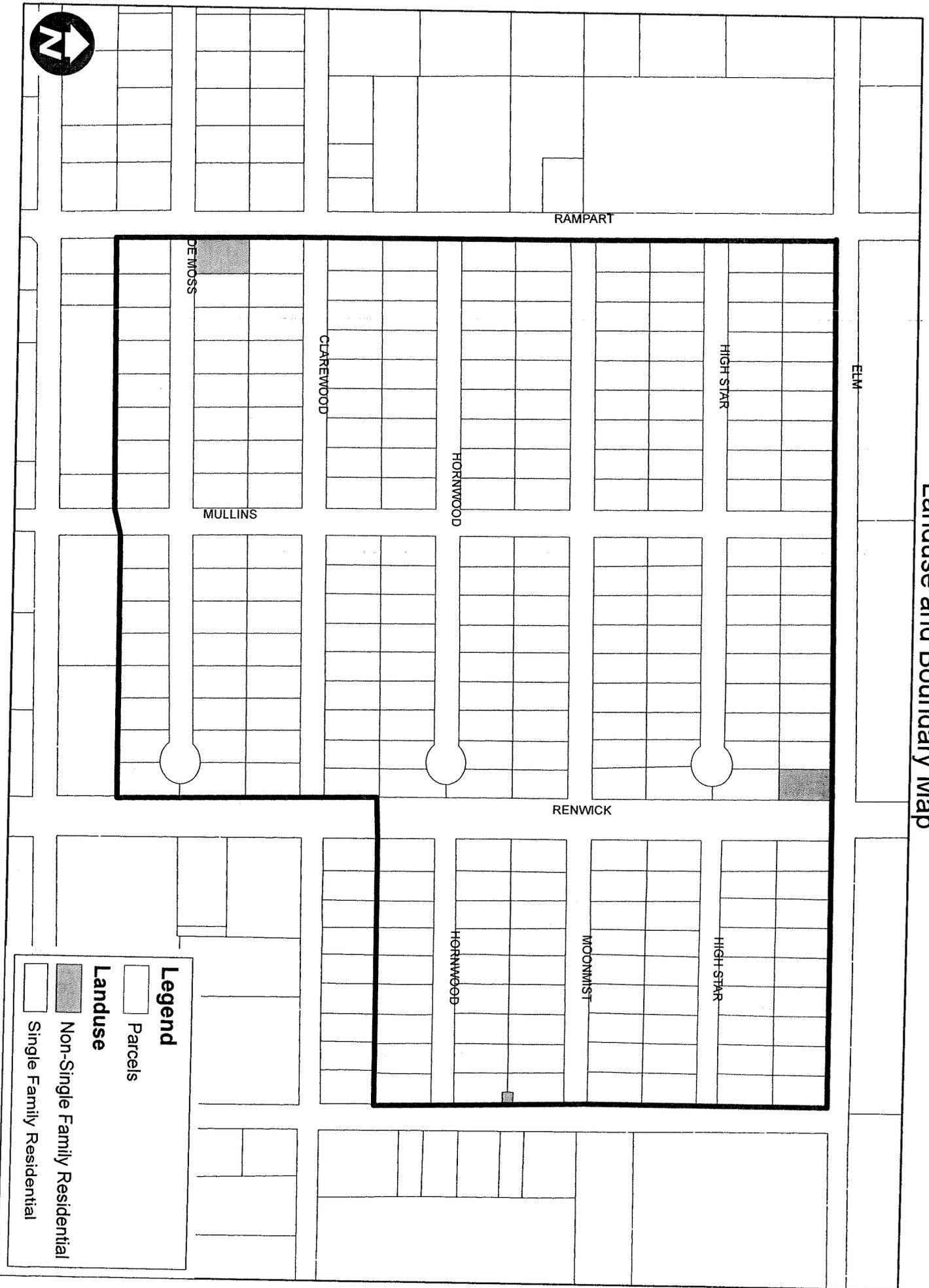
Satisfies	Does Not Satisfy	Criteria
X		<p><i>PYPRA includes five contiguous block faces;</i></p> <p><b>The application area contains at least five contiguous block faces.</b></p>
X		<p><i>More than 60% of the proposed PYPRA is developed as single-family residential lots;</i></p> <p><b>99.6% of the proposed application area is developed as single-family residential.</b></p>
X		<p><i>The application is authorized by the board of an active homeowners association or civic club that encompasses the residential area described in the application;</i></p> <p><b>The president of the Shenandoah Civic Association has signed a letter of support.</b></p>
X		<p><i>Available parking is sufficient to accommodate the typical parking needs for the residential area;</i></p> <p><b>The curbside parking spaces or areas within the residential subdivision available to owners for the parking of vehicles or equipment are sufficient to accommodate the number of vehicles or equipment typically parked within the area.</b></p>

**The Prohibited Yard Parking Requirement Area meets the criteria.**

  
 \_\_\_\_\_  
 Nicole Smothers, Date  
 Hearing Official, Presiding

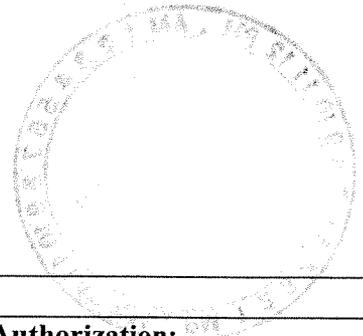
P090508

# Shenandoah Civic Association Landuse and Boundary Map



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

<b>SUBJECT:</b> Ordinance designating all improved single-family residential lots in the Southwood Oaks Subdivision as a Prohibited Yard Parking Requirement Area		<b>Category #</b>	<b>Page 1 of _____</b>	<b>Agenda Item #</b> <b>42</b>
<b>FROM (Department or other point of origin):</b> Marlene L. Gafrick, Director Planning and Development Department		<b>Origination Date</b> October 6, 2009		<b>Agenda Date</b> <b>OCT 21 2009</b>
<b>DIRECTOR'S SIGNATURE:</b> <i>Marlene L. Gafrick</i>		<b>Council District affected:</b> <b>D</b>		
<b>For additional information contact:</b> Kevin Calfee Phone: 713.837.7768		<b>Date and identification of prior authorizing Council action:</b> 2009-0059, 1-27-09		
<b>RECOMMENDATION: (Summary)</b> Approval of an ordinance designating all improved single-family residential lots in the Southwood Oaks Subdivision as a Prohibited Yard Parking Requirement Area, pursuant to Chapter 28 of the Code of Ordinances, restricting parking on the front and side yard of single-family residential property.				
<b>Amount and Source of Funding:</b> NA			<b>Finance Budget:</b>	
<p><b>SPECIFIC EXPLANATION:</b> In accordance with Section 28-303 of the Code of Ordinances, the Southwood Oaks Civic Association initiated an application for the designation of a Prohibited Yard Parking Requirement Area. The application includes a letter of support from the president of the Southwood Oaks Civic Association. Notification was mailed to 82 property owners indicating that the prohibited yard parking requirement area application had been made. The notification further stated that written protest could be filed with the Planning and Development Department within twenty days of mailing. Since no protests were filed and the application meets the requirements, the Director is forwarding the application to City Council for consideration.</p> <p>It is recommended that the City Council adopt an ordinance establishing a Prohibited Yard Parking Requirement Area.</p> <p>Attachments:          Planning Director's Approval          Prohibited Yard Parking Requirement Application          Letter of Support          Map of the proposed requirement area / land use</p> <p>xc: Marty Stein, Agenda Director          Anna Russell, City Secretary          Arturo G. Michel, City Attorney          Don Cheatham, Land Use Division, Legal Department          Chief Hurtt, HPD          Alfred Moran, ARA</p>				
<b>REQUIRED AUTHORIZATION</b>				
<b>Finance Director:</b>		<b>Other Authorization:</b>		<b>Other Authorization:</b>



# Prohibited Yard Parking Requirement Area No. P090609

## Planning Director's Approval

### Planning Director Evaluation:

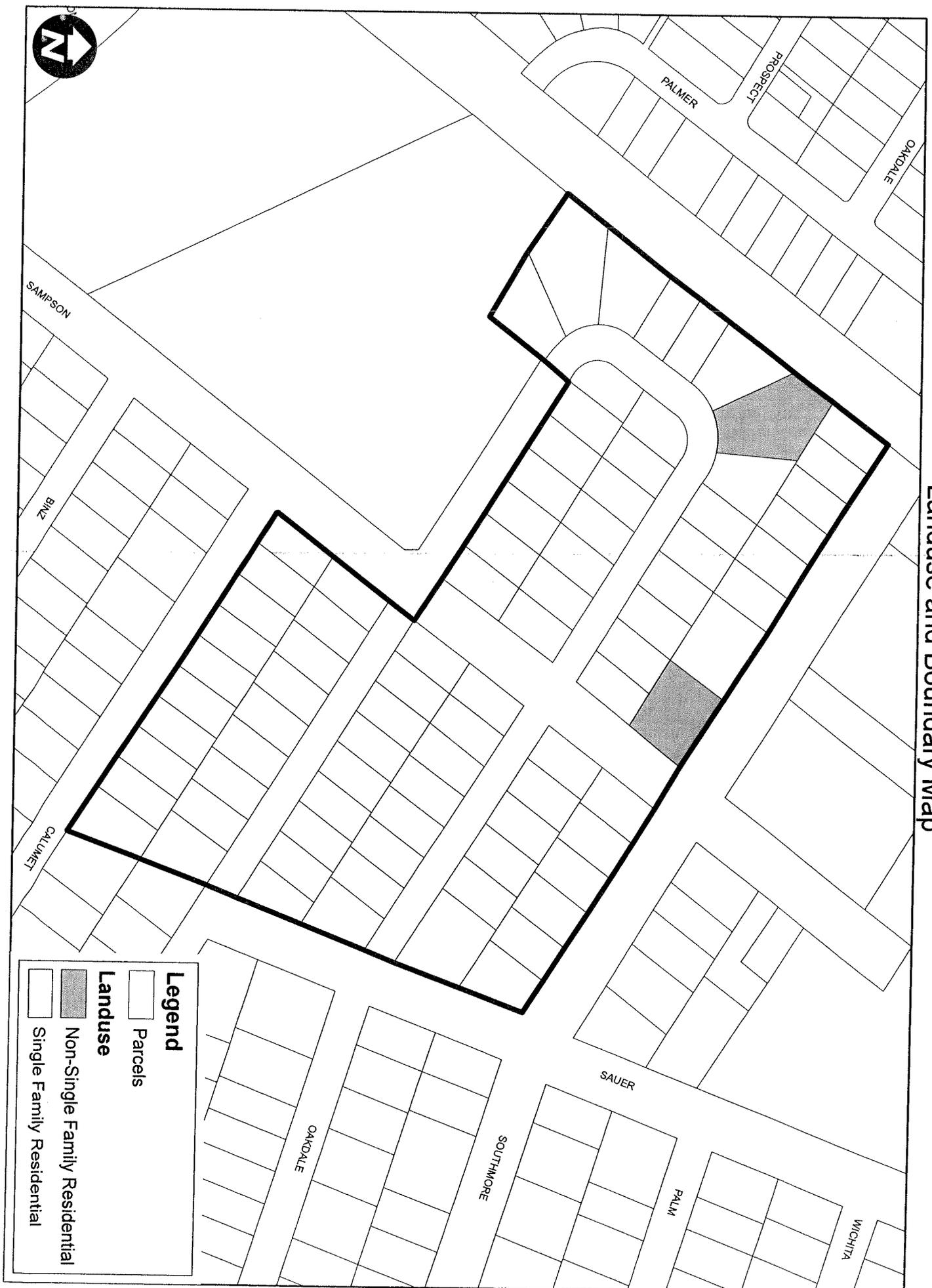
Satisfies	Does Not Satisfy	Criteria
X		<i>PYPRA includes five contiguous block faces;</i> <b>The application area contains at least five contiguous block faces.</b>
X		<i>More than 60% of the proposed PYPRA is developed as single-family residential lots;</i> <b>98% of the proposed application area is developed as single-family residential.</b>
X		<i>The application is authorized by the board of an active homeowners association or civic club that encompasses the residential area described in the application;</i> <b>The president of the Southwood Oaks Civic Association has signed a letter of support.</b>
X		<i>No valid protests were timely filed;</i> <b>The protest period ended on July 30, 2009 with no protests being timely filed.</b>

The Prohibited Yard Parking Requirement Area meets the criteria.

Marlene L. Gafrick      10/16/09  
Marlene L. Gafrick,      Date  
Director

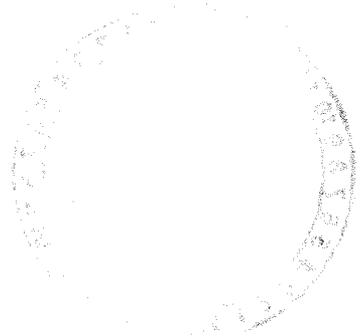
P090609

Southwood Oaks Civic Association  
Landuse and Boundary Map



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

<b>SUBJECT:</b> Ordinance designating all improved single-family residential lots in the Arlington Heights Subdivision, Sections 1 – 3; Arlington Heights subdivision, Section 1 R/P; and Arlington Heights Subdivision, Section 4 R/P as a Prohibited Yard Parking Requirement Area		<b>Category #</b>	<b>Page 1 of _____</b>	<b>Agenda Item #</b>  <b>43</b>
<b>FROM (Department or other point of origin):</b> Marlene L. Gafrick, Director Planning and Development Department		<b>Origination Date</b> October 6, 2009		<b>Agenda Date</b>  OCT 21 2009
<b>DIRECTOR'S SIGNATURE:</b>  <i>Marlene L. Gafrick</i>		<b>Council District affected:</b> E		
<b>For additional information contact:</b> Kevin Calfee Phone: 713.837.7768		<b>Date and identification of prior authorizing Council action:</b> 2009-0059, 1-27-09		
<b>RECOMMENDATION: (Summary)</b> Approval of an ordinance designating all improved single-family residential lots in the Arlington Heights Subdivision, Sections 1 – 3; Arlington Heights subdivision, Section 1 R/P; and Arlington Heights Subdivision, Section 4 R/P as a Prohibited Yard Parking Requirement Area, pursuant to Chapter 28 of the Code of Ordinances, restricting parking on the front and side yard of single-family residential property.				
<b>Amount and Source of Funding:</b> NA			<b>Finance Budget:</b>	
<b>SPECIFIC EXPLANATION:</b> In accordance with Section 28-303 of the Code of Ordinances, the Arlington Heights Civic Club initiated an application for the designation of a Prohibited Yard Parking Requirement Area. The application includes a letter of support from the president of the Arlington Heights Civic Club. Notification was mailed to 463 property owners indicating that the prohibited yard parking requirement area application had been made. The notification further stated that written protest could be filed with the Planning and Development Department within twenty days of mailing. Four (4) protests were timely filed with the Planning and Development Department. The Hearing Official held a public hearing on September 2, 2009 and recommended establishing the Prohibited Yard Parking Requirement Area.				
<p>Attachments:                  Decision of the Hearing Official                  Prohibited Yard Parking Requirement Application                  Letter of Support                  Map of the proposed requirement area / land use</p> <p>xc: Marty Stein, Agenda Director                  Anna Russell, City Secretary                  Arturo G. Michel, City Attorney                  Don Cheatham, Land Use Division, Legal Department                  Chief Hurtt, HPD                  Alfred Moran, ARA</p>				



**Prohibited Yard Parking Requirement Area No. P090615**

**Hearing Official's Approval**

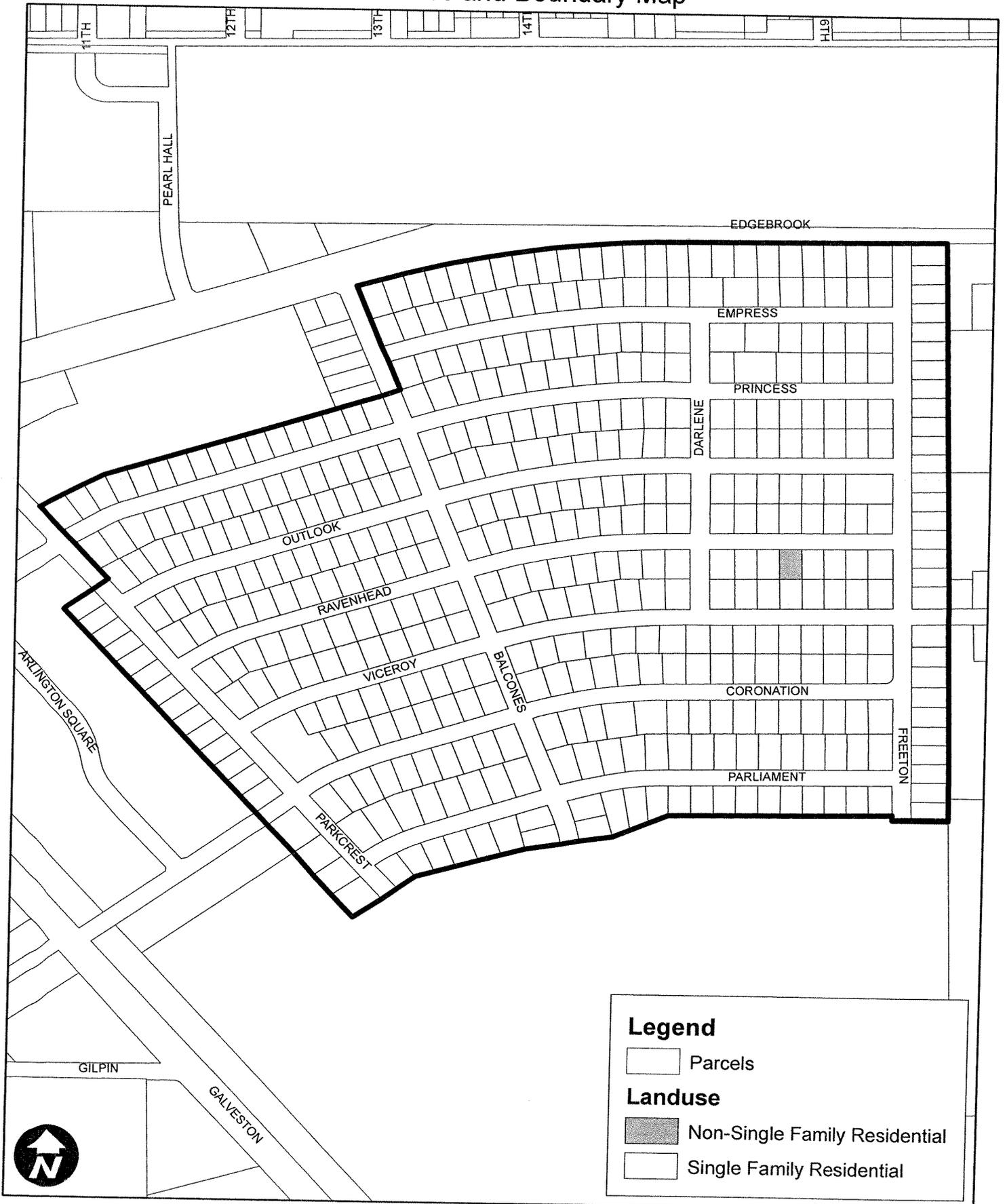
Hearing Official Evaluation:

Satisfies	Does Not Satisfy	Criteria
X		<p><i>PYPRA includes five contiguous block faces;</i></p> <p><b>The application area contains at least five contiguous block faces.</b></p>
X		<p><i>More than 60% of the proposed PYPRA is developed as single-family residential lots;</i></p> <p><b>99% of the proposed application area is developed as single-family residential.</b></p>
X		<p><i>The application is authorized by the board of an active homeowners association or civic club that encompasses the residential area described in the application;</i></p> <p><b>The president of the Arlington Heights Civic Club has signed a letter of support.</b></p>
X		<p><i>Available parking is sufficient to accommodate the typical parking needs for the residential area;</i></p> <p><b>The curbside parking spaces or areas within the residential subdivision available to owners for the parking of vehicles or equipment are sufficient to accommodate the number of vehicles or equipment typically parked within the area.</b></p>

**The Prohibited Yard Parking Requirement Area meets the criteria.**


9-30-09  
 Nicole Smothers, Date  
 Hearing Official, Presiding

P090615  
Arlington Heights Civic Club  
Landuse and Boundary Map



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

<b>SUBJECT:</b> Ordinance designating all improved single-family residential lots in the Robindell Subdivision, Section 1 - 5 as a Prohibited Yard Parking Requirement Area		<b>Category #</b>	<b>Page 1 of</b> _____	<b>Agenda Item #</b> <b>44</b>
<b>FROM (Department or other point of origin):</b> Marlene L. Gafrick, Director Planning and Development Department		<b>Origination Date</b> October 13, 2009		<b>Agenda Date</b> OCT 21 2009
<b>DIRECTOR'S SIGNATURE:</b> <i>Ms Marlene L. Gafrick</i>		<b>Council District affected:</b> F		
<b>For additional information contact:</b> Kevin Calfee Phone: 713.837.7768		<b>Date and identification of prior authorizing Council action:</b> 2009-0059, 1-27-09		
<b>RECOMMENDATION: (Summary)</b> Approval of an ordinance designating all improved single-family residential lots in the Robindell Subdivision, Section 1 - 5 as a Prohibited Yard Parking Requirement Area, pursuant to Chapter 28 of the Code of Ordinances, restricting parking on the front and side yard of single-family residential property.				
<b>Amount and Source of Funding:</b> NA			<b>Finance Budget:</b>	
<p><b>SPECIFIC EXPLANATION:</b> In accordance with Section 28-303 of the Code of Ordinances, the Robindell Civic Club initiated an application for the designation of a Prohibited Yard Parking Requirement Area. The application includes a letter of support from the president of the Robindell Civic Club. Notification was mailed to 615 property owners indicating that the prohibited yard parking requirement area application had been made. The notification further stated that written protest could be filed with the Planning and Development Department within twenty days of mailing. Since no protests were filed and the application meets the requirements, the Director is forwarding the application to City Council for consideration.</p> <p>It is recommended that the City Council adopt an ordinance establishing a Prohibited Yard Parking Requirement Area.</p> <p>Attachments:          Planning Director's Approval          Prohibited Yard Parking Requirement Application          Letter of Support          Map of the proposed requirement area / land use</p> <p>xc: Marty Stein, Agenda Director          Anna Russell, City Secretary          Arturo G. Michel, City Attorney          Don Cheatham, Land Use Division, Legal Department          Chief Hurtt, HPD          Alfred Moran, ARA</p>				
<b>REQUIRED AUTHORIZATION</b>				
<b>Finance Director:</b>		<b>Other Authorization:</b>		<b>Other Authorization:</b>

# Prohibited Yard Parking Requirement Area No. P090603

## Planning Director's Approval

### Planning Director Evaluation:

Satisfies	Does Not Satisfy	Criteria
X		<i>PYPRA includes five contiguous block faces;</i> <b>The application area contains at least five contiguous block faces.</b>
X		<i>More than 60% of the proposed PYPRA is developed as single-family residential lots;</i> <b>98% of the proposed application area is developed as single-family residential.</b>
X		<i>The application is authorized by the board of an active homeowners association or civic club that encompasses the residential area described in the application;</i> <b>The president of the Robindell Civic Club has signed a letter of support.</b>
X		<i>No valid protests were timely filed;</i> <b>The protest period ended on July 29, 2009 with no protests being timely filed.</b>

**The Prohibited Yard Parking Requirement Area meets the criteria.**

Marlene L. Gafrick      10/13/09  
Marlene L. Gafrick,      Date  
Director

P090603  
Robindell Civic Club  
Landuse and Boundary Map



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

<b>SUBJECT:</b> Ordinance designating all improved single-family residential lots in the Ashford Hills as a Prohibited Yard Parking Requirement Area	<b>Category #</b>	<b>Page 1 of _____</b>	<b>Agenda Item #</b> <b>45</b>
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<b>FROM (Department or other point of origin):</b> Marlene L. Gafrick, Director Planning and Development Department	<b>Origination Date</b> October 6 , 2009	<b>Agenda Date</b> OCT 21 2009
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<b>DIRECTOR'S SIGNATURE:</b> <i>MS</i> <i>Marlene L. Gafrick</i>	<b>Council District affected:</b> G
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<b>For additional information contact:</b> Kevin Calfee Phone: 713.837.7768	<b>Date and identification of prior authorizing Council action:</b> 2009-0059, 1-27-09
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**RECOMMENDATION: (Summary)** Approval of an ordinance designating all improved single-family residential lots in the Ashford Hills as a Prohibited Yard Parking Requirement Area, pursuant to Chapter 28 of the Code of Ordinances, restricting parking on the front and side yard of single-family residential property.

<b>Amount and Source of Funding:</b> NA	<b>Finance Budget:</b>
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**SPECIFIC EXPLANATION:** In accordance with Section 28-303 of the Code of Ordinances, the Ashford Hills Property Owners' Association initiated an application for the designation of a Prohibited Yard Parking Requirement Area. The application includes a letter of support from the president of the Ashford Hills Property Owners' Association. Notification was mailed to 139 property owners indicating that the prohibited yard parking requirement area application had been made. The notification further stated that written protest could be filed with the Planning and Development Department within twenty days of mailing. Since no protests were filed and the application meets the requirements, the Director is forwarding the application to City Council for consideration.

It is recommended that the City Council adopt an ordinance establishing a Prohibited Yard Parking Requirement Area.

- Attachments:  
 Planning Director's Approval  
 Prohibited Yard Parking Requirement Application  
 Letter of Support  
 Map of the proposed requirement area / land use

- xc: Marty Stein, Agenda Director  
 Anna Russell, City Secretary  
 Arturo G. Michel, City Attorney  
 Don Cheatham, Land Use Division, Legal Department  
 Chief Hurtt, HPD  
 Alfred Moran, ARA

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

# Prohibited Yard Parking Requirement Area No. P090709

## Planning Director's Approval

### Planning Director Evaluation:

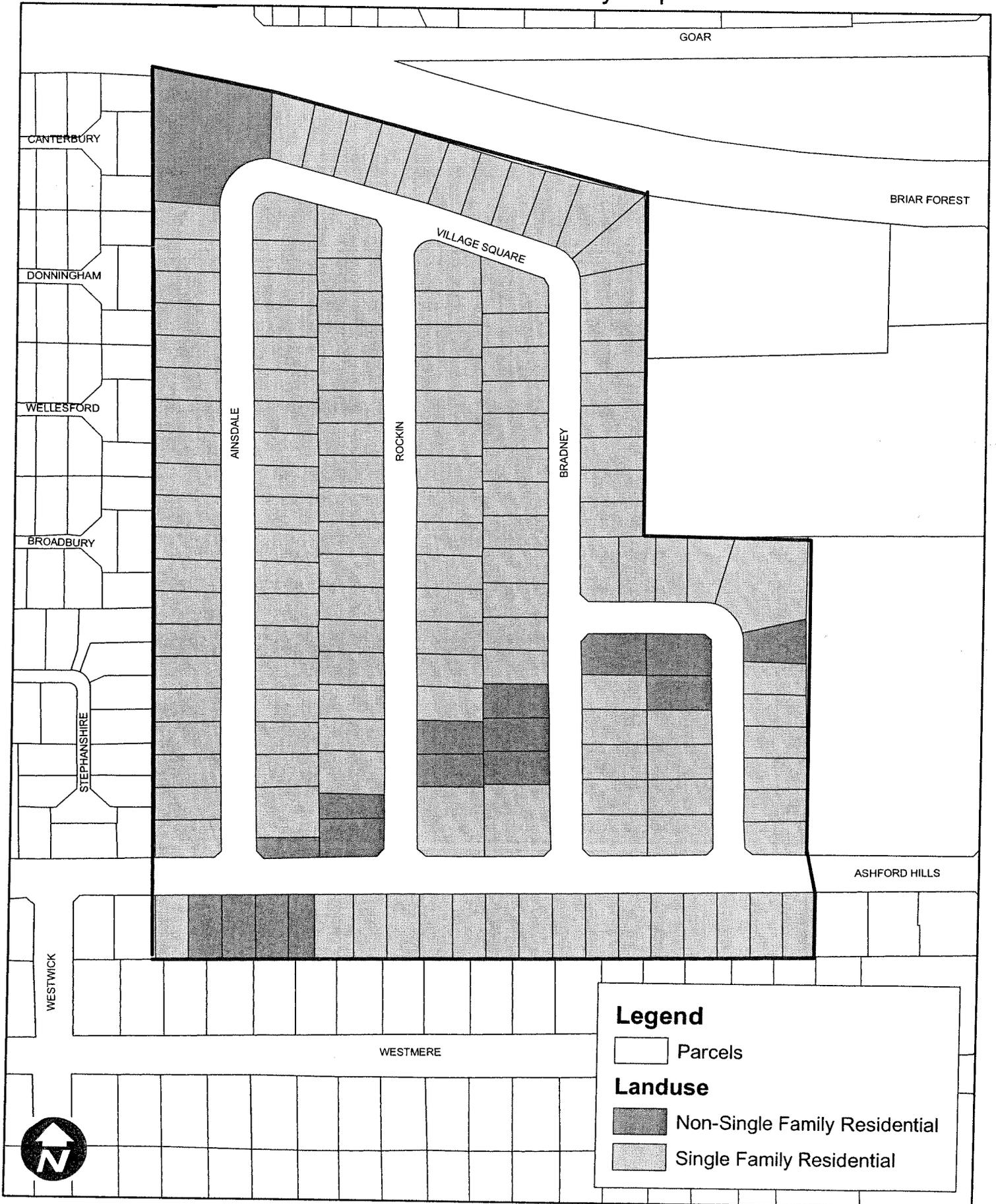
Satisfies	Does Not Satisfy	Criteria
X		<i>PYPRA includes five contiguous block faces;</i> <b>The application area contains at least five contiguous block faces.</b>
X		<i>More than 60% of the proposed PYPRA is developed as single-family residential lots;</i> <b>89.1% of the proposed application area is developed as single-family residential.</b>
X		<i>The application is authorized by the board of an active homeowners association or civic club that encompasses the residential area described in the application;</i> <b>The president of the Ashford Hills Property Owners' Association has signed a letter of support.</b>
X		<i>No valid protests were timely filed;</i> <b>The protest period ended on September 8, 2009 with no protests being timely filed.</b>

**The Prohibited Yard Parking Requirement Area meets the criteria.**

*Marlene L. Gafrick*      *10/6/09*  
Marlene L. Gafrick,      Date  
Director

P090709

# Ashford Hills Property Owners' Association Landuse and Boundary Map



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

<b>SUBJECT:</b> Ordinance designating all improved single-family residential lots in the Briarmeadow Subdivision, Sections 1 & 2 and Briarmeadow Subdivision, Section 1 PAR R/P as a Prohibited Yard Parking Requirement Area	<b>Category #</b>	<b>Page 1 of</b> _____	<b>Agenda Item #</b> <b>46</b>
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<b>FROM (Department or other point of origin):</b> Marlene L. Gafrick, Director Planning and Development Department	<b>Origination Date</b> October 6, 2009	<b>Agenda Date</b> OCT 21 2009
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<b>DIRECTOR'S SIGNATURE:</b> <i>MS Marlene L. Gafrick</i>	<b>Council District affected:</b> G
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<b>For additional information contact:</b> Kevin Calfee Phone: 713.837.7768	<b>Date and identification of prior authorizing Council action:</b> 2009-0059, 1-27-09
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**RECOMMENDATION: (Summary)** Approval of an ordinance designating all improved single-family residential lots in the Briarmeadow Subdivision, Sections 1 & 2 and Briarmeadow Subdivision, Section 1 PAR R/P as a Prohibited Yard Parking Requirement Area, pursuant to Chapter 28 of the Code of Ordinances, restricting parking on the front and side yard of single-family residential property.

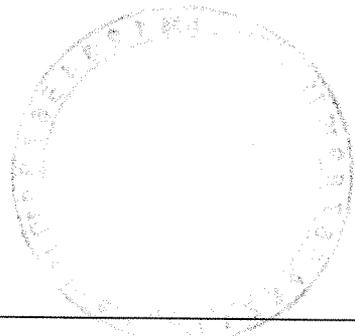
<b>Amount and Source of Funding:</b> NA	<b>Finance Budget:</b>
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**SPECIFIC EXPLANATION:** In accordance with Section 28-303 of the Code of Ordinances, the Briarmeadow Civic Association, Inc. initiated an application for the designation of a Prohibited Yard Parking Requirement Area. The application includes a letter of support from the president of the Briarmeadow Civic Association, Inc. Notification was mailed to 684 property owners indicating that the prohibited yard parking requirement area application had been made. The notification further stated that written protest could be filed with the Planning and Development Department within twenty days of mailing. Since no protests were filed and the application meets the requirements, the Director is forwarding the application to City Council for consideration.

It is recommended that the City Council adopt an ordinance establishing a Prohibited Yard Parking Requirement Area.

- Attachments:**  
 Planning Director's Approval  
 Prohibited Yard Parking Requirement Application  
 Letter of Support  
 Map of the proposed requirement area / land use

- xc:** Marty Stein, Agenda Director  
 Anna Russell, City Secretary  
 Arturo G. Michel, City Attorney  
 Don Cheatham, Land Use Division, Legal Department  
 Chief Hurtt, HPD  
 Alfred Moran, ARA



**REQUIRED AUTHORIZATION**

<b>Finance Director:</b>	<b>Other Authorization:</b>	<b>Other Authorization:</b>
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# Prohibited Yard Parking Requirement Area No. P090610

## Planning Director's Approval

### Planning Director Evaluation:

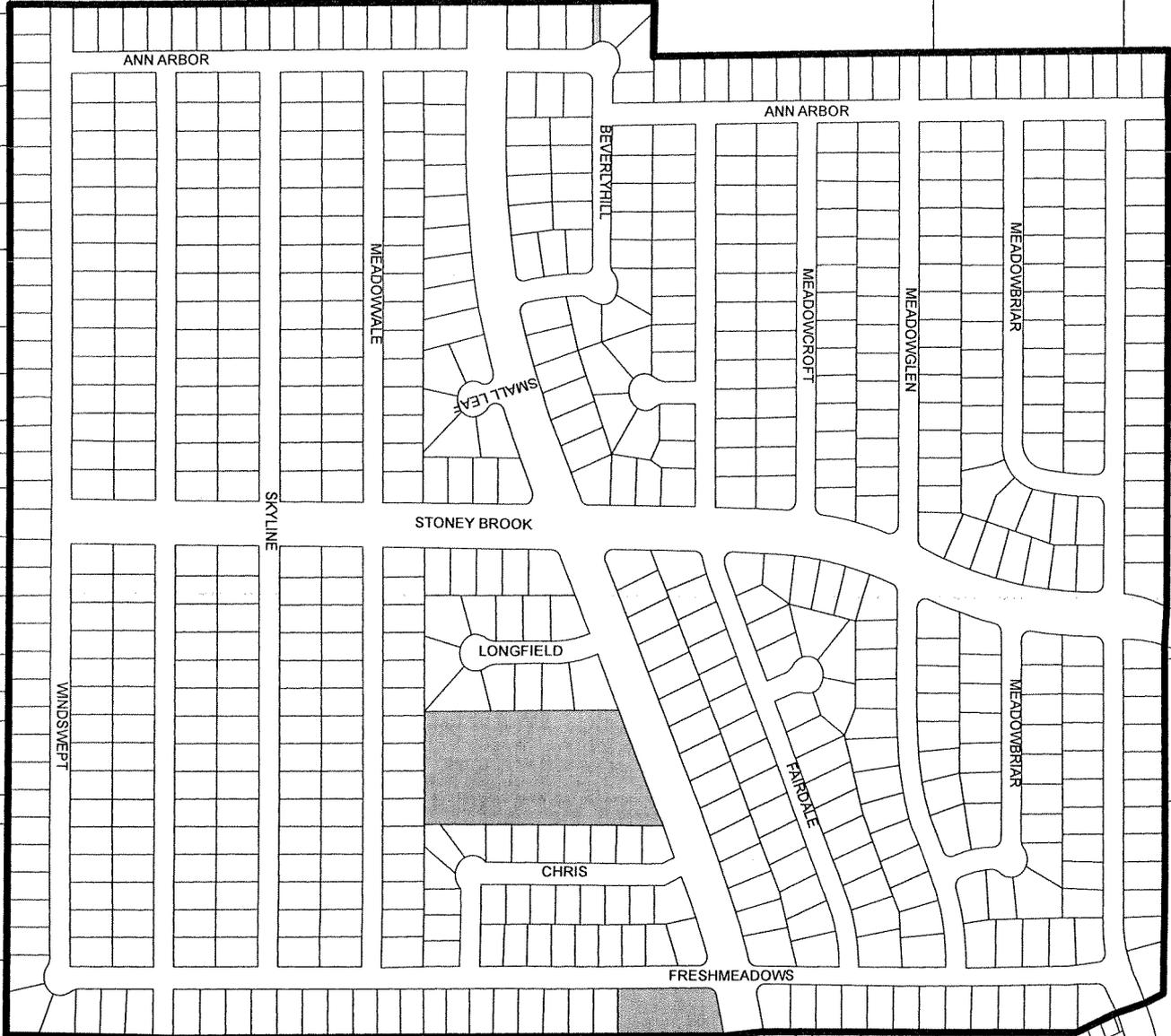
Satisfies	Does Not Satisfy	Criteria
X		<i>PYPRA includes five contiguous block faces;</i> <b>The application area contains at least five contiguous block faces.</b>
X		<i>More than 60% of the proposed PYPRA is developed as single-family residential lots;</i> <b>99% of the proposed application area is developed as single-family residential.</b>
X		<i>The application is authorized by the board of an active homeowners association or civic club that encompasses the residential area described in the application;</i> <b>The president of the Briarmeadow Civic Association, Inc. has signed a letter of support.</b>
X		<i>No valid protests were timely filed;</i> <b>The protest period ended on July 30, 2009 with no protests being timely filed.</b>

The Prohibited Yard Parking Requirement Area meets the criteria.

*Marlene L. Gafrick* 10/6/09  
Marlene L. Gafrick, Date  
Director

P090610

# Briarmeadow Civic Association, Inc. Landuse and Boundary Map



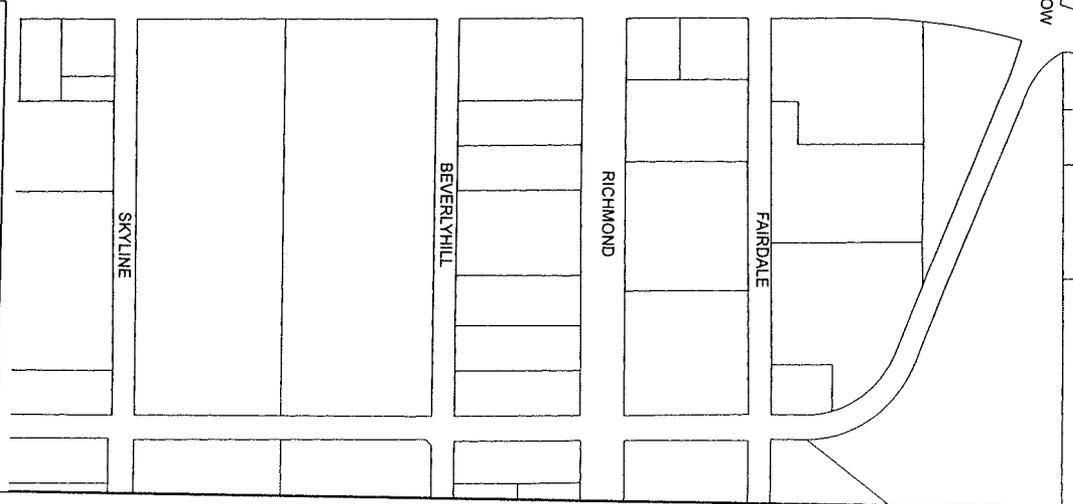
### Legend

Parcels

### Landuse

Non-Single Family Residential

Single Family Residential



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

<b>SUBJECT:</b> Ordinance designating all improved single-family residential lots in the West Lane Place Subdivision; West Lane Annex Subdivision; West Lane III Subdivision as a Prohibited Yard Parking Requirement Area	<b>Category #</b>	<b>Page 1 of</b> _____	<b>Agenda Item #</b> <span style="font-size: 2em; vertical-align: middle;">47</span>
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<b>FROM (Department or other point of origin):</b> Marlene L. Gafrick, Director Planning and Development Department	<b>Origination Date</b> October 6, 2009	<b>Agenda Date</b> OCT 21 2009
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<b>DIRECTOR'S SIGNATURE:</b> 	<b>Council District affected:</b> G
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<b>For additional information contact:</b> Kevin Calfee Phone: 713.837.7768	<b>Date and identification of prior authorizing Council action:</b> 2009-0059, 1-27-09
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**RECOMMENDATION: (Summary)** Approval of an ordinance designating all improved single-family residential lots in the West Lane Place Subdivision; West Lane Annex Subdivision; West Lane III Subdivision as a Prohibited Yard Parking Requirement Area, pursuant to Chapter 28 of the Code of Ordinances, restricting parking on the front and side yard of single-family residential property.

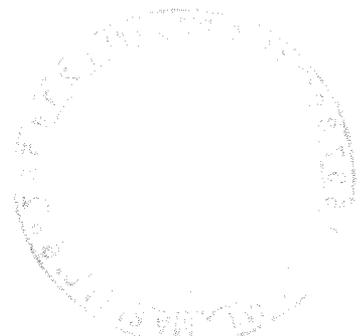
<b>Amount and Source of Funding:</b> NA	<b>Finance Budget:</b>
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**SPECIFIC EXPLANATION:** In accordance with Section 28-303 of the Code of Ordinances, the West Lane Place Civic Association initiated an application for the designation of a Prohibited Yard Parking Requirement Area. The application includes a letter of support from the president of the West Lane Place Civic Association. Notification was mailed to 301 property owners indicating that the prohibited yard parking requirement area application had been made. The notification further stated that written protest could be filed with the Planning and Development Department within twenty days of mailing. Since no protests were filed and the application meets the requirements, the Director is forwarding the application to City Council for consideration.

It is recommended that the City Council adopt an ordinance establishing a Prohibited Yard Parking Requirement Area.

- Attachments:**
- Planning Director's Approval
  - Prohibited Yard Parking Requirement Application
  - Letter of Support
  - Map of the proposed requirement area / land use

- xc:**
- Marty Stein, Agenda Director
  - Anna Russell, City Secretary
  - Arturo G. Michel, City Attorney
  - Don Cheatham, Land Use Division, Legal Department
  - Chief Hurtt, HPD
  - Alfred Moran, ARA



**REQUIRED AUTHORIZATION**

<b>Finance Director:</b>	<b>Other Authorization:</b>	<b>Other Authorization:</b>
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**Prohibited Yard Parking Requirement Area No. P090506**  
**Planning Director's Approval**

Planning Director Evaluation:

Satisfies	Does Not Satisfy	Criteria
X		<i>PYPRA includes five contiguous block faces;</i> <b>The application area contains at least five contiguous block faces.</b>
X		<i>More than 60% of the proposed PYPRA is developed as single-family residential lots;</i> <b>84.1% of the proposed application area is developed as single-family residential.</b>
X		<i>The application is authorized by the board of an active homeowners association or civic club that encompasses the residential area described in the application;</i> <b>The president of the West Lane Place Civic Association has signed a letter of support.</b>
X		<i>No valid protests were timely filed;</i> <b>The protest period ended on June 22, 2009 with no protests being timely filed.</b>

**The Prohibited Yard Parking Requirement Area meets the criteria.**

*Marlene L. Gafrick*      *10/6/09*  
 \_\_\_\_\_  
 Marlene L. Gafrick,      Date  
 Director



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

<b>SUBJECT:</b> Ordinance designating all improved single-family residential lots in the Meadowbrook Freeway Subdivision, Sections 1 – 3 as a Prohibited Yard Parking Requirement Area	<b>Category #</b>	<b>Page 1 of _____</b>	<b>Agenda Item #</b> <b>48</b>
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<b>FROM (Department or other point of origin):</b> Marlene L. Gafrick, Director Planning and Development Department	<b>Origination Date</b> October 6, 2009	<b>Agenda Date</b> OCT 21 2009
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<b>DIRECTOR'S SIGNATURE:</b> <i>Marlene L. Gafrick</i>	<b>Council District affected:</b> I
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<b>For additional information contact:</b> Kevin Calfee Phone: 713.837.7768	<b>Date and identification of prior authorizing Council action:</b> 2009-0059, 1-27-09
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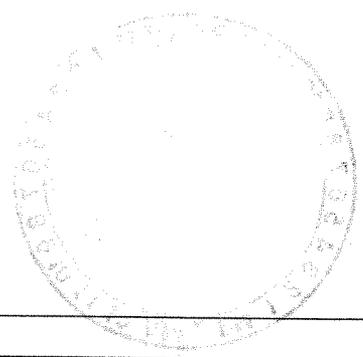
**RECOMMENDATION: (Summary)** Approval of an ordinance designating all improved single-family residential lots in the Meadowbrook Freeway Subdivision, Sections 1 – 3 as a Prohibited Yard Parking Requirement Area, pursuant to Chapter 28 of the Code of Ordinances, restricting parking on the front and side yard of single-family residential property.

<b>Amount and Source of Funding:</b> NA	<b>Finance Budget:</b>
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**SPECIFIC EXPLANATION:** In accordance with Section 28-303 of the Code of Ordinances, the Meadowbrook Freeway Civic & Recreation Association initiated an application for the designation of a Prohibited Yard Parking Requirement Area. The application includes a letter of support from the president of the Meadowbrook Freeway Civic & Recreation Association. Notification was mailed to 484 property owners indicating that the prohibited yard parking requirement area application had been made. The notification further stated that written protest could be filed with the Planning and Development Department within twenty days of mailing. One protest was timely filed with the Planning and Development Department. The Hearing Official held a public hearing on August 12, 2009 and recommended establishing the Prohibited Yard Parking Requirement Area.

- Attachments:**  
 Decision of the Hearing Official  
 Prohibited Yard Parking Requirement Application  
 Letter of Support  
 Map of the proposed requirement area / land use

- xc: Marty Stein, Agenda Director  
 Anna Russell, City Secretary  
 Arturo G. Michel, City Attorney  
 Don Cheatham, Land Use Division, Legal Department  
 Chief Hurtt, HPD  
 Alfred Moran, ARA



**REQUIRED AUTHORIZATION**

<b>Finance Director:</b>	<b>Other Authorization:</b>	<b>Other Authorization:</b>
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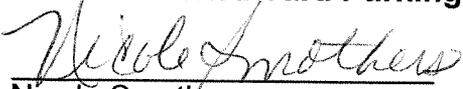
# Prohibited Yard Parking Requirement Area No. P090510

## Hearing Official's Approval

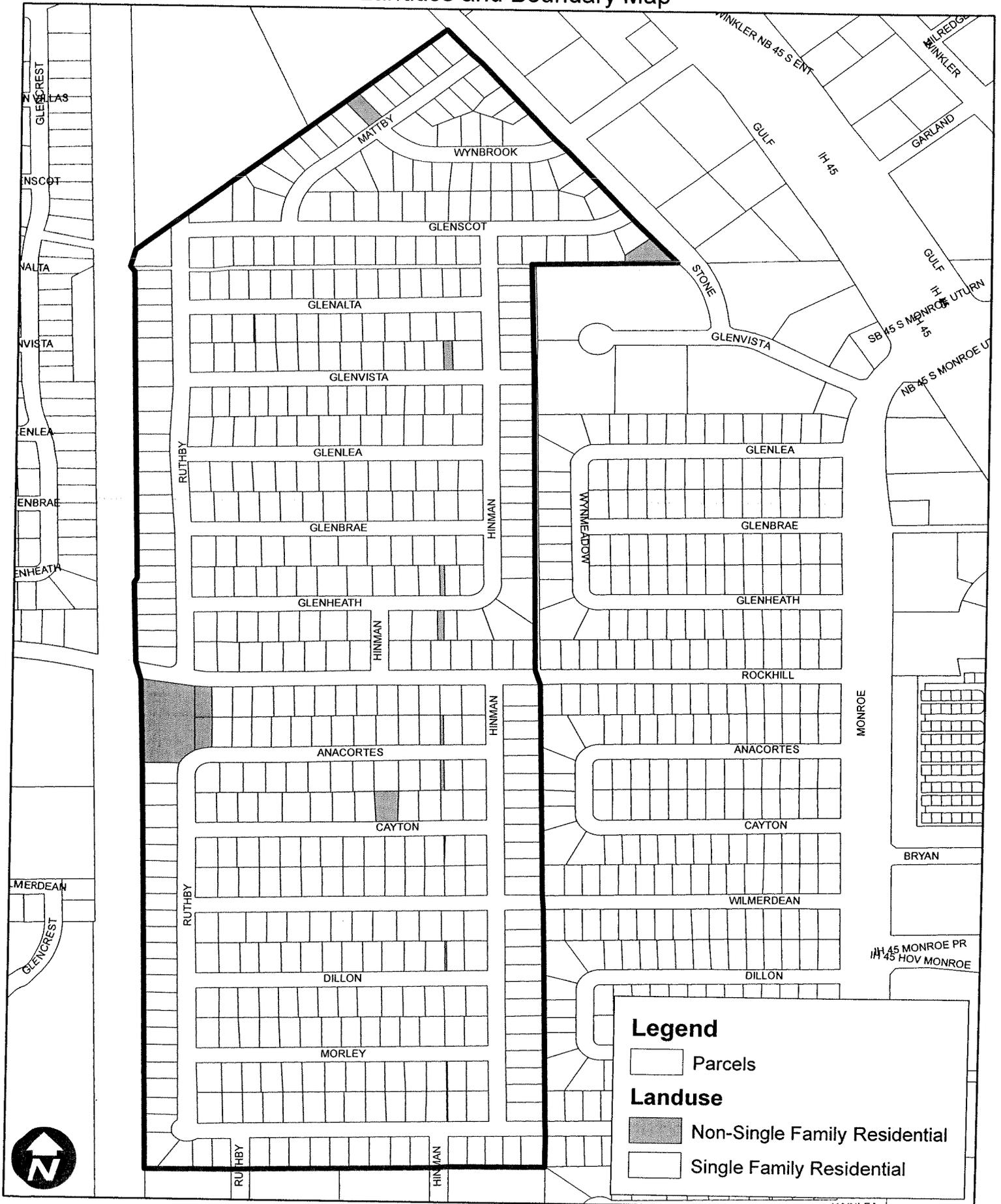
Hearing Official Evaluation:

Satisfies	Does Not Satisfy	Criteria
X		<p><i>PYPRA includes five contiguous block faces;</i></p> <p><b>The application area contains at least five contiguous block faces.</b></p>
X		<p><i>More than 60% of the proposed PYPRA is developed as single-family residential lots;</i></p> <p><b>96.8% of the proposed application area is developed as single-family residential.</b></p>
X		<p><i>The application is authorized by the board of an active homeowners association or civic club that encompasses the residential area described in the application;</i></p> <p><b>The president of the Meadowbrook Freeway Civic Club has signed a letter of support.</b></p>
X		<p><i>Available parking is sufficient to accommodate the typical parking needs for the residential area;</i></p> <p><b>The curbside parking spaces or areas within the residential subdivision available to owners for the parking of vehicles or equipment are sufficient to accommodate the number of vehicles or equipment typically parked within the area.</b></p>

**The Prohibited Yard Parking Requirement Area meets the criteria.**


10-2-09  
 \_\_\_\_\_  
 Nicole Smothers, Date  
 Hearing Official, Presiding

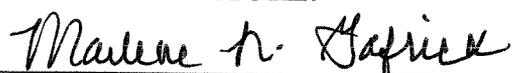
P090510  
Meadowbrook Freeway Civic & Recreation Association  
Landuse and Boundary Map



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

<b>SUBJECT:</b> Ordinance designating all improved single-family residential lots in the Tammarack Woods Subdivision as a Prohibited Yard Parking Requirement Area	<b>Category #</b>	<b>Page 1 of</b> _____	<b>Agenda Item #</b> <b>49</b>
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<b>FROM (Department or other point of origin):</b> Marlene L. Gafrick, Director Planning and Development Department	<b>Origination Date</b> October 13, 2009	<b>Agenda Date</b> OCT 21 2009
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<b>DIRECTOR'S SIGNATURE:</b> <i>MS</i> 	<b>Council District affected:</b> I
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<b>For additional information contact:</b> Kevin Calfee Phone: 713.837.7768	<b>Date and identification of prior authorizing Council action:</b> 2009-0059, 1-27-09
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**RECOMMENDATION: (Summary)** Approval of an ordinance designating all improved single-family residential lots in the Tammarack Woods Subdivision as a Prohibited Yard Parking Requirement Area, pursuant to Chapter 28 of the Code of Ordinances, restricting parking on the front and side yard of single-family residential property.

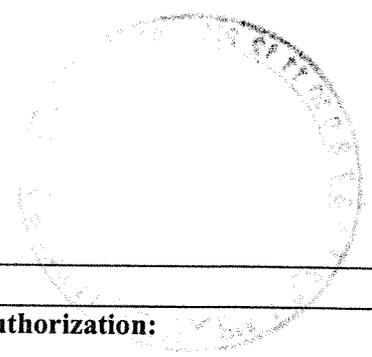
<b>Amount and Source of Funding:</b> NA	<b>Finance Budget:</b>
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**SPECIFIC EXPLANATION:** In accordance with Section 28-303 of the Code of Ordinances, the ETCP Civic Association initiated an application for the designation of a Prohibited Yard Parking Requirement Area. The application includes a letter of support from the president of the ETCP Civic Association. Notification was mailed to 61 property owners indicating that the prohibited yard parking requirement area application had been made. The notification further stated that written protest could be filed with the Planning and Development Department within twenty days of mailing. Since no protests were filed and the application meets the requirements, the Director is forwarding the application to City Council for consideration.

It is recommended that the City Council adopt an ordinance establishing a Prohibited Yard Parking Requirement Area.

- Attachments:**  
 Planning Director's Approval  
 Prohibited Yard Parking Requirement Application  
 Letter of Support  
 Map of the proposed requirement area / land use

- xc: Marty Stein, Agenda Director  
 Anna Russell, City Secretary  
 Arturo G. Michel, City Attorney  
 Don Cheatham, Land Use Division, Legal Department  
 Chief Hurtt, HPD  
 Alfred Moran, ARA



**REQUIRED AUTHORIZATION**

<b>Finance Director:</b>	<b>Other Authorization:</b>	<b>Other Authorization:</b>
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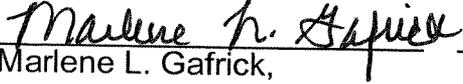
# Prohibited Yard Parking Requirement Area No. P090518

## Planning Director's Approval

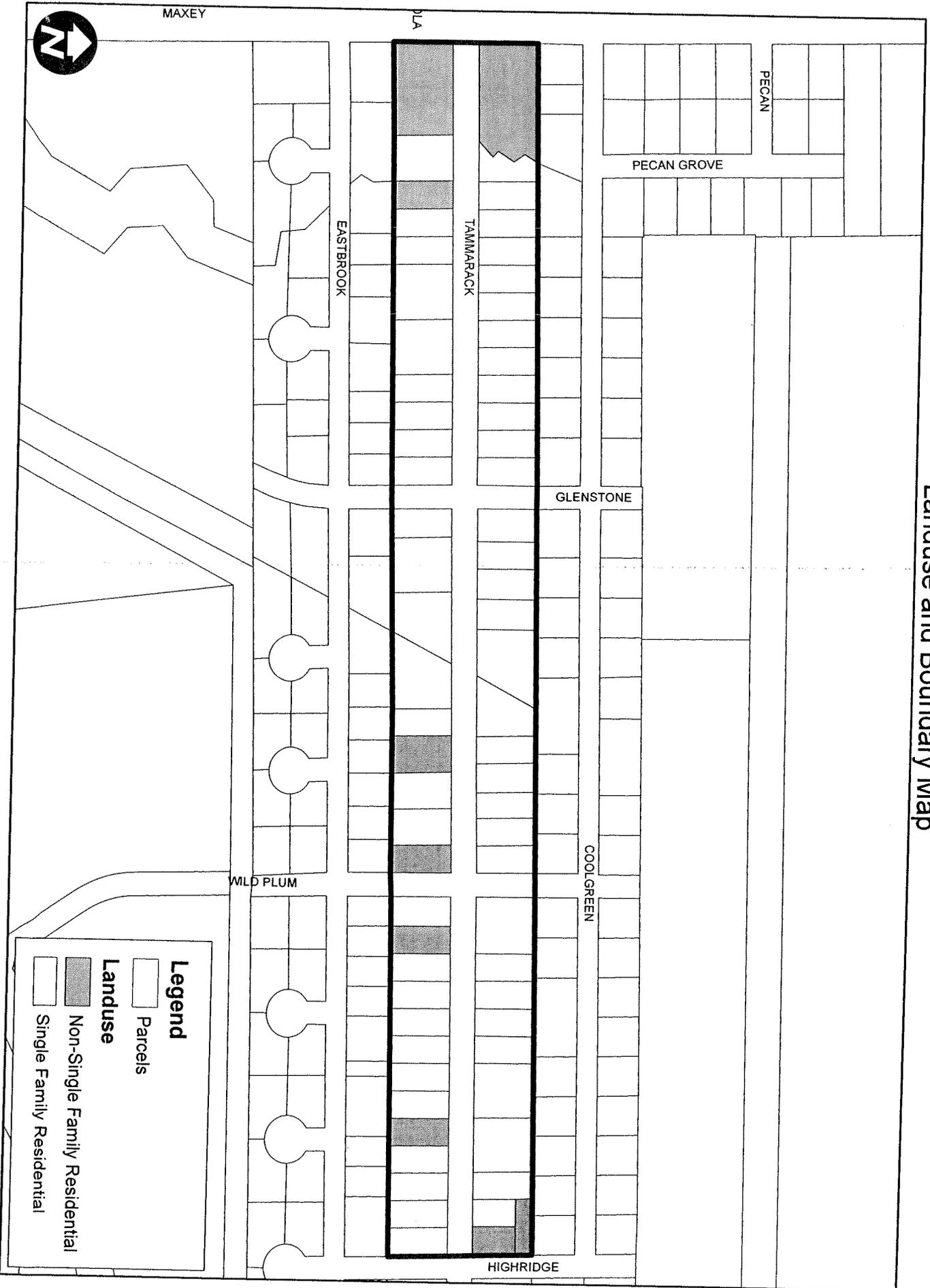
Planning Director Evaluation:

Satisfies	Does Not Satisfy	Criteria
X		<i>PYPRA includes five contiguous block faces;</i> <b>The application area contains at least five contiguous block faces.</b>
X		<i>More than 60% of the proposed PYPRA is developed as single-family residential lots;</i> <b>88.4% of the proposed application area is developed as single-family residential.</b>
X		<i>The application is authorized by the board of an active homeowners association or civic club that encompasses the residential area described in the application;</i> <b>The president of the ETCP Civic Association has signed a letter of support.</b>
X		<i>No valid protests were timely filed;</i> <b>The protest period ended on June 18, 2009 with no protests being timely filed.</b>

**The Prohibited Yard Parking Requirement Area meets the criteria.**


10/13/09  
 Marlene L. Gafrick, Date  
 Director

P090518  
ETCP Civic Association  
Landuse and Boundary Map



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

<b>SUBJECT:</b> Ordinance designating all improved single-family residential lots in the Songwood Subdivision, Section 1 - 6 as a Prohibited Yard Parking Requirement Area	<b>Category #</b>	<b>Page 1 of</b> _____	<b>Agenda Item #</b> <span style="font-size: 2em; float: right;">50</span>
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<b>FROM (Department or other point of origin):</b> Marlene L. Gafrick, Director Planning and Development Department	<b>Origination Date</b> October 6, 2009	<b>Agenda Date</b> OCT 21 2009
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<b>DIRECTOR'S SIGNATURE:</b> <span style="font-size: 1.5em;">MS</span> <i>Marlene L. Gafrick</i>	<b>Council District affected:</b> I
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<b>For additional information contact:</b> Kevin Calfee Phone: 713.837.7768	<b>Date and identification of prior authorizing Council action:</b> 2009-0059, 1-27-09
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**RECOMMENDATION: (Summary)** Approval of an ordinance designating all improved single-family residential lots in the Songwood Subdivision, Section 1 - 6 as a Prohibited Yard Parking Requirement Area, pursuant to Chapter 28 of the Code of Ordinances, restricting parking on the front and side yard of single-family residential property.

<b>Amount and Source of Funding:</b> NA	<b>Finance Budget:</b>
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**SPECIFIC EXPLANATION:** In accordance with Section 28-303 of the Code of Ordinances, the Songwood Civic Association initiated an application for the designation of a Prohibited Yard Parking Requirement Area. The application includes a letter of support from the president of the Songwood Civic Association. Notification was mailed to 669 property owners indicating that the prohibited yard parking requirement area application had been made. The notification further stated that written protest could be filed with the Planning and Development Department within twenty days of mailing. Three (3) protests were timely filed with the Planning and Development Department. The Hearing Official held a public hearing on July 22, 2009 and recommended establishing the Prohibited Yard Parking Requirement Area.

- Attachments:  
 Decision of the Hearing Official  
 Prohibited Yard Parking Requirement Application  
 Letter of Support  
 Map of the proposed requirement area / land use

- xc: Marty Stein, Agenda Director  
 Anna Russell, City Secretary  
 Arturo G. Michel, City Attorney  
 Don Cheatham, Land Use Division, Legal Department  
 Chief Hurtt, HPD  
 Alfred Moran, ARA



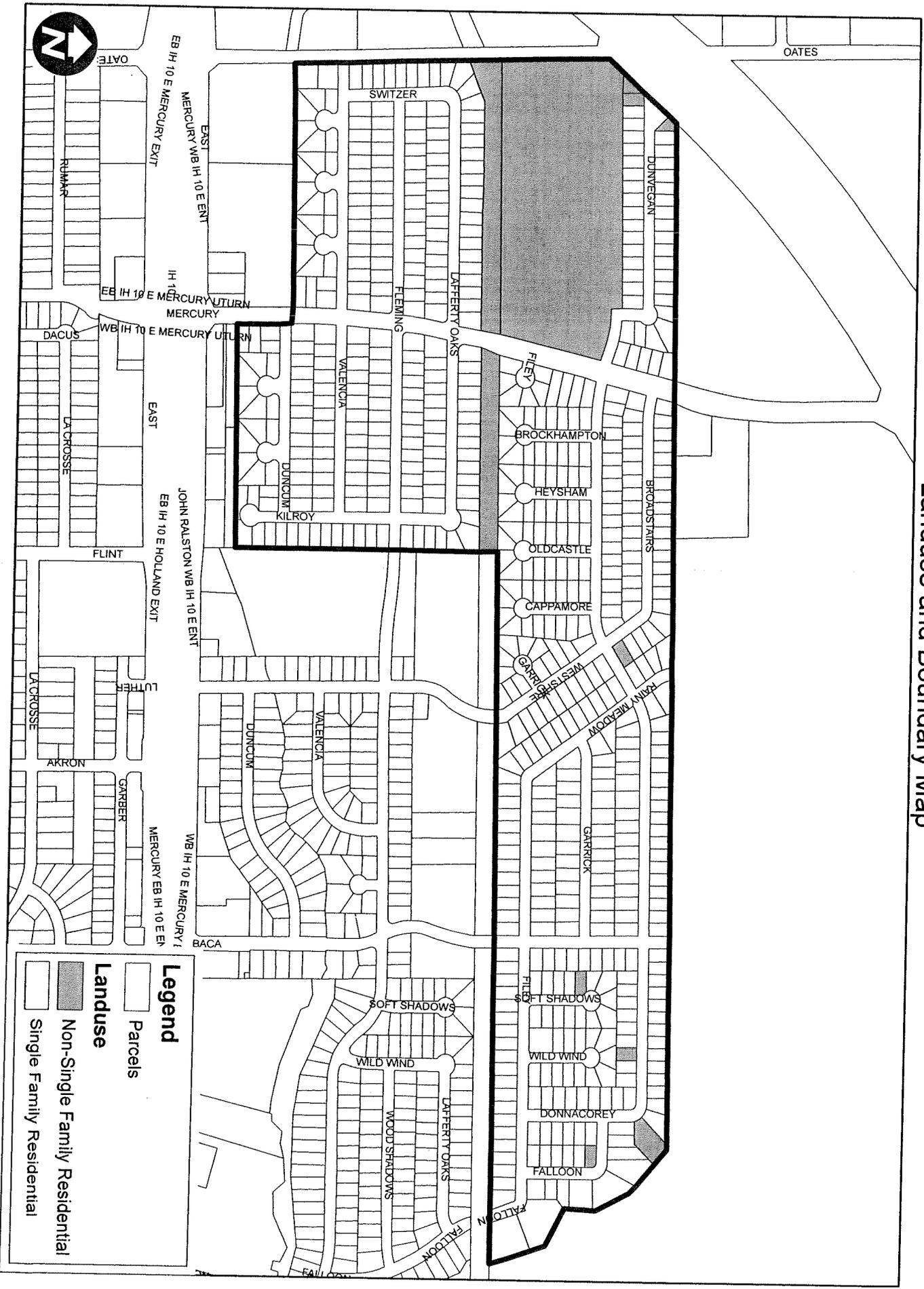
**REQUIRED AUTHORIZATION**

<b>Finance Director:</b>	<b>Other Authorization:</b>	<b>Other Authorization:</b>
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P090505

# Songwood Civic Association Landuse and Boundary Map



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REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

Subject: Second Amendment to Agreement for Plan Administration Services between the City and Valic Insurance Company ("Valic") for third party administrative services with Houston Police Officers Union (Majority Bargaining Agent) of the HPOU Plan.

Category #

Page 1 of 1

Agenda Item

51

FROM (Department or other point of origin):

Michelle Mitchell, Director  
Finance Department

Origination Date:  
October 14, 2009

Agenda Date  
OCT 21 2009

DIRECTOR'S SIGNATURE

*Michelle Mitchell*

Council District(s) affected:

All

For additional information contact:

Sherry Mose  
713 / 837-9664

Phone:

Date and Identification of prior authorizing Council Action: Ordinance 2004-1003

RECOMMENDATION: (Summary)

Adopt ordinance approving an amendment to contract between the City, Valic and Houston Police Officers Union (HPOU) to extend the term to no later than January 25, 2009.

Amount of Funding:

N/A

Finance Budget:

SOURCE OF FUNDING:

General Fund

Grant Fund

Enterprise Fund

Other (Specify)

SPECIFIC EXPLANATION:

The Finance Department and the HPOU Deferred Compensation Advisory Committee recommend Council approve a second amendment to an agreement for Third Party Administrative Services for the HPOU 457 (b) Deferred Compensation Plan with AIG Valic Company.

The Original Agreement is amended to extend its term to until such time as a new contract for Plan administration services for HPOU Section 457 Eligible Deferred Compensation Plan becomes effective, and all assets available for transfer from VALIC have been transferred to the new contractor, provided that the new termination date may be no later than January 25, 2010.

The current contract will expire November 10, 2009. The City desires to extend the contract to no later than January 25, 2010, so there will be no interruption of service during the transition to a new contractor.

HPOU issued a Request for Proposal for these services on July 22, 2009. A committee selected by HPOU reviewed the responses and has selected a contractor other than Valic. This agreement will be submitted for Council approval in November.

As of September 30, 2009, there are 1,098 participants in the Plan. The total asset is approximately \$45.9 million. Currently, there are 3 funds available to participants ranging from a fixed option to international funds. The participation in these funds is at 70% in mutual funds and 30% in fixed option

REQUIRED AUTHORIZATION

Finance Director:

Other Authorization:

Other Authorization:

**REQUEST FOR COUNCIL ACTION**

**TO: Mayor via City Secretary**

**RCA #**

**SUBJECT:** An Ordinance amending the FY10 Budget and FY 2010-FY2014 CIP for Tax Increment Reinvestment Zone Number Fourteen (Fourth Ward Zone).

**Category #**

**Page**  
1 of 1

**Agenda Item#**

52

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

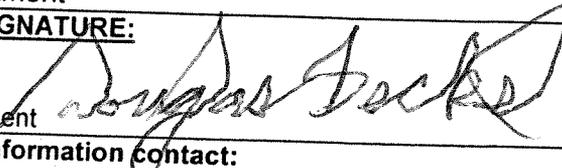
Michelle Mitchell, Director  
Finance Department

**Origination Date**  
September 29, 2009

**Agenda Date**  
OCT 21 2009

**DIRECTOR'S SIGNATURE:**

Finance Department



**Council Districts affected:**  
D, I

**For additional information contact:**

Tim Douglass Phone: (713) 837-9857  
Ralph De Leon (713) 837-9573

**Date and identification of prior authorizing Council Action:**  
Ord. 2009-680, 07/22/09

**RECOMMENDATION: (Summary)**

That City Council approve an Ordinance amending the FY10 Budget and FY2010-FY2014 CIP for the Fourth Ward Redevelopment Authority (TIRZ No. 14).

**Amount of Funding:** No Funding Required

**Finance Budget:**

**SOURCE OF FUNDING:**

General Fund     Grant Fund     Enterprise Fund  
 N/A

**SPECIFIC EXPLANATION:**

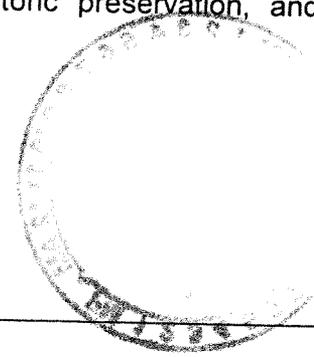
The Board of Directors of the Fourth Ward Redevelopment Authority convened in a regular session on September 29, 2009 and passed and approved an amended FY10 Budget and FY2010-FY2014 CIP and forwarded to the TIRZ and City Council for approval. The Board of Tax Increment Reinvestment Zone Number Fourteen and the Fourth Ward Redevelopment Authority intend to increase funding for improvements to Cultural and Public Facilities, specifically, the Bethel Missionary Baptist Church Preservation Project. This is in conformance with the City Council approved Project Plan and Reinvestment Zone Financing Plan for the TIRZ.

The requested changes to the City Council approved Fiscal Year 2010 Budget and 2010-2014 CIP include:

- Addition of \$432,966 to System Debt Service for the Federal Reserve Bank Offset. The item was omitted from the approved FY10 Budget.
- Revisions/adjustments to Form A No. T-1406, T-1407, T-1409, and T-1410, to include provisions enabling the increased funding of improvements to the Bethel Missionary Baptist Church Preservation Project.
- The establishment of an increased T-1410 Bethel Missionary Baptist Church Preservation Project Budget of \$3,038,257 via the reallocation of \$250,000 from the T-1407 Historic Preservation and \$1,800,000 from the T-1409 Fourth Ward Reconstruction Project Budget.
- An increase of \$59,312 to the FY09 Projection for T-1406 Gregory School to account for greater than anticipated costs associated with the acquisition of the Victor Street houses.
- The amended FY2010-2014 CIP for the Zone totals \$23,522,257. The CIP includes provisions for land acquisition, roadway, sidewalk and street reconstruction, parks, historic preservation, and affordable housing.

Attachments: Amended FY10 Budget and FY2010-FY2014 CIP

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

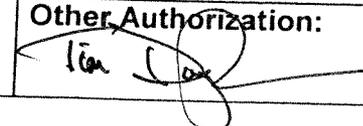


**REQUIRED AUTHORIZATION**

**Finance Director:**

**Other Authorization:**

**Other Authorization:**



CITY OF HOUSTON  
 FINANCE DEPARTMENT  
 ECONOMIC DEVELOPMENT DIVISION  
 FISCAL YEAR 2010 BUDGET PROFILE  
 AS AMENDED

Fund Summary  
 Fund Name: **Fourth Ward Redevelopment Authority**  
 TIRZ: **14**  
 Fund Number: **7562/64**

P R O F I L E	Base Year:		1999
	Base Year Taxable Value:	\$	34,286,680
	Projected Taxable Value (TY2009):	\$	287,044,236
	Current Taxable Value (TY2008):	\$	272,266,710
	Acres:		157.67 acres
	Administrator (Contact):		Vanessa J. Sampson
Contact Number:		713-526-7577	

N A R R A T I V E	<b>Zone Purpose:</b>
	To facilitate the revitalization of the Historic Fourth Ward from a blighted and deteriorating neighborhood into a viable residential community with supporting commercial development. The Project Plan includes historic preservation and enhancement of historical corridors; facilitating the development of low income/affordable and market rate housing units; creation of public open spaces and infrastructure improvements.
	<b>Accomplishments in FY09</b>
	Goals anticipated to be accomplished in FY10 include:
	Installation of Phase 1 - decorative street light project
	Environmental remediation, design and construction of San Felipe, West Webster, and Wiley Parks.
Completion of the Gregory School Project	
Land acquisition, engineering and design of Bethel Baptist Missionary Church	
Preliminary design and engineering of Crosby Street, Gillette Street, and Phase 1 Fourth Ward Street Reconstruction Projects including Ruthven, Robin, Buckner, Cleveland, Saulnier, Victor, Mathews, Genese, Webster, Cook, and Sutton.	
Development and implementation of Fourth Ward Affordable Housing Program via the repositioning of (8) parcels currently owned by the FWRA into affordable housing units.	

P R O J E C T  P L A N		Cumulative Expenses		
		Total Plan	(to FY09)	Variance
	<b>Capital Projects:</b>			
	Public Utilities	\$ 16,640,000		\$ 16,640,000
	Roadway and Sidewalk Improvements	5,762,000	490,000	5,272,000
	Parks	4,177,000	2,390,000	1,787,000
	Historic Preservation	4,100,000	1,237,000	2,863,000
	Cultural and Public Facilities	2,000,000	3,500,000	(1,500,000)
	<b>Total Capital Projects</b>	<b>\$ 32,679,000</b>	<b>\$ 7,617,000</b>	<b>\$ 25,062,000</b>
	TIRZ Creation and Management	3,500,000	1,840,955	1,659,045
	Educational Facilities Improvements	15,300,000	3,648,100	11,651,900
	Affordable Housing Improvements	42,700,000	5,510,853	37,189,147
	<b>Total Project Plan</b>	<b>\$ 94,179,000</b>	<b>\$ 18,616,908</b>	<b>\$ 75,562,092</b>

D E B T	Additional Financial Data	FY2009 Budget	FY2009 Projection	FY2010 Budget
		Debt Service	\$ -	\$ -
	Principal	\$ -	\$ -	\$ -
	Interest	\$ -	\$ -	\$ -
		<b>Balance as of 6/30/08</b>	<b>Balance as of 6/30/09</b>	<b>Balance as of 6/30/10</b>
	Year End Outstanding (Principal)			
	Bond Debt		\$ -	\$ -
	Bank Loan		\$ -	\$ -
	Developer Agreement	\$ 1,000,000	\$ -	\$ 1,000,000
	Other		\$ -	\$ -

CITY OF HOUSTON  
 FINANCE DEPARTMENT  
 ECONOMIC DEVELOPMENT DIVISION  
 FISCAL YEAR 2010 BUDGET SUMMARY  
 AS AMENDED

Fund Summary  
 Fund Name: Fourth Ward Redevelopment Authority  
 TIRZ: 14  
 Fund Number: 7562/64

TIRZ Budget Line Items	FY2009 Budget	FY2009 Projection	FY2010 Budget
<b>Available Resources</b>			
<b>Beginning Fund Balance</b>			
Restricted Funds - Capital Projects	\$ -	\$ -	\$ -
Restricted Funds - Affd. Housing	\$ -	\$ -	\$ -
Restricted Funds - Bond Reserve	\$ -	\$ -	\$ -
Unrestricted Fund Balance	\$ 3,911,288	\$ 4,551,837	\$ 13,639,679
<b>Total Beginning Fund Balance</b>	<b>\$ 3,911,288</b>	<b>\$ 4,551,837</b>	<b>\$ 13,639,679</b>
<b>TIRZ Revenue</b>			
City	\$ 1,454,334	\$ 1,608,686	\$ 1,537,155
ISD	\$ 1,831,356	\$ 1,887,848	\$ 1,892,380
County	\$ -	\$ -	\$ -
Community College	\$ -	\$ -	\$ -
<b>Total Revenues</b>	<b>\$ 3,285,690</b>	<b>\$ 3,496,534</b>	<b>\$ 3,429,535</b>
<b>Bond Proceeds</b>	\$ -	\$ -	\$ -
<b>Loan Proceeds</b>	\$ -	\$ -	\$ -
<b>Grant Proceeds</b>	\$ -	\$ -	\$ -
<b>Other</b>	\$ 15,114,437	\$ 15,157,105	\$ 62,207
<b>Total Available Resources</b>	<b>\$ 22,311,415</b>	<b>\$ 23,205,476</b>	<b>\$ 17,131,421</b>
<b>Fund Transfers</b>			
<b>Affordable Housing</b>			
City of Houston	\$ 407,318	\$ 536,229	\$ 512,385
ISD Increment to Houston	\$ 512,912	\$ 629,283	\$ 630,793
Harris County	\$ -	\$ -	\$ -
ISD Education Set-Aside	\$ 610,452	\$ 631,521	\$ 630,793
Municipal Services	\$ 225,000	\$ 225,000	\$ 315,000
Adminstration Fee to General Fund			
COH Admin Fee (5%)	\$ 72,717	\$ 80,434	\$ 76,858
Harris County Admin	\$ -	\$ -	\$ -
ISD Admin	\$ 25,000	\$ 25,000	\$ 25,000
<b>Total Fund Transfers</b>	<b>\$ 1,853,399</b>	<b>\$ 2,127,466</b>	<b>\$ 2,190,829</b>
<b>Funds Available for Projects</b>	<b>\$ 20,458,016</b>	<b>\$ 21,078,009</b>	<b>\$ 14,940,592</b>
<b>Project Costs</b>			
Administrative Staff	\$ 112,000	\$ 96,125	\$ 122,000
Administrative Consultant	\$ -	\$ -	\$ -
Legal	\$ 15,000	\$ 27,339	\$ 90,000
Accounting/ Audit	\$ 15,700	\$ 14,975	\$ 15,700
Program / Project Consulting	\$ 90,000	\$ 85,500	\$ 15,000
Administrative Operating Expense	\$ 29,935	\$ 38,954	\$ 46,000
Capital Expenditures	\$ 7,055,000	\$ 6,728,312	\$ 8,643,945
Developer/ Project reimbursements	\$ 1,000,000	\$ -	\$ 1,000,000
Debt Service			
Principal	\$ -	\$ -	\$ -
Interest	\$ -	\$ -	\$ -
Other debt items	\$ 447,125	\$ 447,125	\$ 432,966
<b>Total Project Costs</b>	<b>\$ 8,764,760</b>	<b>\$ 7,438,330</b>	<b>\$ 10,365,611</b>
<b>Total Budget</b>	<b>\$ 10,618,159</b>	<b>\$ 9,565,796</b>	<b>\$ 12,556,440</b>
<b>Resources Less Transfer and Expenses</b>	<b>\$ 11,693,256</b>	<b>\$ 13,639,679</b>	<b>\$ 4,574,981</b>
<b>Planned Ending Fund Balance:</b>			
Restricted Funds - Capital Projects	\$ -	\$ -	\$ -
Restricted Funds - Affd. Housing	\$ -	\$ -	\$ -
Restricted Funds - Bond Reserve	\$ -	\$ -	\$ -
<b>Unrestricted Fund Balance</b>	<b>\$ 11,693,256</b>	<b>\$ 13,639,679</b>	<b>\$ 4,574,981</b>

TIRZ Budget Line Items	FY2009 Budget	FY2009 Projection	FY2010 Budget
<b>RESOURCES</b>			
RESTRICTED Funds - Capital Projects		\$ -	\$ -
RESTRICTED Funds - Affordable Housing		\$ -	\$ -
RESTRICTED Funds - Bond Debt Service		\$ -	\$ -
UNRESTRICTED Funds	\$ 3,911,288	\$ 4,551,837	\$ 13,639,679
<b>Beginning Fund Balance</b>	<b>\$ 3,911,288</b>	<b>\$ 4,551,837</b>	<b>\$ 13,639,679</b>
City tax revenue	\$ 1,454,334	\$ 1,608,686	\$ 1,537,155
ISD tax revenue	\$ 1,831,356	\$ 1,887,848	\$ 1,892,380
County tax revenue			
Community College tax revenue			
<b>Incremental property tax revenue</b>	<b>\$ 3,285,690</b>	<b>\$ 3,496,534</b>	<b>\$ 3,429,535</b>
COH TIRZ Interest		\$ 42,668	\$ 3,556
Special Prepayment of Increment (Federal Reserve Bank)	\$ 15,000,000	\$ 15,000,000	
<b>Miscellaneous revenue</b>	<b>\$ 15,000,000</b>	<b>\$ 15,042,668</b>	<b>\$ 3,556</b>
Interest Income	\$ 114,437	\$ 114,437	\$ 58,651
<b>Other Interest Income</b>	<b>\$ 114,437</b>	<b>\$ 114,437</b>	<b>\$ 58,651</b>
Developer Advances	\$ -	\$ -	\$ -
Grant Proceeds	\$ -	\$ -	\$ -
Special assessment bond proceeds	\$ -	\$ -	\$ -
Proceeds from bank loan	\$ -	\$ -	\$ -
<b>TOTAL AVAILABLE RESOURCES</b>	<b>\$ 22,311,415</b>	<b>\$ 23,205,476</b>	<b>\$ 17,131,421</b>
<b>EXPENSES</b>			
Accounting	\$ 8,000	\$ 7,200	\$ 8,000
Administration Consultant		\$ -	
Administration Salaries & Benefits	\$ 112,000	\$ 96,125	\$ 122,000
Auditor	\$ 7,700	\$ 7,775	\$ 7,700
Insurance	\$ 6,000	\$ 6,000	\$ 6,000
Office Expenses	\$ 21,935	\$ 30,954	\$ 38,000
Property Account Management	\$ 2,000	\$ 2,000	\$ 2,000
<b>TIRZ Administration and Overhead</b>	<b>\$ 157,635</b>	<b>\$ 150,054</b>	<b>\$ 183,700</b>
Construction Audit			
Engineering Consultants			
Legal	\$ 15,000	\$ 27,339	\$ 15,000
Project/Program Management	\$ 90,000	\$ 85,500	\$ 15,000
HGAC Planning and Feasibility Study for Livable Centers	\$ -	\$ -	\$ 75,000
<b>Program and Project Consultants</b>	<b>\$ 105,000</b>	<b>\$ 112,839</b>	<b>\$ 105,000</b>
<b>Management consulting services</b>	<b>\$ 262,635</b>	<b>\$ 262,893</b>	<b>\$ 288,700</b>
Capital Expenditures (See CIP Schedule)	\$ 7,055,000	\$ 6,728,312	\$ 8,643,945
<b>TIRZ Capital Expenditures</b>	<b>\$ 7,055,000</b>	<b>\$ 6,728,312</b>	<b>\$ 8,643,945</b>
Camden	\$ 1,000,000	\$ -	\$ 1,000,000
<b>Developer / Project Reimbursements</b>	<b>\$ 1,000,000</b>	<b>\$ -</b>	<b>\$ 1,000,000</b>
Bond Debt Service			
Principal - Infrastructure			
Interest - Infrastructure			
Loan debt service			
Principal			
Interest			
Other Debt Items			
FRB Offset (TY08 revenue paid in FY09 via appropriation)	\$ 447,125	\$ 447,125	\$ 432,966
<b>System debt service</b>	<b>\$ 447,125</b>	<b>\$ 447,125</b>	<b>\$ 432,966</b>
<b>TOTAL PROJECT COSTS</b>	<b>\$ 8,764,760</b>	<b>\$ 7,438,330</b>	<b>\$ 10,365,611</b>

CITY OF HOUSTON  
 FINANCE DEPARTMENT  
 ECONOMIC DEVELOPMENT DIVISION  
 FISCAL YEAR 2010 BUDGET PROFILE  
 AS AMENDED

Fund Summary  
 Fund Name: Fourth Ward Redevelopment Authority  
 TIRZ: 14  
 Fund Number: 7562/64

TIRZ Budget Line Items	FY2009 Budget	FY2009 Projection	FY2010 Budget
Payment/transfer to ISD - educational facilities	\$ 610,452	\$ 631,521	\$ 630,793
Administration Fees:			
City	\$ 72,717	\$ 80,434	\$ 76,858
County			
ISD	\$ 25,000	\$ 25,000	\$ 25,000
Affordable Housing:			
City	\$ 407,318	\$ 536,229	\$ 512,385
ISD to City of Houston	\$ 512,912	\$ 629,283	\$ 630,793
Transfer to Harris County			
Municipal Services (Payable to COH)	\$ 225,000	\$ 225,000	\$ 315,000
<b>Total Transfers</b>	<b>\$ 1,853,399</b>	<b>\$ 2,127,466</b>	<b>\$ 2,190,829</b>
<b>Total Budget</b>	<b>\$ 10,618,159</b>	<b>\$ 9,565,796</b>	<b>\$ 12,556,440</b>
RESTRICTED Funds - Capital Projects	\$ -	\$ -	\$ -
RESTRICTED Funds - Affordable Housing	\$ -	\$ -	\$ -
RESTRICTED Funds - Bond Debt Service	\$ -	\$ -	\$ -
UNRESTRICTED Funds	\$ 11,693,256	\$ 13,639,679	\$ 4,574,981
<b>Total Ending Fund Balance</b>	<b>\$ 11,693,256</b>	<b>\$ 13,639,679</b>	<b>\$ 4,574,981</b>
<b>Total Budget &amp; Ending Fund Balance</b>	<b>\$ 22,311,415</b>	<b>\$ 23,205,476</b>	<b>\$ 17,131,421</b>

Notes:

Incremental property tax revenue and administration fee  
 Incremental property tax revenue and administration fee

2009 Projections based on payments from City and ISD, County is from TY08 HCAD values on 5/23/09  
 2010 Budget based on forecast derived from TY09 Preliminary HCAD values on 5/23/09

2010 - 2014 CAPITAL IMPROVEMENT PLAN  
 TIRZ No. 14 - Fourth Ward Redevelopment Authority  
 CIP by Project -AS AMENDED

CITY OF HOUSTON - TIRZ PROGRAM  
 Finance Department  
 Economic Development Division

Council District	CIP No.	Project	FY Planned Appropriations (\$ Thousands)										Total 2010-2014	Cumulative Total (To Date)	
			Through 2008	Projected 2009	2010	2011	2012	2013	2014						
D, I	T-1401	Decorative Street Light Project	\$ -	\$ 110,000	\$ 150,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	150,000	260,000
D, I	T-1402	West Webster Park	\$ 150,000	\$ 680,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	-	830,000
D, I	T-1403	Gillette Street	\$ -	\$ 100,000	\$ 1,600,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	1,600,000	1,700,000
D, I	T-1404	San Felipe Park	\$ -	\$ 1,000,000	\$ 2,072,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	2,072,000	3,072,000
D, I	T-1405	Wiley Park	\$ -	\$ 560,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	-	560,000
D, I	T-1406	Gregory School	\$ -	\$ 3,416,312	\$ 83,668	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	83,668	3,500,000
D, I	T-1407	Historic Preservation	\$ -	\$ -	\$ -	\$ 250,000	\$ -	\$ 250,000	\$ -	\$ -	\$ -	\$ -	\$ -	500,000	500,000
D, I	T-1408	Crosby Street Reconstruction	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 280,000	\$ -	280,000	280,000
D, I	T-1409	Fourth Ward Street Reconstruction Project	\$ -	\$ 280,000	\$ 1,200,000	\$ 2,500,000	\$ 2,000,000	\$ 2,000,000	\$ 1,500,000	\$ 1,500,000	\$ 750,000	\$ -	\$ -	7,950,000	8,230,000
D, I	T-1410	Bethel Missionary Baptist Church Preservation	\$ -	\$ 357,000	\$ 3,038,257	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	3,038,257	3,395,257
D, I	T-1411	Affordable Housing	\$ -	\$ 225,000	\$ 500,000	\$ 500,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	1,000,000	1,225,000
<b>Total</b>			150,000	6,728,312	8,643,945	3,250,000	2,250,000	1,500,000	1,030,000	16,673,945	23,552,257				

2010 - 2014 CAPITAL IMPROVEMENT PLAN  
 TIRZ No. 14 - Fourth Ward Redevelopment Authority  
 CIP by Sources of Funds  
 AS AMENDED

CITY OF HOUSTON - TIRZ PROGRAM  
 Finance Department  
 Economic Development Division

Source of Funds	FY Planned Appropriations (\$ Thousands)										Cumulative Total (To Date)	
	Through 2008	Projected 2009	2010	2011	2012	2013	2014	Total 2010-2014				
<b>TIRZ No. 16</b>												
TIRZ funds	150,000	6,728,312	8,643,945	3,250,000	2,250,000	1,500,000	1,030,000	16,673,945	23,552,257			
Revenue bond proceeds	-	-	-	-	-	-	-	-	-			
Proceeds from bank loan	-	-	-	-	-	-	-	-	-			
Developer Advance/Reimbursement	-	-	-	-	-	-	-	-	-			
City of Houston	-	-	-	-	-	-	-	-	-			
Grants	-	-	-	-	-	-	-	-	-			
Other	-	-	-	-	-	-	-	-	-			
<b>Project Total</b>	<b>150,000</b>	<b>6,728,312</b>	<b>8,643,945</b>	<b>3,250,000</b>	<b>2,250,000</b>	<b>1,500,000</b>	<b>1,030,000</b>	<b>16,673,945</b>	<b>23,552,257</b>			

<b>Project:</b> Decorative Street Light Project		<b>City Council District</b> 493		<b>Key Map:</b> T-1401			
<b>Description:</b> Installation of bracket mount historic street lights on existing wood poles. Project includes relocation and removal of existing/surplus wood utility poles.		<b>Location:</b> D, I		<b>WBS.:</b>			
<b>Justification:</b> Existing conditions consist of sporadically placed street lights. Intent is to bring area up to code thus making the neighborhood safer for pedestrians and vehicles.		<b>Served:</b> D, I		<b>Neighborhood:</b> 60			
<b>Operating and Maintenance Costs: (\$ Thousands)</b>							
		2010	2011	2012	2013	2014	Total
Personnel							\$ -
Supplies							\$ -
Svcs. & Chgs.							\$ -
Capital Outlay							\$ -
<b>Total</b>		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
FTEs							-

### Fiscal Year Planned Expenses

Project Allocation	Projected Expenses thru 6/30/08	2009 Budget	2009 Estimate	2010	2011	2012	2013	2014	FY09 - FY14 Total	Cumulative Total (To Date)
<b>Phase</b>										
1 Planning										\$ -
2 Acquisition										\$ -
3 Design										\$ -
4 Construction		150,000	110,000	150,000					150,000	\$ 260,000
5 Equipment										\$ -
6 Close-Out										\$ -
7 Other										\$ -
<b>Other Sub-Total:</b>										\$ -
<b>Total Allocations</b>	\$ -	\$ 150,000	\$ 110,000	\$ 150,000	\$ -	\$ -	\$ -	\$ -	\$ 150,000	\$ 260,000
<b>Source of Funds</b>										
TIRZ Increment Revenue		150,000	110,000	150,000					150,000	\$ 260,000
TIRZ Increment Bond Funds										\$ -
Grant Funds										\$ -
<b>Total Funds</b>	\$ -	\$ 150,000	\$ 110,000	\$ 150,000	\$ -	\$ -	\$ -	\$ -	\$ 150,000	\$ 260,000

<b>Project:</b> West Webster Park		<b>City Council District</b> 493		<b>Key Map:</b> T-1402	
<b>Description:</b> Design and construct improvements at West Webster Park		<b>Location:</b> D, I		<b>Geo. Ref.:</b>	
		<b>Served:</b> D, I		<b>Neighborhood:</b> 60	
		<b>2010</b>		<b>2011</b>	
		<b>2012</b>		<b>2013</b>	
		<b>2014</b>		<b>Total</b>	
<b>Justification:</b> The park property is currently undeveloped and requires design and construction of park improvements.		Personnel		\$	
		Supplies		\$	
		Svcs. & Chgs.		\$	
		Capital Outlay		\$	
<b>Total</b>		\$		\$	
<b>FTEs</b>		-		-	

Fiscal Year Planned Expenses										
Project Allocation	Projected Expenses thru 6/30/08	2009 Budget	2009 Estimate	2010	2011	2012	2013	2014	FY09 - FY14 Total	Cumulative Total (To Date)
<b>Phase</b>										
1 Planning									\$	\$
2 Acquisition									\$	\$
3 Design									\$	\$
4 Construction	150,000	680,000	680,000						\$	\$ 830,000
5 Equipment									\$	\$
6 Close-Out									\$	\$
7 Other									\$	\$
<b>Other Sub-Total:</b>	-	-	-	-	-	-	-	-	\$	\$

<b>Total Allocations</b>	\$ 150,000	\$ 680,000	\$ 680,000	\$	\$	\$	\$	\$	\$	\$ 830,000
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Source of Funds	2009 Budget	2009 Estimate	2010	2011	2012	2013	2014	FY09 - FY14 Total	Cumulative Total (To Date)
TIRZ Increment Revenue								\$	\$
TIRZ Increment Bond Funds	150,000	680,000	680,000					\$	\$ 830,000
Grant Funds								\$	\$
<b>Total Funds</b>	\$ 150,000	\$ 680,000	\$ 680,000	\$	\$	\$	\$	\$	\$ 830,000

<b>Project:</b> Gillette Street	<b>City Council District:</b> 493	<b>Key Map:</b> T-1403				
<b>Location:</b> D, I	<b>Geo. Ref.:</b>	<b>WBS.:</b>				
<b>Served:</b> D, I	<b>Neighborhood:</b> 60					
<b>Operating and Maintenance Costs: (\$ Thousands)</b>						
	2010	2011	2012	2013	2014	Total
Personnel						\$ -
Supplies						\$ -
Svcs. & Chgs.						\$ -
Capital Outlay						\$ -
<b>Total</b>	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
FTEs						

**Description:** Reconstruct/resurface Gillette street as necessary and provide streetscape enhancements to make pedestrian-friendly connection between neighborhood and Allen Parkway.

**Justification:** Enhance access to Buffalo Bayou from the Fourth Ward neighborhood.

**Fiscal Year Planned Expenses**

Project Allocation	Projected Expenses thru 6/30/08	2009 Budget	2009 Estimate	2010	2011	2012	2013	2014	FY09 - FY14 Total	Cumulative Total (To Date)
<b>Phase</b>										
1 Planning									\$ -	\$ -
2 Acquisition									\$ -	\$ -
3 Design		190,000	100,000	90,000					\$ 90,000	\$ 90,000
4 Construction				1,510,000					\$ 1,510,000	\$ 1,510,000
5 Equipment									\$ -	\$ -
6 Close-Out									\$ -	\$ -
7 Other									\$ -	\$ -
<b>Other Sub-Total:</b>									\$ -	\$ -

<b>Total Allocations</b>	\$ -	\$ 190,000	\$ 100,000	\$ 1,600,000	\$ -	\$ -	\$ -	\$ -	\$ 1,600,000	\$ 1,700,000
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Source of Funds	2009 Budget	2010	2011	2012	2013	2014	FY09 - FY14 Total	Cumulative Total (To Date)
TIRZ Increment Revenue								
TIRZ Increment Bond Funds	190,000	1,600,000					\$ 1,600,000	\$ 1,700,000
Grant Funds							\$ -	\$ -
<b>Total Funds</b>	\$ -	\$ 1,600,000	\$ 100,000	\$ -	\$ -	\$ -	\$ 1,600,000	\$ 1,700,000

<b>Project:</b> San Felipe Park		<b>City Council District</b> 493		<b>Key Map:</b> T-1404	
<b>Description:</b> Remediate and redevelop park.		<b>Location:</b> D,1		<b>WBS.:</b>	
		<b>Served:</b> D,1		<b>Neighborhood:</b> 60	
<b>Operating and Maintenance Costs: (\$ Thousands)</b>					
	2010	2011	2012	2013	2014
Personnel					
Supplies					
Svcs. & Chgs.					
Capital Outlay					
<b>Total</b>	\$ -	\$ -	\$ -	\$ -	\$ -
FTEs					

**Justification:** Park is currently closed due to environmental contamination. PARD will remediate contamination and provide updated park facilities.

**Fiscal Year Planned Expenses**

Project Allocation	Projected Expenses thru 6/30/08	2009 Budget	2009 Estimate	2010	2011	2012	2013	2014	FY09 - FY14 Total	Cumulative Total (To Date)
<b>Phase</b>										
1 Planning									\$ -	\$ -
2 Acquisition									\$ -	\$ -
3 Design									\$ -	\$ -
4 Construction				2,072,000					\$ 2,072,000	\$ 2,072,000
5 Equipment									\$ -	\$ -
6 Close-Out									\$ -	\$ -
7 Other		1,000,000	1,000,000						\$ 1,000,000	\$ 1,000,000
<b>Other Sub-Total:</b>		1,000,000	1,000,000						\$ -	\$ -

<b>Total Allocations</b>	\$ -	\$ 1,000,000	\$ 1,000,000	\$ 2,072,000	\$ -	\$ -	\$ -	\$ -	\$ 2,072,000	\$ 3,072,000
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Source of Funds	2010	2011	2012	2013	2014	FY09 - FY14 Total	Cumulative Total (To Date)
TIRZ Increment Revenue							
TIRZ Increment Bond Funds	2,072,000					\$ 2,072,000	\$ 3,072,000
Grant Funds						\$ -	\$ -
<b>Total Funds</b>	\$ 2,072,000	\$ -	\$ -	\$ -	\$ -	\$ 2,072,000	\$ 3,072,000

<b>Project:</b> Wiley Park		<b>City Council District</b> 493		<b>Key Map:</b> T-1405	
<b>Description:</b> Replace damaged and outdated park equipment.		<b>Location:</b> D.I		<b>WBS.:</b>	
		<b>Served:</b> D.I		<b>Geo. Ref.:</b> 60	
		<b>Neighborhood:</b>			

<b>Operating and Maintenance Costs: (\$ Thousands)</b>						
	2010	2011	2012	2013	2014	Total
Personnel						\$ -
Supplies						\$ -
Svcs. & Chgs.						\$ -
Capital Outlay						\$ -
<b>Total</b>	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
FTEs						

<b>Fiscal Year Planned Expenses</b>										
Project Allocation	Projected Expenses thru 6/30/08	2009 Budget	2009 Estimate	2010	2011	2012	2013	2014	FY09 - FY14 Total	Cumulative Total (To Date)
1 Planning									\$ -	\$ -
2 Acquisition									\$ -	\$ -
3 Design		95,000	95,000						\$ 95,000	\$ 95,000
4 Construction		405,000	465,000						\$ 465,000	\$ 465,000
5 Equipment									\$ -	\$ -
6 Close-Out									\$ -	\$ -
7 Other									\$ -	\$ -
<b>Other Sub-Total:</b>									\$ -	\$ -

<b>Total Allocations</b>	\$ -	\$ 500,000	\$ 560,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 560,000
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<b>Source of Funds</b>										
TIRZ Increment Revenue									\$ -	\$ -
TIRZ Increment Bond Funds		500,000	560,000						\$ 560,000	\$ 560,000
Grant Funds									\$ -	\$ -
<b>Total Funds</b>	\$ -	\$ 500,000	\$ 560,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 560,000

<b>Project:</b> Gregory School		<b>City Council District:</b> 493		<b>Key Map:</b> T-1406			
<b>Description:</b> Restoration/rehabilitation of former school into African American Archives and Library.		<b>Location:</b> D, I		<b>Geo. Ref.:</b>			
<b>Justification:</b> Facility is being redeveloped into archive and library facility. Numerous entities providing funding.		<b>Served:</b> D, I		<b>Neighborhood:</b> 60			
		<b>Operating and Maintenance Costs: (\$ Thousands)</b>					
		2010	2011	2012	2013	2014	Total
Personnel							\$ -
Supplies							\$ -
Svcs. & Chgs.							\$ -
Capital Outlay							\$ -
<b>Total</b>		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
FTEs							-

<b>Fiscal Year Planned Expenses</b>											
Project Allocation	Phase	Projected Expenses thru 6/30/08	2009 Budget	2009 Estimate	2010	2011	2012	2013	2014	FY09 - FY14 Total	Cumulative Total (To Date)
1	Planning									\$ -	\$ -
2	Acquisition		500,000		83,688					\$ 83,688	\$ 83,688
3	Design									\$ -	\$ -
4	Construction		3,000,000	3,416,312						\$ -	\$ 3,416,312
5	Equipment									\$ -	\$ -
6	Close-Out									\$ -	\$ -
7	Other									\$ -	\$ -
<b>Other Sub-Total:</b>										\$ -	\$ -

<b>Total Allocations</b>	\$ -	\$ 3,500,000	\$ 3,416,312	\$ 83,688	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 83,688	\$ 3,500,000
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Source of Funds	2010	2011	2012	2013	2014	FY09 - FY14 Total	Cumulative Total (To Date)
TIRZ Increment Revenue						\$ 83,688	\$ 83,688
TIRZ Increment Bond Funds						\$ -	\$ -
Grant Funds						\$ -	\$ -
<b>Total Funds</b>	\$ -	\$ 3,500,000	\$ 3,416,312	\$ 83,688	\$ -	\$ 83,688	\$ 3,500,000

<b>Project:</b> Historic Preservation	<b>City Council District</b>	<b>Key Map:</b>	493	<b>WBS.:</b>	T-1407
AS AMENDED	<b>Location:</b> D.1	<b>Geo. Ref.:</b>			
	<b>Served:</b> D.1	<b>Neighborhood:</b>	60		
<b>Description:</b> The preservation (and possible relocation) of historic structures within the Zone is a stated purpose of the TIRZ.	<b>Operating and Maintenance Costs: (\$ Thousands)</b>				
	2010	2011	2012	2013	2014
<b>Justification:</b> The relocation of at-risk structures to a location inside of the Zone is both economically feasible and beneficial to the City.	Personnel				
	Supplies				
	Svcs. & Chgs.				
	Capital Outlay				
	<b>Total</b>	\$ - \$	- \$	- \$	- \$
	<b>FTEs</b>				

**Fiscal Year Planned Expenses**

Project Allocation	Projected Expenses thru 6/30/08	2009 Budget	2009 Estimate	2010	2011	2012	2013	2014	FY09 - FY14 Total	Cumulative Total (To Date)
<b>Phase</b>										
1 Planning										
2 Acquisition		250,000		250,000	250,000				\$ 500,000	\$ 500,000
3 Design										
4 Construction										
5 Equipment										
6 Close-Out										
7 Other										
<b>Other Sub-Total:</b>										

<b>Total Allocations</b>	\$ - \$	\$ 250,000 \$	- \$	- \$	\$ 250,000 \$	250,000 \$	- \$	- \$	\$ 500,000 \$	500,000 \$
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Source of Funds	2010	2011	2012	2013	2014	FY09 - FY14 Total	Cumulative Total (To Date)
TIRZ Increment Revenue							
TIRZ Increment Bond Funds		250,000	250,000			\$ 500,000	\$ 500,000
Grant Funds							
<b>Total Funds</b>	\$ - \$	\$ 250,000 \$	- \$	- \$	250,000 \$	\$ 500,000 \$	500,000 \$

<b>Project:</b>	Crosby Street Reconstruction		<b>City Council District</b>	493		<b>Key Map:</b>	T-1408	
<b>Description:</b>	Reconstruction including sidewalks, roadways, street lights, and street trees on Crosby between Cleveland and West Dallas.		<b>Location:</b>	D, I		<b>Geo. Ref.:</b>	WBS.:	
<b>Justification:</b>	Existing conditions consist of failed roadway surface, delapidated sidewalks and poor overhead utility configurations. Recent high density residential construction has further impacted the LOS.		<b>Served:</b>	D, I		<b>Neighborhood:</b>	60	
			<b>Operating and Maintenance Costs: (\$ Thousands)</b>					
			2010	2011	2012	2013	2014	Total
Personnel								\$
Supplies								\$
Svcs. & Chgs.								\$
Capital Outlay								\$
<b>Total</b>			\$	\$	\$	\$	\$	\$
<b>FTEs</b>								

**Fiscal Year Planned Expenses**

Project Allocation	Projected Expenses thru 6/30/08	2009 Budget	2009 Estimate	2010	2011	2012	2013	2014	FY09 - FY14 Total	Cumulative Total (To Date)
<b>Phase</b>										
1 Planning									\$	\$
2 Acquisition									\$	\$
3 Design								280,000	\$	\$ 280,000
4 Construction									\$	\$
5 Equipment									\$	\$
6 Close-Out									\$	\$
7 Other									\$	\$
<b>Other Sub-Total:</b>									\$	\$

<b>Total Allocations</b>	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$ 280,000
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Source of Funds	2010	2011	2012	2013	2014	FY09 - FY14 Total	Cumulative Total (To Date)
TIRZ Increment Revenue							
TIRZ Increment Bond Funds					280,000	\$ 280,000	\$ 280,000
Grant Funds						\$	\$
<b>Total Funds</b>	\$	\$	\$	\$	\$ 280,000	\$ 280,000	\$ 280,000

<b>Project:</b>	<b>Fourth Ward Street Reconstruction Project</b>		<b>City Council District</b>	493		<b>Key Map:</b>	T-1409	
			<b>Location:</b>	D, I		<b>Geo. Ref.:</b>		
			<b>Served:</b>	D, I		<b>Neighborhood:</b>	60	
<b>Description:</b>	<b>AS AMENDED</b> Roadway reconstruction and streetscape enhancement on Ruthven, Robin, Buckner, Cleveland, Saulnier, Victor, Mathews, Genese, Webster, Cook, and Sutton. Improvements include sidewalks, waste and storm water system upgrades. Existing conditions consist of subsurface street failure, missing curbs, none or intermediate sidewalks.							
<b>Justification:</b>	Existing conditions consist of subsurface street failure, missing curbs, none or intermediate sidewalks.							
			<b>Operating and Maintenance Costs: (\$ Thousands)</b>					
			2010	2011	2012	2013	2014	Total
Personnel								\$ -
Supplies								\$ -
Svcs. & Chgs.								\$ -
Capital Outlay								\$ -
<b>Total</b>			\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
<b>FTEs</b>								

**Fiscal Year Planned Expenses**

Project Allocation	Projected Expenses thru 6/30/08	2009 Budget	2009 Estimate	2010	2011	2012	2013	2014	FY09 - FY14 Total	Cumulative Total (To Date)
<b>Phase</b>										
1 Planning									\$ -	\$ -
2 Acquisition									\$ -	\$ -
3 Design		280,000	280,000	1,200,000	220,000	160,000	124,500		\$ 1,704,500	\$ 1,984,500
4 Construction					2,280,000	1,840,000	1,375,500	750,000	\$ 6,245,500	\$ 6,245,500
5 Equipment									\$ -	\$ -
6 Close-Out									\$ -	\$ -
7 Other									\$ -	\$ -
<b>Other Sub-Total:</b>									\$ -	\$ -

<b>Total Allocations</b>	\$ -	\$ 280,000	\$ 280,000	\$ 1,200,000	\$ 2,500,000	\$ 2,000,000	\$ 1,500,000	\$ 750,000	\$ 7,950,000	\$ 8,230,000
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<b>Source of Funds</b>										
TIRZ Increment Revenue										
TIRZ Increment Bond Funds		280,000	280,000	1,200,000	2,500,000	2,000,000	1,500,000	750,000	\$ 7,950,000	\$ 8,230,000
Grant Funds									\$ -	\$ -

<b>Total Funds</b>	\$ -	\$ 280,000	\$ 280,000	\$ 1,200,000	\$ 2,500,000	\$ 2,000,000	\$ 1,500,000	\$ 750,000	\$ 7,950,000	\$ 8,230,000
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<b>Project:</b> Bethel Missionary Baptist Church Preservation		City Council District		Key Map:		493		WBS.:		T-1410		
<b>AS AMENDED</b>		Location: D.I		Geo. Ref.:								
		Served: D.I		Neighborhood:		60						
<b>Description:</b> Founded in 1891 by Rev. Jack Yates, a former slave, the Church was a prominent feature in the Freedman's Town Historic District. The structure was listed in the National Register of Historic Places in 1996.		<b>Operating and Maintenance Costs: (\$ Thousands)</b>										
<b>Justification:</b> Destroyed by fire on January 24, 2005, the Zone desires to save and stabilize the building walls and convert the site into a public plaza.		2010		2011		2012		2013		2014		Total
Personnel												\$ -
Supplies												\$ -
Svcs. & Chgs.												\$ -
Capital Outlay												\$ -
<b>Total</b>		\$ -		\$ -		\$ -		\$ -		\$ -		\$ -
<b>FTEs</b>												

**Fiscal Year Planned Expenses**

Project Allocation	Phase	Projected Expenses thru 6/30/08	2009 Budget	2009 Estimate	2010	2011	2012	2013	2014	FY09 - FY14 Total	Cumulative Total (To Date)
1	Planning										
2	Acquisition		350,000	350,000						\$ -	\$ 350,000
3	Design				3,038,257					\$ 3,038,257	\$ 3,038,257
4	Construction									\$ -	\$ -
5	Equipment									\$ -	\$ -
6	Close-Out		50,000	7,000						\$ -	\$ 7,000
7	Other									\$ -	\$ -
<b>Other Sub-Total:</b>			50,000	7,000						\$ -	\$ 7,000
<b>Total Allocations</b>		\$ -	\$ 400,000	\$ 357,000	\$ 3,038,257	\$ -	\$ -	\$ -	\$ -	\$ 3,038,257	\$ 3,395,257
<b>Source of Funds</b>											
TIRZ Increment Revenue			400,000	357,000	3,038,257					\$ 3,038,257	\$ 3,395,257
TIRZ Increment Bond Funds										\$ -	\$ -
Grant Funds										\$ -	\$ -
<b>Total Funds</b>		\$ -	\$ 400,000	\$ 357,000	\$ 3,038,257	\$ -	\$ -	\$ -	\$ -	\$ 3,038,257	\$ 3,395,257

<b>Project:</b> Affordable Housing		<b>City Council District:</b> 493		<b>Key Map:</b> T-1411			
<b>Description:</b> Affordable housing initiatives in association with FWRA owned property at 1103 Genessee, 1502 & 1414 Robin, 1511 Andrews, 1413 Cleveland, 1405 Wilson, 1019 & 0 Andrews.		<b>Location:</b> D, I		<b>Geo. Ref.:</b>			
<b>Justification:</b> The Development of affordable housing in the greater Fourth Ward is one of the primary stated purposes of the TIRZ Project Plan.		<b>Served:</b> D, I		<b>Neighborhood:</b> 60			
		<b>Operating and Maintenance Costs: (\$ Thousands)</b>					
		2010	2011	2012	2013	2014	Total
Personnel							\$
Supplies							\$
Svcs. & Chgs.							\$
Capital Outlay							\$
Total		\$	\$	\$	\$	\$	\$
FTEs							

**Fiscal Year Planned Expenses**

Project Allocation	Phase	Projected Expenses thru 6/30/08	2009 Budget	2009 Estimate	2010	2011	2012	2013	2014	FY09 - FY14 Total	Cumulative Total (To Date)
1	Planning		50,000	50,000						\$	\$ 50,000
2	Acquisition		175,000	175,000						\$	\$ 175,000
3	Design									\$	\$
4	Construction				500,000	500,000				\$	\$ 1,000,000
5	Equipment									\$	\$
6	Close-Out									\$	\$
7	Other									\$	\$
<b>Other Sub-Total:</b>										\$	\$
<b>Total Allocations</b>		\$	\$ 225,000	\$ 225,000	\$ 500,000	\$ 500,000	\$	\$	\$	\$ 1,000,000	\$ 1,225,000

Source of Funds	2010	2011	2012	2013	2014	FY09 - FY14 Total	Cumulative Total (To Date)
TIRZ Increment Revenue							
TIRZ Increment Bond Funds	225,000	225,000	500,000	500,000	500,000	1,000,000	1,225,000
Grant Funds							
<b>Total Funds</b>	\$ 225,000	\$ 225,000	\$ 500,000	\$ 500,000	\$ 500,000	\$ 1,000,000	\$ 1,225,000

**REQUEST FOR COUNCIL ACTION**

**TO:** Mayor via City Secretary

**Subject:** Ordinance amending Ordinance No. 2009-981, relating to the City of Houston Term Limits Review Commission, to correct a scrivener's error.

Page 1 of 1

Agenda Item

**53**

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

Legal Department

**Origination Date:**

October 16, 2009

**Agenda Date**

OCT 21 2009

**DIRECTOR'S SIGNATURE**

Arturo G. Michel, City Attorney



**Council District(s) affected:**

All

**For additional information contact:** Don Cheatham  
Phone: 832-393-6437

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

Ord. No. 2009-981, October 7, 2009

**RECOMMENDATION: (Summary)**

Adopt ordinance that established the City of Houston Term Limits Review Commission to correct a scrivener's error.

**Amount and Source of Funding:**

N/A

**F&A Budget:**

**SPECIFIC EXPLANATION:**

On October 7, 2009, Council adopted Ordinance No. 2009-981, which established the City of Houston Term Limits Review Commission. The proposed ordinance was amended at the table by substitute language for Section 3, which contained the *unintentional* omission of a sentence stating that the Commission would be required to conduct its business in compliance with the Texas Open Meetings Act.

The proposed ordinance would restore the following language to Section 3:

The Commission shall conduct its business in compliance with the Texas Open Meetings Act.

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

Finance Director:

Other Authorization:

Other Authorization:

**City of Houston, Texas, Ordinance No. 2009-\_\_\_\_\_**

**AN ORDINANCE AMENDING ORDINANCE NO. 2009-981, RELATING TO THE CITY OF HOUSTON TERM LIMITS REVIEW COMMISSION, TO CORRECT A SCRIVENER'S ERROR; CONTAINING FINDINGS AND OTHER PROVISIONS RELATING TO THE FOREGOING SUBJECT; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.**

\* \* \* \* \*

**WHEREAS**, an amendment offered at the time of the passage of Ordinance No. 2009-981 inadvertently omitted a provision requiring the Term Limits Commission (Commission) provided for in such ordinance to comply with the Texas Open Meetings Act (TOMA) in the conduct of the business of the Commission; and

**WHEREAS**, the City Council deems it critical to the integrity of the work to be carried out by the Commission that it operate with transparency and openness to ensure that the public is provided an opportunity to monitor such work and to provide input on issues considered by the Commission, a goal that can be achieved only if the Commission conducts its affairs in open meetings; and

**WHEREAS**, the City Council desires to amend Ord. No. 2009-981 to re-establish the requirement that the Commission conduct its meetings and affairs in compliance with the TOMA; **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 3 of City of Houston Ordinance No. 2009-981 is hereby amended by adding to the end thereof the following:

"The Commission shall conduct its business in compliance with the Texas Open Meetings Act."

**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 APPROVED** this \_\_\_ day of \_\_\_\_\_, 2009.

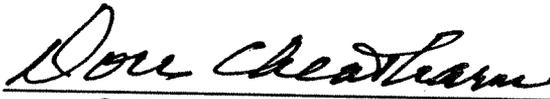
\_\_\_\_\_  
Mayor of the City of Houston

Prepared by Legal Dept.

RDC:asw 10/16/2009

Requested by Mayor Bill White

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

  
\_\_\_\_\_  
Senior Assistant City Attorney

<b>SUBJECT:</b> Motor Carrier Safety Assistance Program High Priority Grant	<b>Category</b> # 1	<b>Page</b> 1 of 1	<b>Agenda Item</b> # <b>54</b>
	<b>FROM: (Department or other point of origin):</b> Houston Police Department		<b>Agenda Date</b> OCT 21 2009
<b>DIRECTOR'S SIGNATURE:</b> Harold L. Hurtt, Chief of Police 		<b>Council Districts affected:</b> All	
<b>For additional information contact:</b> Lt. Steve Ward (713) 308-1934      Joseph Fenninger (713) 308-1700 		<b>Date and identification of prior authorizing Council Action:</b>	

**RECOMMENDATION: (Summary)**

To ~~adopt~~ an ordinance, approving and authorizing the grant application and acceptance of the award for Texas Department of Transportation (TXDOT), Motor Carrier Safety Assistance Program high Priority Grant..

Amount of Funding:			Finance and Budget:
<u>TXDOT</u> \$400,002.00	<u>IN-KIND FUNDING</u> \$443,558	<u>TOTAL FUNDING</u> \$843,560	

**SOURCE OF FUNDING:**       General Fund       Grant Fund       Enterprise Fund

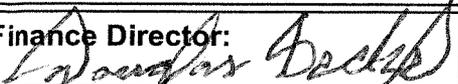
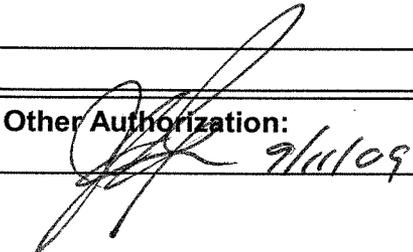
Other (Specify)

**SPECIFIC EXPLANATION:**

Texas Department of Transportation Motor Carrier Safety Assistance Program High Priority Grant

The Houston Police Department is applying to the Texas Department of Transportation (TXDOT) for the Motor Carrier Safety Assistance Program High Priority Grant. TXDOT will provide \$400,002.00 and requires a city in-kind match of \$443,558 for a total of \$843,560. The grant will provide overtime for personnel in order to reduce the number of commercial motor vehicle (CMV), crashes, injuries, and fatalities, utilizing the strategies of comprehensive and highly visible traffic enforcement.

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

<b>Finance Director:</b> 	<b>Other Authorization:</b>  9/16/09	<b>Other Authorization:</b>
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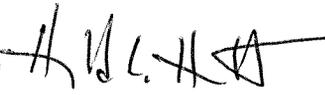
TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

Revised:

<b>SUBJECT:</b> Agreement with Harris County relating to vehicle registration holds in support of the Digital Automated Red Light Enforcement Program.	<b>Page</b> 1 of 1	<b>Agenda Item #</b> 58
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<b>FROM: (Department or other point of origin):</b> Houston Police Department	<b>Origination Date:</b> 10/16/09	<b>Agenda Date:</b> OCT 21 2009
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<b>DIRECTOR'S SIGNATURE:</b> Harold L. Hurtt, Chief of Police 	<b>Council District affected:</b> All
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<b>For additional information contact:</b> Joseph A. Fenninger <sup>JAF 10/15/09</sup> CFO and Deputy Director Phone: 713-308-1770	<b>Date and identification of prior authorizing Council action:</b> Ordinance 2006-0566, May 31, 2006 Ordinance 2008-1050, Nov. 19, 2008
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**RECOMMENDATION: (Summary)** Pass an ordinance, contingent upon the approval of Harris County Commissioners Court, approving an agreement relating to vehicle registration holds with Harris County and allocating funds.

<b>Amount and Source of Funding:</b>	\$180,000.00 – DARLEP Fund No. 2212 (FY 10 -\$36,000.00 Out Years - \$144,000.00)
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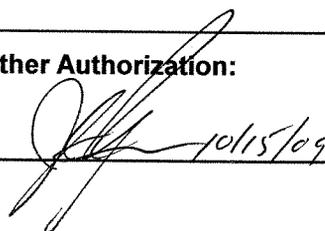
**Specific Explanation:**  
On May 31, 2006 City Council approved the Houston Police Department's institution of the Digital Automated Red Light Enforcement Program (DARLEP). Since the inception of the program, seventy cameras have been installed at intersections throughout the city and approximately 640,000 notices of violation have been issued. Fines collected to date (net of expenses) total \$22,850,985 and \$9,324,066 of that number has been paid or obligated to the State of Texas to support trauma centers in accordance with State law.

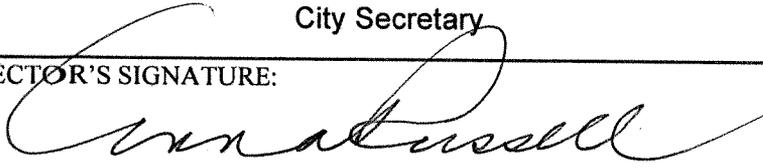
Because the program's penalties are civil infractions rather than criminal, they lack a criminal enforcement mechanism. Consequently, delinquencies average around 31% of issued citations and total outstanding delinquencies have grown to approximately \$15,900,000. To collect these past due amounts City Council approved an Interlocal Agreement with the Texas Department of Transportation to place holds on vehicles registered in Texas whose owners have failed to pay their penalties after repeated notices of violation were mailed to them. As a courtesy to the Harris County Tax Office (the agency charged with registering vehicles in Harris County), the City agreed not to proceed with registration holds until an agreement was approved by both the City and Harris County Commissioners Court establishing the terms and conditions of the program. We have been advised that the agreement will appear on the Harris County Commissioners Court agenda on October 27, 2009 for consideration of approval.

The agreement provides that the Harris County Tax Office will decline to register a vehicle that exhibits a hold from the Texas Department of Transportation until such time as the hold is removed or evidence is submitted documenting that the hold has been removed. In exchange, the Houston Police Department will pay the Harris County Tax Office the sum of \$36,000 for the first year of the agreement in order to cover estimated costs. Each year thereafter, forty-five days prior to the anniversary of the agreement, the City will provide a report to the County detailing the number of transactions that the City has presented to the Texas Department of Transportation during the previous year for use in determining the fee for the following year. Those costs are not expected to be greater than those of the first year of the agreement.

The Chief of Police recommends that, contingent upon the approval of the agreement by Harris County Commissioners Court, City Council approve the agreement establishing the terms and conditions of registration hold procedures between the City and Harris County.

**REQUIRED AUTHORIZATION** 10JAF005

<b>Finance:</b>	<b>Other Authorization:</b>  10/15/09	<b>Other Authorization:</b>
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SUBJECT: An ordinance authorizing the Mayor to obtain additional services for the City's November 3, 2009 General Election, including any possible run-off election, and appropriating funds for that purpose.		Page 1 of 1	Agenda Item # <b>56</b>
FROM (Department or other point of origin):  <p style="text-align: center;">City Secretary</p>		Origination Date October 14, 2009	Agenda Date October 21, 2009  OCT 21 2009
MS DIRECTOR'S SIGNATURE:  	Council District affected:  <p style="text-align: center;">All</p>		
For additional information contact: Anna Russell, Phone: 832.393.1100 Candice M. De La Garza, Phone: 832.393.6446		Date and identification of prior authorizing Council action:	
RECOMMENDATION: (Summary) Adopt an ordinance authorizing the Mayor to procure additional services as needed in connection with the City's November 3, 2009 General Election and any run-off election and appropriating funds for that purpose.			
Amount and Source of Funding: \$320,000 Total Allocation \$220,000 Original Allocation General Fund			
SPECIFIC EXPLANATION:  The proposed ordinance authorizes the Mayor to obtain miscellaneous services as needed for the City's November 3, 2009 General Election, and any run-off election, that are not covered under the City's election services agreements with Harris, Fort Bend, and Montgomery Counties or its translation contract with MasterWord Services. This includes the cost of publishing required election notices. The proposed ordinance appropriates \$320,000 from the funds budgeted for election expenses.			
<b>REQUIRED AUTHORIZATION</b>			
Other Authorization:	Other Authorization:	Other Authorization:	Other Authorization:

**REQUEST FOR COUNCIL ACTION**

**TO:** Mayor via City Secretary

**RCA# 8416**

**Subject:** Approve an Ordinance Awarding a Contract to the Best Respondent for Depository Banking Services for the City Controller's Department  
S10-T23256

Category #  
4

Page 1 of 2

Agenda Item

**59**

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

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

**Origination Date**

October 14, 2009

**Agenda Date**

OCT 21 2009

**DIRECTOR'S SIGNATURE**

*Calvin D. Wells*  
*[Signature]*

**Council District(s) affected**

All

**For additional information contact:**

James Moncur Phone: (832) 393-3525  
Douglas Moore Phone: (832) 393-8724

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

**RECOMMENDATION: (Summary)**

Approve an ordinance awarding a contract to JPMorgan Chase Bank, N.A., in an amount not to exceed \$1,643,941.00 for depository banking services for the City Controller's Department.

Maximum Contract Amount: \$1,643,941.00

**Finance Budget**

- \$1,030,634.00 - General Fund (1000)
- \$ 594,842.00 - Water and Sewer System Operating Fund (8300)
- \$ 15,827.00 - HAS Revenue Fund (8001)
- \$ 2,638.00 - Civic Center Facility Revenue Fund (8601)
- \$1,643,941.00 - Total

**SPECIFIC EXPLANATION:**

The City Purchasing Agent recommends that City Council approve an ordinance awarding a three-year contract, with two one-year options to JPMorgan Chase Bank, N.A., in the amount not to exceed \$1,643,941.00 for depository banking services for the City Controller's Department. The City Controller or designee may terminate this contract at any time upon 30-days written notice to the contractor.

The scope of work for the contract requires the contractor to provide all labor, materials and supervision necessary to supply basic banking and cash management services including cash receipts and disbursement services, overnight investments, lockbox, electronic funds transfers, direct deposit of payroll, account reconciliation services, and payroll debit cards. The contract includes the cost of deposit tickets and deposit bags.

This Request for Proposal (RFP) was advertised in accordance with the requirements of the State of Texas bid laws. Forty-one perspective bidders downloaded the solicitation document from SPD's e-bidding website and as a result, proposals were received from JPMorgan Chase Bank, N.A., Bank of America, N.A., and Wells Fargo Bank, N.A. The evaluation committee was comprised of expert staff from the City Controller's, Houston Airport System, Administration & Regulatory Affairs, Finance and Public Works & Engineering Departments. The proposals were evaluated based upon the following criteria:

- Ability of Proposer to Provide Basic Services
- Cost
- M/WBE Participation

JPMorgan Chase Bank, N.A. received the highest overall score.

**M/WBE Subcontracting:**

This RFP was issued with an 11% goal for M/WBE participation. JPMorgan Chase Bank, N.A. has designated the below-named companies as its certified M/WBE subcontractors:

**REQUIRED AUTHORIZATION**

Finance Department:

Other Authorization:

Other Authorization:

*[Handwritten initials]*

Date: 10/14/2009	Subject: Approve an Ordinance Awarding a Contract to the Best Respondent for Depository Banking Services for the City Controller's Department S10-T23256	Originator's Initials GB	Page 2 of 2
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NAME	TYPE OF WORK	DOLLAR AMOUNT	PERCENTAGE
Sunrise Delivery, Inc.	Messenger Service	\$ 32,878.82	2%
Walkercom, Inc.	Networking/Telecom Hardware	\$147,954.69	9%
	TOTAL	\$180,833.51	11%

The Affirmative Action Division will monitor this award.

Pay or Play Program:

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

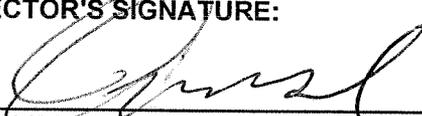
Buyer: Greg Hubbard

Estimated Spending Authority:

DEPARTMENT	OUT YEARS	TOTAL
PWE	\$ 594,842.00	\$ 594,842.00
Various (General Government)	\$ 723,035.00	\$ 723,035.00
Controllers	\$ 307,599.00	\$ 307,599.00
CEF	\$ 2,638.00	\$ 2,638.00
Houston Airport System	\$ 15,827.00	\$ 15,827.00
TOTAL:	\$1,643,941.00	\$1,643,941.00

<b>SUBJECT:</b> Legal services agreements for the representation of employees and former employees of the Houston Police Department in lawsuits involving alleged problems within the Crime Lab	<b>Page</b> 1 of 2	<b>Agenda Item #</b> 58
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<b>FROM (Department or other point of origin):</b> Arturo G. Michel Legal Department	<b>Origination Date</b> 10/15/09	<b>Agenda Date</b> OCT 21 2009
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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> Robert L. Cambrice Phone: 832.393.6476	<b>Date and identification of prior authorizing Council action:</b>
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**RECOMMENDATION:** (Summary)  
Adopt an ordinance approving and authorizing legal services agreements between (1) the City of Houston and Heard & Medack, P.C. and (2) the City of Houston and Olson & Olson, L.L.P. for the representation of current and former HPD employees involving alleged problems within the Crime Lab.

**Amount and Source of Funding:**

Heard & Medack, P.C. - (FY 2010 allocation - \$125,000) Maximum Contract Amount - \$300,000	Olson & Olson, L.L.P. - (FY 2010 allocation - \$100,000) Maximum Contract Amount - \$200,000
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Fund 1004 / Property and Casualty Fund

**SPECIFIC EXPLANATION:**

Under previously issued purchase orders, Heard & Medack, P.C. and Olson & Olson, L.L.P. represented former HPD Crime Lab employees, James Bolding and Christy Kim, respectively, in litigation involving the Crime Lab. These employees were defendants in a lawsuit styled *George Rodriguez v. City of Houston, et al.* This litigation involved extensive discovery and the funds authorized under the purchase orders were exhausted. Nevertheless, these firms were successful in having the claims against these former employees dismissed.

It is the City Attorney's recommendation that the City engage both firms for future services related to these and other HPD employees and former employees involved in Crime Lab activities, as needed. The firms have become very familiar with the facts and the law associated with allegations involving the Crime Lab and the work of current and former employees. The City is obligated to provide representation for employees and officials when actions taken in the course and scope of employment are challenged in litigation, unless it is established that the employees or officials acted in bad faith or intentionally or willfully violated the law or applicable rules or policies.

It is recommended that Olson & Olson, L.L.P. be awarded a contract to represent Christy Kim and other Crime Lab employees where no conflict exists, with an initial allocation of \$100,000 for FY 2010 and a maximum contract amount of \$200,000. The initial allocation will cover pre-contract services provided beyond the funding of the original purchase order in addition to future services.

<b>REQUIRED AUTHORIZATION</b>		
<b>Other Authorization:</b>	<b>Other Authorization:</b>	<b>Other Authorization:</b> (2) NDT

<b>Date</b>	<b>SUBJECT:</b> Professional Services Agreements	<b>Originator's Initials</b>	<b>Page</b> <u>2</u> of <u>2</u>
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It is further recommended that Heard & Medack, P.C. be awarded a contract to represent James Bolding and other Crime Lab employees where no conflict exists, with an initial allocation of \$125,000 for FY 2010 and a maximum contract amount of \$300,000. The initial allocation will cover pre-contract services provided beyond the funding of the original purchase order in addition to future services.

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

<b>Subject:</b> Construction Contract with Vanderlande Industries, Inc. for Explosive Detection System Baggage Handling System and security enhancements at William P. Hobby Airport (HOU) and Ellington Airport (EFD), Project No. 612L, (WBS No. A-000486-0014-4-01).	<b>Category #</b>	<b>Page 1 of 2</b>	<b>Agenda Item #</b> <b>59</b>
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<b>FROM (Department or other point of origin):</b> Houston Airport System	<b>Origination Date</b> October 5, 2009	<b>Agenda Date</b> OCT 21 2009
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<b>DIRECTOR'S SIGNATURE:</b> <i>Am</i> <i>John M. Haley</i> FOR ERP	<b>Council District affected:</b> E, I
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<b>For additional information contact:</b> Frank M. Haley, Jr. Phone: 281/233-1835 John Silva Phone: 281/233-1925	<b>Date and identification of prior authorizing Council action:</b> N/A
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<b>AMOUNT &amp; SOURCE OF FUNDING:</b> CIP No. A-0486.05/12/13.3 \$4,635,865.00 Airports Improvement Fund (8011) CIP No. A-0422.68.3 \$ 77,265.00 Airports Improvement Fund (8011) \$4,713,130.00 Total	<b>Prior appropriations:</b> N/A
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**RECOMMENDATION: (Summary)**  
Enact an ordinance to award a Construction Contract to Vanderlande Industries, Inc. for Explosive Detection System Baggage Handling System and security enhancements at William P. Hobby Airport (HOU) and Ellington Airport (EFD) and appropriate the necessary funds to finance the cost of these services.

**PROJECT LOCATION:** William P. Hobby Airport (HOU) and Ellington Airport (EFD).

**PROJECT SUMMARY:** This project will construct a new Explosive Detection System (EDS) Baggage Handling System (BHS) for airlines other than Southwest Airlines in conjunction with ongoing renovations in the East Terminal area under Project 417F. Project 612L will install new ticketing, curbside, and oversize conveying systems for delivery of outbound baggage to a new Baggage Screening area. The Baggage Screening area will include three (3) EDS machines and an outbound makeup carousel with associated security improvements located in a stand-alone building adjacent to the East Terminal. BHS modifications in the Central Concourse area will also accommodate Southwest Airlines' new curbside check-in location. Additionally, this project includes new airfield security components at both HOU and EFD.

The Legal Department has determined that this project qualifies as a health and safety exception under Section 252.022 (a) (2) of the Texas Local Government Code.

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

REQUIRED AUTHORIZATION

NDT

<b>Finance Department:</b>	<b>Other Authorization:</b>	<b>Other Authorization:</b>
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**Date**  
October 5, 2009

**Subject:** Construction Contract with Vanderlande Industries, Inc. for Explosive Detection System Baggage Handling System and security enhancements at William P. Hobby Airport (HOU) and Ellington Airport (EFD), Project No. 612L, (WBS No. A-000486-0014-4-01).

**Originator's  
Initials**  
LK

**Page**  
2 of 2

**ENGINEERING SERVICES TESTING CONTRACT:** Engineering and testing services will not be necessary for this contract. Transportation Security Administration (TSA) conducts its own Integrated Site Acceptance Testing.

**PROJECT COST:**

\$4,415,109.00	Contract Amount
\$ 220,756.00	Contingency (5%)
\$ 77,265.00	Civic Art
\$4,713,130.00	Total

**DBE PARTICIPATION:** The Disadvantaged Business Enterprise (DBE) goal for this contract is twenty-one percent (21%) and will be met by the following certified firms:

<b>Firm</b>	<b>Type of Work</b>	<b>Amount</b>	<b>% of Bid</b>
B&R Project Management, Inc,	Construction Management	\$ 499,767.00	11.31 %
Preferred Technologies, Inc.	IT Infrastructure Installation	\$ <u>564,650.00</u>	<u>12.79 %</u>
	Total	\$ 1,064,417.00	24.10 %

HAS Office of Small Business Development and Contract Compliance has approved this participation plan.

**GRANTS AND FUND ADJUSTMENTS:** This project may use funds awarded under the American Recovery and Reinvestment Act of 2009 (ARRA). The City of Houston and the recommended contractor will adhere to and comply with the special reporting requirements associated with ARRA grant expenditures as required by the granting agency and/or the Office of Management and Budget. This project is also eligible for federal funding through the TSA's Other Transaction Agreement and the ARRA of 2009. It may also be eligible for Passenger Facility Charge (PFC) funding. Appropriate fund source adjustments will be made if alternative funding becomes available.

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

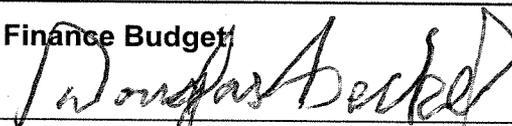
<b>SUBJECT:</b> Appropriate Funds for Issuance of a Purchase Order to Vanguard Environments, Inc., and Mity-Lite, Inc. through the State of Texas Building and Procurement Commission Contract (TXMAS) for furniture for the Renovation of Hobart Taylor Park Community Center. WBS No. F-0504A4-0001-5	<b>Page</b> 1 of 1	<b>Agenda Item</b> <b>60</b>
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<b>FROM (Department or other point of origin):</b> General Services Department	<b>Origination Date</b> 10/15/09	<b>Agenda Date</b> OCT 21 2009
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<b>DIRECTOR'S SIGNATURE:</b> Issa Z. Dadoush, P.E. 	<b>Council District(s) affected:</b> B
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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:** Appropriate funds for issuance of a purchase order in the amount of \$905.37 to the TXMAS vendor, Vanguard Environments, Inc., and \$6,892.06 to the TXMAS vendor, Mity-Lite, Inc., for the purchase of furniture for the Community Center at Hobart Taylor Park for the Parks and Recreation Department.

<b>Amount and Source of Funding:</b> \$7,797.43 Parks Consolidated Construction Fund (4502)	<b>Finance Budget</b> 
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**SPECIFIC EXPLANATION:** The General Services Department recommends that City Council appropriate \$7,797.43 for the purchase of furniture for the Community Center at Hobart Taylor Park, from the TXMAS vendors listed below:

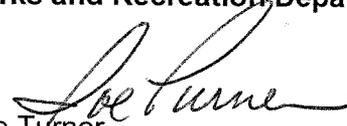
<u>Vendor</u>	<u>DESCRIPTION</u>	<u>PRICE</u>
Vanguard Environments, Inc.	3 Cruiser Chairs	\$ 905.37
Mity-Lite, Inc.	100 Folding Chairs, 10 Tables, 3 Carts	\$ 6,892.06
		<b>\$ 7,797.43</b>

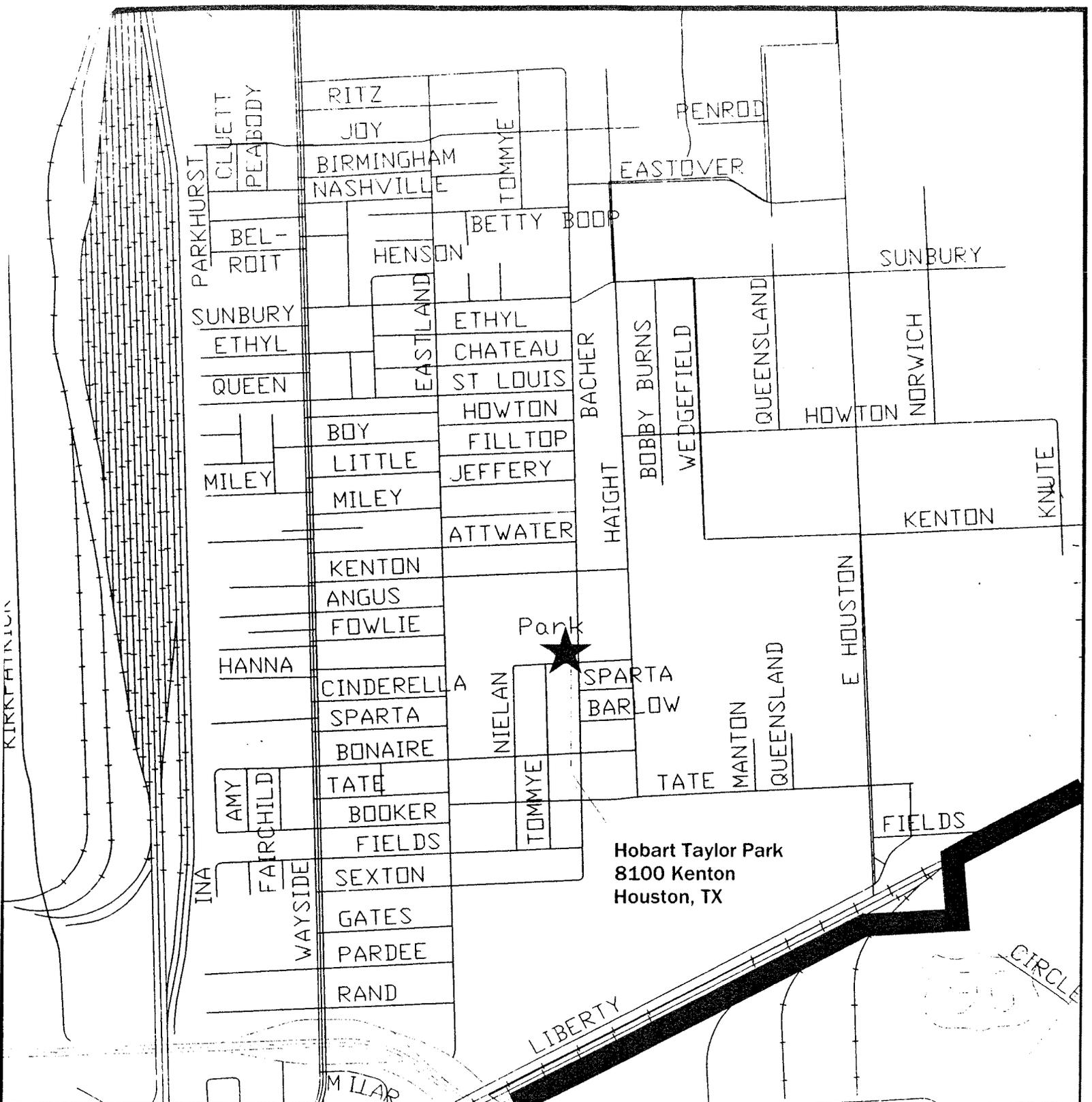
**PROJECT LOCATION:** 8100 Kenton St (Key Map 455P)

**PROJECT DESCRIPTION:** The furniture will be used to furnish the community center offices and activity rooms. The furniture will be covered under manufacturers' warranties.

IZD:HB:JLN:LJ:DE:de  
c: Marty Stein, Jacquelyn L. Nisby, Calvin Curtis, Yvette Burton, Mark Ross, Angela Jackson, Daniel Pederson, James Tillman, File

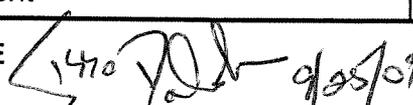
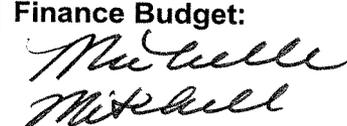
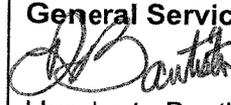
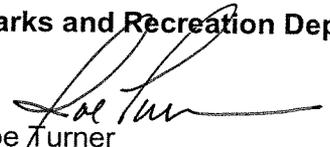
**REQUIRED AUTHORIZATION** CUIC# 25PARK79

<b>General Services Department:</b>  Humberto Bautista, P.E. Chief of Design & Construction Division	<b>Parks and Recreation Department:</b>  Joe Turner Director
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Hobart Taylor Park  
 8100 Kenton  
 Houston, TX

**Hobart Taylor Park**  
 8100 Kenton  
 Houston, Tx 77028

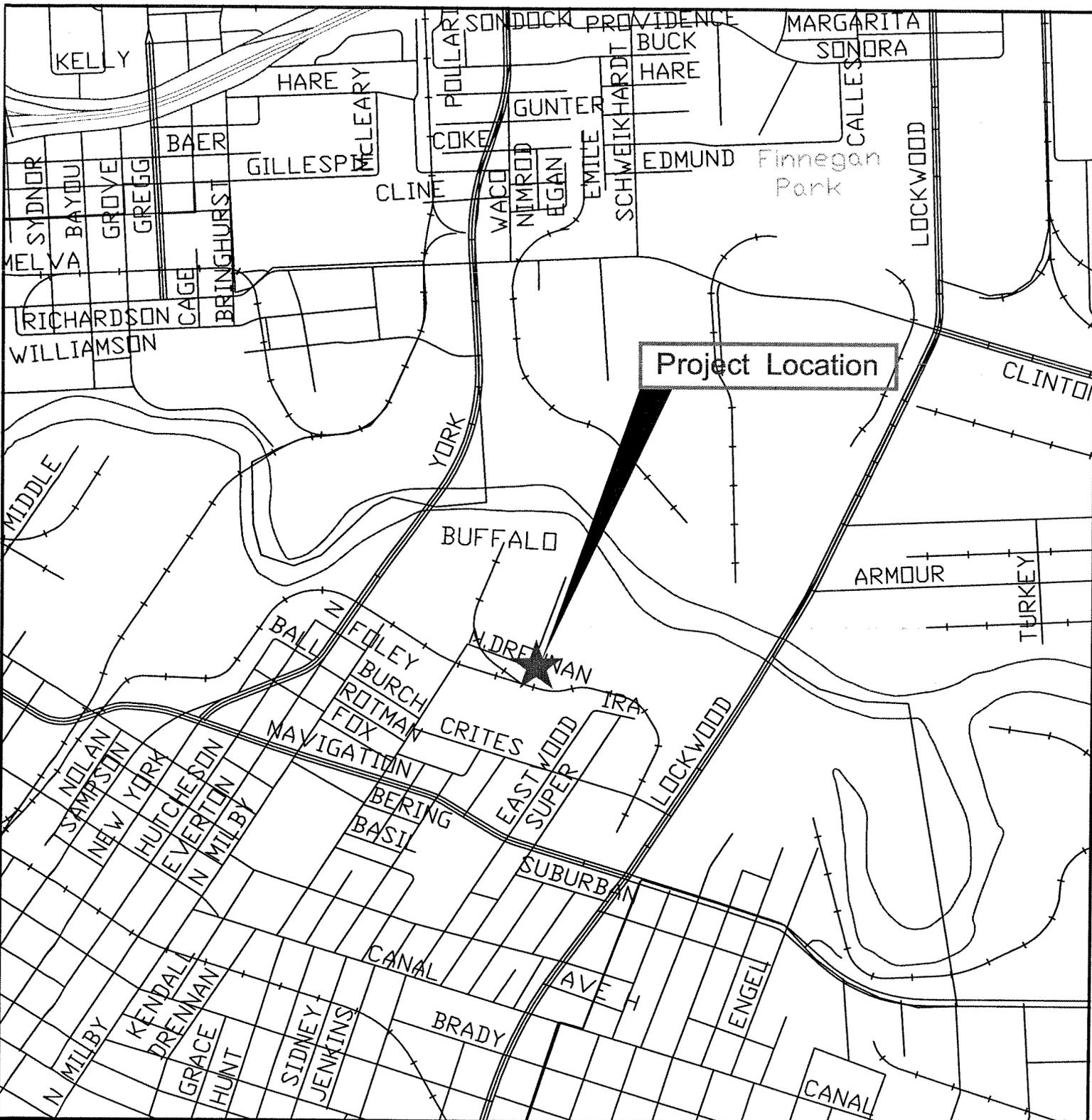
<b>SUBJECT:</b> Additional Appropriation Professional Environmental Consulting Services Contract Brown and Caldwell WBS No. F-000509-0050-4		<b>Page</b> 1 of 2	<b>Agenda Item</b> 61
<b>FROM (Department or other point of origin):</b> General Services Department		<b>Origination Date</b> 10/15/09	<b>Agenda Date</b> OCT 21 2009
<b>DIRECTOR'S SIGNATURE</b>  Issa Z. Dadoush, P.E.		<b>Council District affected:</b> 1	
<b>For additional information contact:</b> Jacquelyn L. Nisby  Phone: 832-393-8023		<b>Date and identification of prior authorizing Council action:</b> Ordinance: 07-1326; Dated: 11/28/2007	
<b>RECOMMENDATION:</b> Appropriate additional funds for the project.			
<b>Amount and Source of Funding</b> \$50,000.00 Parks Consolidated Construction Fund (4502) <b>Previous Funding:</b> \$100,000.00 - Parks Consolidated Construction Fund (4502) \$ 20,000.00 - Fire Consolidated Construction Fund (4500) \$ 80,000.00 - General Improvements Consolidated Construction Fund (4509)		<b>Finance Budget:</b> 	
<b>SPECIFIC EXPLANATION:</b> The General Services Department recommends that City Council appropriate an additional \$50,000.00 to the existing task order contract with Brown and Caldwell to provide additional environmental consulting services at 723 N. Drennan Street, a 9.8163 acre tract of land. The Parks and Recreation Department desires to purchase this land from the Buffalo Bayou Partnership (BBP) for the expansion of Tony Marron Park.			
<b>PROJECT LOCATION:</b> 723 N. Drennan Street. Houston, Texas (Key Map 534-G).			
<b>PROJECT DESCRIPTION:</b> The site was originally an industrial operation adjacent to Buffalo Bayou. In June 2009, Brown and Caldwell installed and sampled six soil borings at various depths. Additional soil sampling, analysis, and data evaluation is necessary to ensure the property will meet TCEQ's guidelines for residential use as a park.			
<b>PREVIOUS HISTORY AND PROJECT SCOPE:</b> On November 28, 2007, City Council approved a professional environmental consulting services contract with Brown and Caldwell. The scope of work consists of project planning and site studies for asbestos, lead, mold and indoor air quality, environmental site assessment, preparation of construction documents, construction oversight, inspection, evaluation, analytical testing and preparation of reports.			
<b>REQUIRED AUTHORIZATION</b> <span style="float: right;">NDT CUIC# 25GM200</span>			
<b>General Services Department:</b>  Humberto Bautista, P.E. Chief of Design & Construction Division	<b>Other Authorization:</b>	<b>Parks and Recreation Department:</b>  Joe Turner Director	

<b>Date</b>	Additional Appropriation Professional Environmental Consulting Services Contract Brown and Caldwell WBS No. F-000509-0050-4	<b>Originator's Initials</b> GM	<b>Page</b> 2 of 2
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**M/WBE INFORMATION:** A M/WBE goal of 24% has been established for the original contract and this additional appropriation. To date, the consultant has achieved 19.24% M/WBE participation.

IZD:HB:JLN:GM:gm

- c: Marty Stein,
- Issa Z. Dadoush, P.E.
- Jacquelyn L. Nisby
- Calvin Curtis
- Velma Laws
- Gabriel Mussio
- Yvette Burton
- File



Professional Environmental Consulting Services Contract -  
Brown and Caldwell

723 N. Drennan Street  
Houston, TX

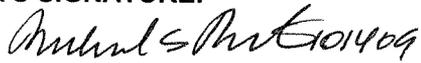


TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

<b>SUBJECT:</b> Interlocal Agreement between the City of Houston and Harris County for the Reconstruction of Genoa-Red Bluff Road from Beltway 8 to 1,500 feet East of Pine Tree Drive ; WBS No. N-000702-0001-4.	<b>Page</b> 1 of 2	<b>Agenda Item #</b>  62
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<b>FROM (Department or other point of origin):</b> Department of Public Works and Engineering	<b>Origination Date</b> 10-15-09	<b>Agenda Date</b> OCT 21 2009
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<b>DIRECTOR'S SIGNATURE:</b>  Michael S. Marcotte, P.E. D.WRE, BCEE, Director	<b>Council District affected:</b> E 
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<b>For additional information contact:</b>  Hamlet Hovsepian, PE. Phone: (713) 837-7033 Interim Senior Assistant Director	<b>Date and identification of prior authorizing Council action:</b> N/A
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**RECOMMENDATION: (Summary)**  
Adopt an ordinance approving and authorizing an Interlocal Agreement between the City of Houston and Harris County and appropriate funds.

**Amount and Source of Funding:** \$6,450,000.00 from Street And Bridge Consolidated Construction Fund 4506 to be reimbursed by Metropolitan Transit Authority (METRO). *M.P. 10/14/09*

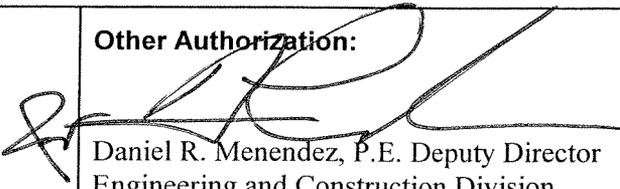
**PROJECT NOTICE/JUSTIFICATION:** This project is a part of the METRO General Mobility Program. Harris County (County) desires to improve the Genoa Red-Bluff Road. The County proposes the City of Houston (City) participate to improve Genoa Red-Bluff Road from Beltway 8 to 1,500 feet east of Pine Tree Street which is located within the incorporated boundaries of the City and has been historically improved and maintained by the County. Genoa Red Bluff Road is on Harris County Road Log No. 0298305. The County and the City determine such improvement will benefit the residents and the transportation needs of the traveling public.

**DESCRIPTION/SCOPE:** This project provides for the construction of a four-lane concrete roadway including storm sewers, signing and pavement markings, and necessary underground utility adjustments.

**LOCATION:** The project is located on Genoa-Red Bluff Road from Beltway 8 to 1,500 feet east of Pine Tree Drive. This project is located in Key Map Grid Nos. 577 L, M and 578 J, K.

**SCOPE OF THIS AGREEMENT:** Under the terms of the Interlocal Agreement, the County is responsible for the design, acquiring right-of-way, advertisement, bid and award of the construction contract, and the construction of the project. The City shall participate only in funding for the design and construction of the project. The City's participation shall not exceed \$6,300,000.00. The City shall deliver a check in the amount of \$6,300,000.00 within forty five (45) days after the written request from the County.

**REQUIRED AUTHORIZATION** CUIC ID #20TAA38

<b>Finance Department:</b>	<b>Other Authorization:</b>	<b>Other Authorization:</b>  Daniel R. Menendez, P.E. Deputy Director Engineering and Construction Division
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<b>Date</b>	<b>SUBJECT:</b> Interlocal Agreement between the City of Houston and Harris County for the Reconstruction of Genoa-Red Bluff Road from Beltway 8 to 1,500 feet East of Pine Tree Drive ; WBS No. N-000702-0001-4.	<b>Originator's Initials</b> TAA <i>TAA</i>	<b>Page</b> 2 of <u>2</u>
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Upon the acceptance of the City, the County shall retain responsibility for the maintenance and repair of the project facilities to the extent and in the same manner as other like facilities within the County. The City grants right of entry for the project facilities owned by the City to the County for such maintenance and repair purposes. The total appropriation requested is \$6,450,000.00 which includes \$150,000.00 for the City's salary recovery. This amount will be reimbursed by METRO upon the completion of the project. The most recent estimate for the total cost of this project is approximately \$16,000,000.00.

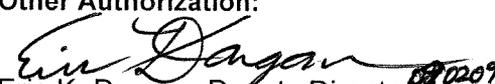
**ACTION RECOMMENDED:** It is recommended that City Council adopt an ordinance approving and authorizing an Interlocal Agreement between the City of Houston and Harris County and appropriate \$6,450,000.00 for the City's cost participation.

  
MSM:DRM:HH:TAA:PKC:kdt  
Z:\constr\A-SB-DIV\Design\County\Genoa-Red Bluff\RCA\RCA 20TAA38.doc

- c: Marty Stein
- Velma Laws
- Susan Bandy
- Craig Foster
- File – Harris County - Genoa-Red Bluff Road from Beltway 8 to 1,500 feet East of Pine Tree Drive.



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

SUBJECT: Appropriation Ordinance for the rehabilitation of concrete pavement. WBS No. N-000655-0007-4 and N-000845-0009-4		Page 1 of 1	Agenda Item <b>63</b>
FROM (Department or other point of origin): Department of Public Works and Engineering		Origination Date 10/1/09	Agenda Date OCT 21 2009
DIRECTOR'S SIGNATURE  Michael S. Marcotte, P.E., D.WRE, BCEE, Director		Council District affected: All Districts	
For additional information contact: Tracy Wingate Phone: (713) 837-7505 Assistant Director		Date and identification of prior authorizing Council action:	
<b>RECOMMENDATION: (Summary)</b> That City Council approve an ordinance appropriating the necessary funds from the Street & Bridge Consolidated Construction Fund to reimburse the General Fund for the rehabilitation of concrete pavements.			
Amount and Source of Funding: Appropriate a total of \$8,256,137 from Street & Bridge Consolidated Construction Fund No. 4506 <i>M.P. 9/3/09</i>			
<b>PROJECT NOTICE/JUSTIFICATION:</b> This project is part of the City of Houston's Capital Improvement Plan (CIP).			
<b>DESCRIPTION/SCOPE:</b> The Department of Public Works and Engineering is requesting that an ordinance be approved appropriating \$8,256,137 to cover reimbursable costs of rehabilitation to concrete pavement and bridge replacement included in the city of Houston's Capital Improvement Plan (CIP). The services are provided by in-house as well as contract crews. The work performed by the contractor will be inspected by City inspectors with quality control testing provided by a commercial testing laboratory. As the work is performed, the general fund will be reimbursed from the appropriate funds.			
<b>LOCATION:</b> This work will be City wide as needs occur and condition of street concrete pavement, bridge replacements and appurtenances requires.			
c: Marty Stein Susan Bandy Daniel Menendez Roland Mosley			
<b>REQUIRED AUTHORIZATION</b> <b>CUIC 20TW09</b>			
Finance Department:	Other Authorization:  Tracy Wingate, Assistant Director Street and Bridge Maintenance Branch Right-of-Way & Fleet Maintenance Division		Other Authorization:  Eric K. Dargan, Deputy Director Right-of-Way & Fleet Maintenance Division Department of Public Works and Engineering

<b>SUBJECT:</b> Approval and adoption of the City of Houston Regular Speed Zone Ordinance.	<b>Category #</b>	<b>Page</b> 1 of <u>1</u>	<b>Agenda Item #</b> <b>64</b>
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<b>FROM (Traffic &amp; Transportation):</b> Department of Public Works and Engineering	<b>Origination Date</b> 10/9/09	<b>Agenda Date</b> OCT 21 2009
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<b>DIRECTOR'S SIGNATURE:</b>  Michael S. Marcotte, P.E., D.WRE, BCEE, Director	<b>Council District affected:</b> All Districts
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<b>For additional information contact:</b> Sam Acheson, P.E. Phone: (713) 837-0545 Traffic and Transportation Division	<b>Date and identification of prior authorizing Council action:</b> Ordinance #2008-805 Adopted on September 10, 2008
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**RECOMMENDATION: (Summary)** Approve and adopt a new Regular Speed Zone Ordinance.

<b>Amount and Source of Funding:</b>	
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**SPECIFIC EXPLANATION:**

Houston City Council adopts the City's Regular Speed Zone Ordinance on a periodic basis to establish the limits and directions for regular speed zones throughout the City. This ordinance was most recently adopted on September 10, 2008 (Ordinance #2008-805). Attached is a listing of those changes requested by the Public Works Department.

Table 1 lists new Regular Speed Zones which have been installed and/or changed following the completion of traffic studies.

Table 2 is a listing of all Regular Speed Zones and includes the above installations and/or changes.

It is recommended that City Council approve the revised Regular Speed Zones dated September 30, 2009.

Attachment(s)

xc: Marty Stein, Agenda Director  
Waynette Chan  
Gary Drabek  
Jeffrey Weatherford, P.E., PTOE  
Michael Ereti, P.E.

REQUIRED AUTHORIZATION **CUIC ID #20JSW27**

<b>Finance Department</b>	<b>Other Authorization:</b>	<b>Other Authorization:</b>  Jeffrey Weatherford, P.E., PTOE Interim Deputy Director Traffic and Transportation Division
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**TABLE 1**  
**CITY OF HOUSTON**  
**DEPARTMENT OF PUBLIC WORKS AND ENGINEERING**  
**TRAFFIC and TRANSPORTATION BRANCH**  
**REGULAR SPEED ZONES CHANGES**

<u>STREET:</u>	<u>ZONE LIMITS:</u>	<u>EXISTING SPEED</u>	<u>PROPOSED SPEED</u>	<u>CMD:</u>
KATY FWY,NORTH SERVICE RD	FROM THE CENTERLINE OF STATE HIGHWAY 6 TO THE CENTERLINE OF N. ELDRIGE PKWY	55MPH	50MPH	A/G
KATY FWY,SOUTH SERVICE RD	FROM THE CENTERLINE OF STATE HIGHWAY 6 TO THE CENTERLINE OF N. ELDRIDGE PKWY	55MPH	50MPH	A/G
STATE HWY 6	FROM THE CENTERLINE OF PARK ROW TO THE CENTERLINE OF GRISBY RD	45MPH	55MPH	A/G
STATE HWY 6 EAST SERVICE RD	FROM A POINT 422 FT NORTH OF PARK ROW TO THE CENTERLINE OF GRISBY RD	NEW	45MPH	A/G
STATE HWY 6 WEST SERVICE RD	FROM A POINT 422 FT NORTH OF PARK ROW TO THE CENTERLINE OF GRISBY RD	NEW	45MPH	A/G

<b>SUBJECT:</b> Second Amendment to the Contract for Operation and Maintenance Services for the Kingwood Area Water and Wastewater Utilities and Facilities.		<b>Category</b>	<b>Page</b> 1 of <u>2</u>	<b>Agenda Item #</b> 65
<b>FROM (Department or other point of origin):</b> Department of Public Works and Engineering		<b>Origination Date</b> 10/15/09	<b>Agenda Date</b> OCT 21 2009	
<b>DIRECTOR'S SIGNATURE:</b> Michael S. Marcotte, P.E., D.WRE, BCEE <i>Michael S. Marcotte 10/13/09</i>		<b>Council District affected:</b> E		
<b>For additional information contact:</b> Jun Chang, P.E., Deputy Director, 713-837-0448 <i>Jun Chang</i>		<b>Date and identification of prior authorizing Council action:</b> Ordinance No. 2002-91, 02/13/02 Ordinance No. 2007-175, 02/07/07		
<b>RECOMMENDATION: (Summary)</b> Adopt an Ordinance approving a second amendment to the contract with Severn Trent Environmental Services, Inc. to extend the contract term, increase the contract amount and approve the related allocation of funds.				
<b>Amount and Source of Funding:</b> \$5,000,000.00 from the Water and Sewer System Operating Fund No. 8300. [Original (previous) allocations of \$13,729,364.00 from the Water and Sewer System Operating Fund No. 701. Subsequent additional allocation of \$12,198,282.00 from the Water and Sewer System Operating Fund No. 8300]. <i>Jun 9/22/09</i>				
<b>PROJECT NOTICE/JUSTIFICATION:</b> The Kingwood area includes Kingwood, Forest Cove, MUD No. 48, and MUD No. 58 Service Areas. The service provider of the existing Contract, which will expire on 02/18/10, provides services to operate and maintain Kingwood area water and wastewater utilities and facilities. This amendment will increase the maximum contract amount and extend the term of the contract for an additional one hundred thirty-two (132) days until a new contract is awarded.				
<b>DESCRIPTION/SCOPE:</b> The services include, but are not limited to, the following: <ul style="list-style-type: none"> <li>• Operation of all facilities in compliance with applicable permits, laws, regulations, and ordinances;</li> <li>• Administrative and technical support to ensure efficient operation of various facilities;</li> <li>• Inspection of facilities and equipment;</li> <li>• Submittal of annual reports on recommended capital expenditures;</li> <li>• Provisions and installation of computerized maintenance management system;</li> <li>• Preparation of monthly operating reports for these facilities;</li> <li>• Provision and maintenance of an inventory of chemicals, fuels, parts, and supplies to maintain equipment in accordance with manufacturers recommendations;</li> <li>• Consultation with City personnel for the preventive and corrective maintenance schedules</li> <li>• Maintenance of landscape for these facilities; and</li> <li>• Respond to the inquiries and service request of all concerned parties.</li> </ul>				
The Basic Services are the routine operation and maintenance contract deliverables and are compensated in accordance with the bid proposal submitted by the service provider. Additional Services are other non-routine and emergency items provided by the service provider on an as needed basis, and are reimbursed based on time and materials.				
<b>LOCATION:</b> These utilities and facilities are located within the Kingwood, Forest Cove, MUD No. 48, and MUD No. 58 Service Areas.				
<b>REQUIRED AUTHORIZATION</b>		CUIC ID # 20AJM217		
Finance Department	<b>Other Authorization:</b> <i>D. James Miller</i> 09/18/09	<b>Other Authorization:</b> <i>Jun Chang</i> Jun Chang, P.E., Deputy Director, Public Utilities Division		

<b>Date</b>	<b>Subject:</b> Second Amendment to the Contract for Operation and Maintenance Services for the Kingwood Area Water and Wastewater Utilities and Facilities.	<b>Originator's Initials</b>	<b>Page</b> <u>2</u> of <u>2</u>
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**PREVIOUS HISTORY AND SCOPE:** City Council approved the original contract on 02/13/02, approved by Ordinance Number 2002-91. Under this Contract, the service provider delivered the Basic and Additional Services required to operate and maintain the Kingwood area water and wastewater utilities and facilities for a five-year period. Over the past five years, the City has allocated the maximum contract amount of \$13,729,364.00

City Council approved an amendment to the original contract on 02/07/07, approved by Ordinance Number 2007-175. The amendment extended the contract term for an additional three years, ending on 02/18/10 and requested an additional \$12,198,282.00 in supplemental allocations. The previously allocated amount of \$13,729,364.00, in addition to the \$12,198,282.00 in supplemental allocations, increased the maximum contract amount to \$25,927,646.00.

The total of the requested appropriation is a lump sum amount of \$5,000,000.00. The additional funds are needed to complete the additional proposed services which were not budgeted.

**SCOPE OF THIS AMENDMENT AND FEE:** The requested additional allocation will allow the Service Provider to operate and maintain the Kingwood area utilities and facilities with optimum efficiencies, protecting the public health and the City's assets. A new contract to service the Kingwood area is being processed. To ensure that service in the Kingwood area is not interrupted before a new contract is approved, this amendment will extend the contract term of the existing contract to June 30, 2010.

**M/WBE PARTICIPATION:** The M/WBE goal established for this contract is 15%. The M/WBE goal was reduced from 24% to 15%, with the approval of the Affirmative Action and Contract Compliance Division, due to changes in the contract decreasing the original scope of work and thereby limiting the subcontracting potential. The original Contract and subsequent additional allocations totals \$25,927,646.00. The service provider has been paid \$25,439,769.68 (98.12%) to date. Of this amount, \$3,569,116.16 (14.03%) has been paid to M/WBE sub-consultants to date. Assuming approval of the requested additional allocation, the maximum Contract value will increase to \$30,927,646.00.

<u>Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
1. Prior M/WBE Work		\$3,569,116.16	11.54%
2. Automation Nation, Inc.	Electrical	\$50,000.00	0.16%
3. TJMT Services	Landscaping	\$350,000.00	1.13%
4. Busby Environmental Services, Inc.	Laboratory Services	\$100,000.00	0.32%
5. Escalante Construction, Inc.	General Construction and maintenance	\$350,000.00	1.13%
6. Magna-Flow Environmental	Sludge Hauling and Disposal	\$130,000.00	0.42%
7. Macaulay Controls Company	Electrical	\$27,500.00	0.09%
8. Rudy's Contracting, Inc.	General Construction and maintenance	\$80,096.50	0.26%
9. Cruz Air and Electric Contractors	Electric	\$2,500.00	0.01%
<b>TOTAL</b>	<b>\$ 4,659,212.66</b>	<b>15.06%</b>	

MSM:JC:AJM:OS:SM:TC:tc

- cc: Marty Stein  
 Mark Loethen, P.E.  
 Velma Laws  
 Craig Foster  
 Waynette Chan  
 Gary Drabek  
 Carol Ellinger, P.E.  
 File No. WW4814-1

**SUBJECT:** Professional Construction Management and Inspection Services Contract between the City of Houston and R. G. Miller Engineers, Inc. for Improvements at Homestead Wastewater Treatment Plant. WBS No. R-000265-0039-4.

Page  
1 of 1

Agenda Item #  
**66**

**From:** Department of Public Works and Engineering

**Origination Date**  
10-1-09

**Agenda Date**  
OCT 21 2009

**Director's Signature:**

  
Michael S. Marcotte, P.E., D.WRE, BCEE, Director

**Council District affected:**

B *SEP*

**For additional information contact:**

J. Timothy Lincoln, P.E.  
Senior Assistant Director **Phone:** (713) 837-7074

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

**Recommendation:** Approve a Professional Construction Management and Inspection Services Contract with R. G. Miller Engineers, Inc. and appropriate funds.

**Amount and Source of Funding:** \$12,000.00 from the Water and Sewer System Consolidated Construction Fund No. 8500.

*M.P. 9/1/09*

**PROJECT NOTICE/JUSTIFICATION:** This project is part of the City's program to renew/replace inefficient components of the existing wastewater treatment plant facilities.

**DESCRIPTION/SCOPE:** This project provides for construction management and inspection services for the rehabilitation of Improvements at Homestead Wastewater Treatment Plant.

**LOCATION:** The Homestead Wastewater Treatment Plant is located at 5565 Kirkpatrick. The project is located in the Key Map grid 455-N

**SCOPE OF APPROPRIATION AND FEE:** This contract will provide construction management and inspection services, including contract administration, processing pay estimates, coordinating schedules, evaluating proposals and change orders, site representation, inspection, document control, project closeout, and other tasks requested by the Director of the Department of Public Works and Engineering.

**PAY OR PLAY PROGRAM:** The proposed contract requires compliance with the City's 'Pay or Play' ordinance regarding health benefits for employees of City consultant. In this case, the consultant has elected to pay into the Consultant Responsibility Fund in compliance with City policy

**M/WBE PARTICIPATION:** R. G. Miller Engineers, Inc. has proposed Project Surveillance, Inc. to achieve the 24% M/WBE goal for this project.

MSM:DRM:JTL:*CWS*:mq  
Z:\E&C Construction\Facilities\CMs\R.G Miller\RCA.doc  
6: File No. Admin - R. G. Miller Engineers, Inc.

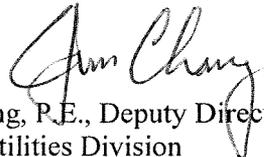
**REQUIRED AUTHORIZATION**

CUIC ID #20MZQ122 *NO*

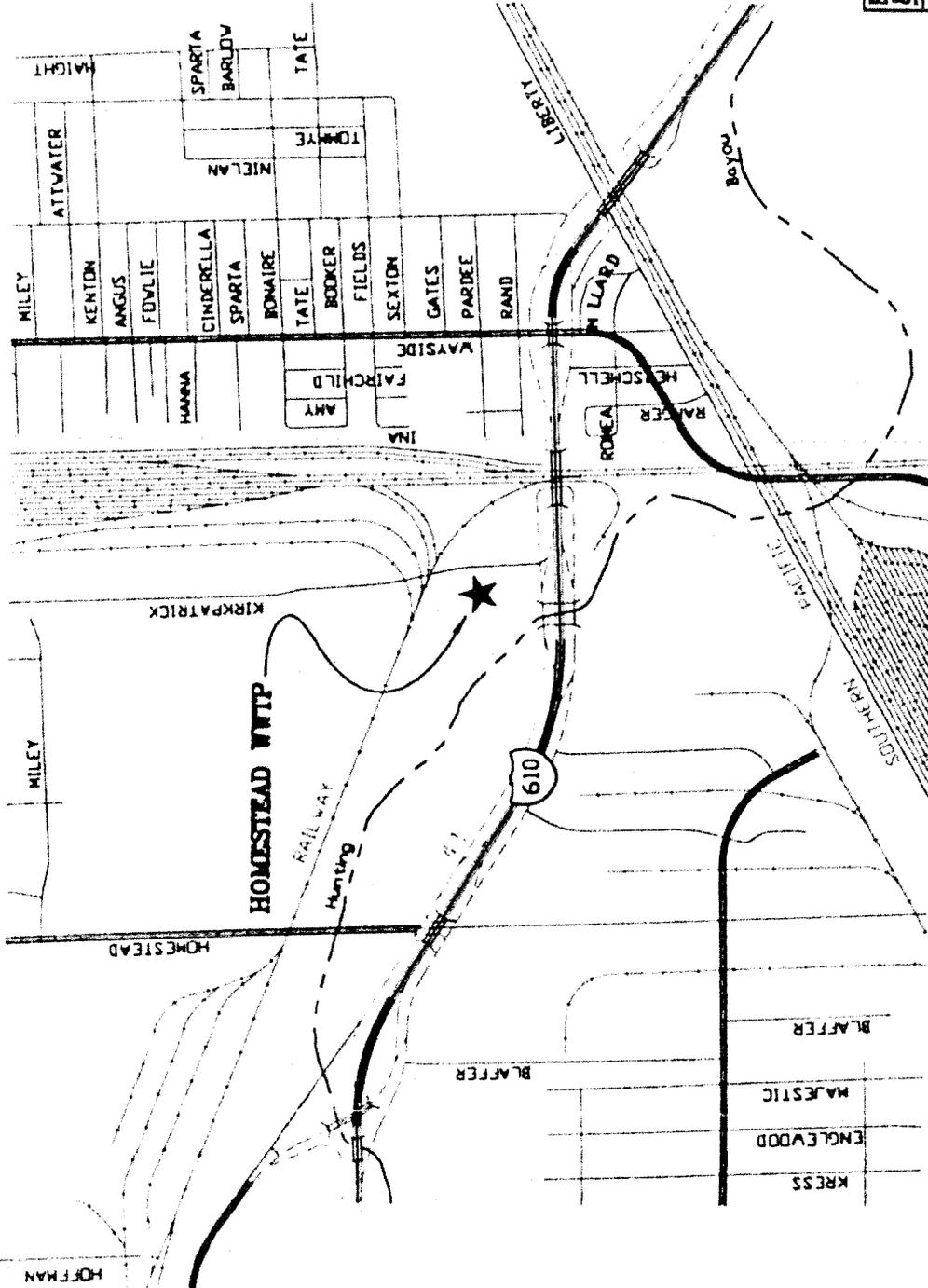
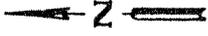
**Finance Department:**

**Other Authorization:**

**Other Authorization:**

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

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



**LOCATION MAP**  
**HOMESTEAD WTP @ 5585 KIRKPATRICK**  
**KEY MAP #455 N**

**BROWN & GAY**  
 CIVIL ENGINEERS & SURVEYORS  
 11100 WESTCHASE DRIVE, SUITE 100  
 HOUSTON, TEXAS 77037  
 (811) 544-8700

**CITY OF HOUSTON**

**EVALUATION, MODIFICATION, AND IMPROVEMENT OF THE TREATMENT PLANT PROCESS AT 1) WESTWAY 2) HOMESTEAD AND 3) CHOCOLATE BAYOU**

DATE	BY	REVISION
11/11/03	WJG	1
11/11/03	WJG	2
11/11/03	WJG	3

GTS No. R-0265-31-2  
 FILE No. HW4867

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

<b>SUBJECT:</b> Professional Engineering Services Contract between the City and Camp Dresser and McKee, Inc. for Sims Bayou North and FWSD #23 Wastewater Treatment Plant Improvements. W.B.S. No. R-000265-0067-3		<b>Page</b> 1 of 2	<b>Agenda Item #</b>  67
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<b>FROM (Department or other point of origin):</b> Department of Public Works and Engineering	<b>Origination Date</b> 10/1/09	<b>Agenda Date</b>
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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> B & I
--	--

<b>For additional information contact:</b> <i>Hamlet Hovsepian</i> Hamlet Hovsepian, P.E. Interim Senior Assistant Director Phone: (713) 837-7033	<b>Date and identification of prior authorizing Council action:</b>
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**RECOMMENDATION: (Summary)**  
Approve Engineering Services Contract with Camp Dresser and McKee, Inc. and appropriate funds.

**Amount and Source of Funding:** \$893,200.00 Water and Sewer System Consolidation Fund No. 8500.  
*U.P. 8/28/09*

**DESCRIPTION/SCOPE:** This project is part of the city's program to renew/replace inefficient components of the existing Wastewater Treatment Plants (WWTP). This project consists of the design of various components at Sims Bayou North and FWSD#23 WWTP.

**LOCATION:** Sims Bayou North WWTP is located at 9500 Lawndale, Key Map Grid 535-G & H; FWSD#23 WWTP is located at 8219 Kellett, Key Map Grid 455-F & G.

**SCOPE OF CONTRACT AND FEE:** Under the scope of the Contract, the Consultant will perform Phase I - Preliminary Design, Phase II - Final Design, Phase III -Construction Phase Services and Additional Services. Basic Services Fee for Phase I is based on cost of time and materials with not-to-exceed agreed upon amount. The Basic Services fees for Phase II and Phase III will be negotiated on a lump sum amount after the completion of Phase I. The negotiated maximum for Phase I Basic Services is \$64,000. The total Basic Services appropriation is \$634,000.

The Contract also includes certain Additional Services to be paid either as lump sum or on a reimbursable basis. The Additional Services include Surveying, Geotechnical Investigation, Reproduction Services, Drug Testing and Compliance, TRC Presentation and Preparation of O&M manuals. The total Additional Services appropriation is \$178,000.

The total cost of this project is \$893,200.00 to be appropriated as follows: \$812,000.00 for Contract services and \$81,200.00 for project management.

**REQUIRED AUTHORIZATION** CUIC ID #20AKH19

<b>Finance Department:</b> ↓	<b>Other Authorization:</b> <i>Jun Chang</i> Jun Chang, P.E., Deputy Director Public Utilities Division	<b>Other Authorization:</b> <i>Daniel R. Menendez</i> Daniel R. Menendez, P.E., Deputy Director Engineering and Construction Division
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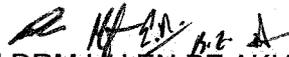
Date	<b>SUBJECT:</b> Professional Engineering Services Contract between the City and Camp Dresser and McKee, Inc. for Sims Bayou North and FWSD #23 Wastewater Treatment Plant Improvements. W.B.S. No. R-000265-0067-3.	<b>Originator's Initials</b> 	<b>Page</b> 2 of 2
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**PAY OR PLAY PROGRAM:**

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

**M/WBE INFORMATION:** The M/WBE goal for the project is set at 24%. The Consultant has proposed the following firms to achieve this goal.

<u>Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Total Contract</u>
1. Aviles Engineering Corporation	Geotechnical Testing Laboratories or Services	\$ 13,889.00	1.71%
2. Kalluri Group, Inc.	Engineering Services	\$ 149,967.00	18.47%
3. United Engineers, Inc.	Engineering Services	\$ 23,148.00	2.85%
4. Gurrola Reprographics, Inc.	Reprographic Services	\$ 27,618.00	3.40%
5. Briones Consulting & Engineering, Ltd.	Engineering Services	\$ 47,614.00	5.86%
<b>TOTAL</b>		<b>\$ 262,236.00</b>	<b>32.29%</b>

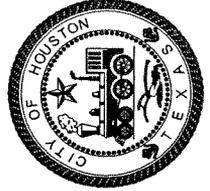
  
MSM:DRM:HH:EN:BZ:AKH:ack

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- c: Marty Stein  
Velma Laws  
Susan Bandy  
Mike Pezeshki, P.E.  
Craig Foster  
File No. R-0265-67-3(1.2)



2650 West Oaks Boulevard, Suite 300  
Houston, Texas 77065  
Tel: (713) 423-7300 Fax: (713) 940-0173  
TBPB Firm Registration No. F-3043  
consulting • engineering • construction • operations



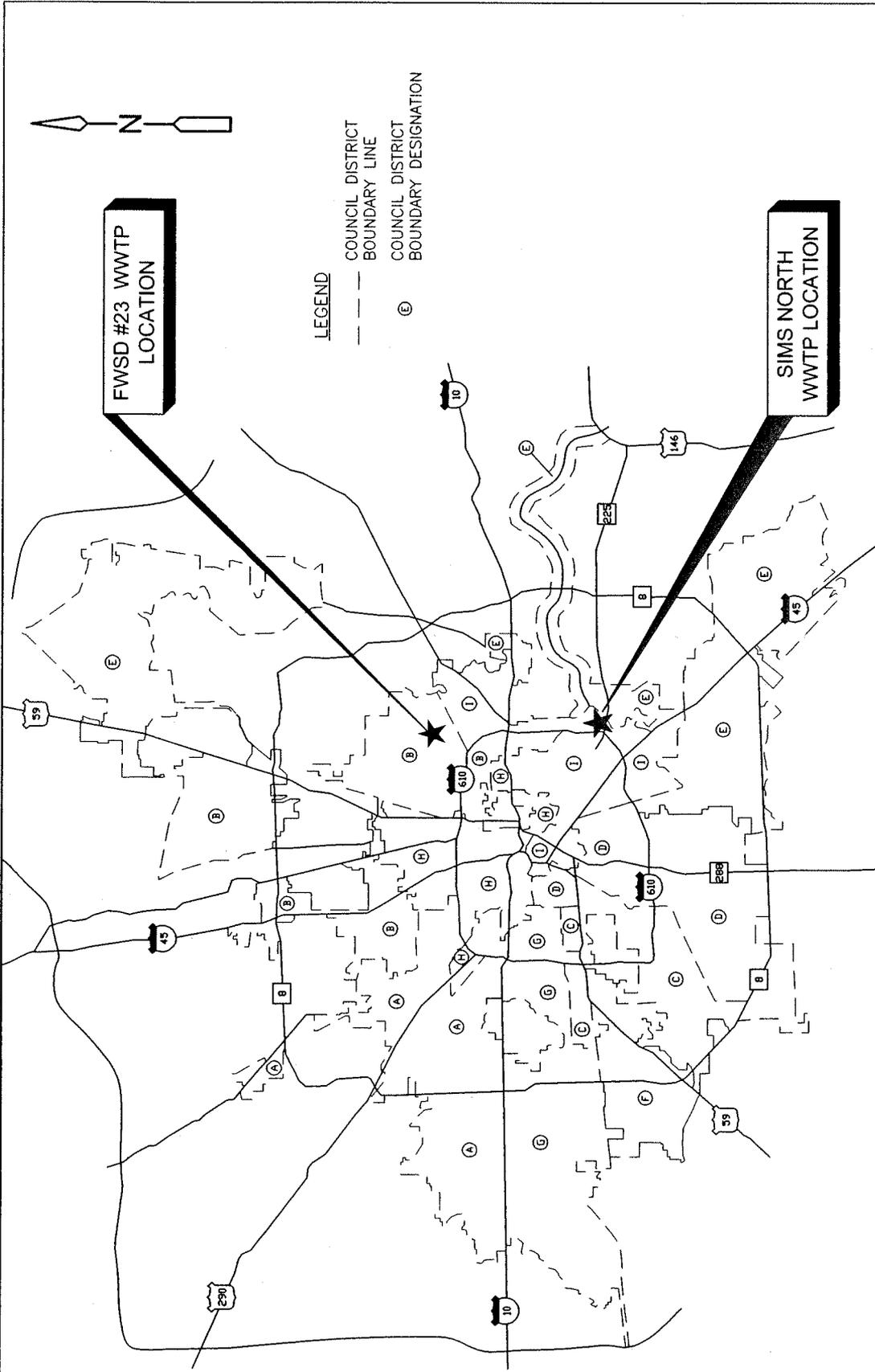
**CITY OF HOUSTON**  
DEPARTMENT OF PUBLIC WORKS AND ENGINEERING  
ENGINEERING AND CONSTRUCTION DIVISION

SIMS BAYOU NORTH AND FWSD #23  
WASTEWATER TREATMENT PLANT  
IMPROVEMENTS

WBS No.: R-000265-0067-3

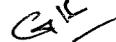
LOCATION MAP

NOT TO SCALE



<b>SUBJECT:</b> Professional Engineering Services Contract between the City and Malcolm Pirnie, Inc. for West District and Upper Brays Wastewater Treatment Plant Improvements. WBS No. R-000265-0068-3.	<b>Page</b> 1 of 2	<b>Agenda Item #</b> <b>68</b>
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<b>FROM (Department or other point of origin):</b> Department of Public Works and Engineering	<b>Origination Date</b> 9-24-09	<b>Agenda Date</b> OCT 21 2009
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<b>DIRECTOR'S SIGNATURE:</b>  Michael S. Marcotte, P.E., D.WRE, BCEE	<b>Council District affected:</b> G 
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<b>For additional information contact:</b>  Hamlet Hovsepian, P.E. Phone: (713) 837-7033 Interim Senior Assistant Director	<b>Date and identification of prior authorizing Council action:</b>
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**RECOMMENDATION: (Summary)**  
Approve Engineering Services Contract with Malcolm Pirnie, Inc. and appropriate funds.

**Amount and Source of Funding:** \$891,000.00 Water and Sewer System Consolidated Construction Fund No. 8500.  
*M.P. 9/2/09*

**DESCRIPTION/SCOPE:** This project is part of the City's ongoing program to renew/ replace inefficient components of the existing wastewater treatment plant (WWTP) facilities. This project consists of design of various components of the subject wastewater treatment plant facilities.

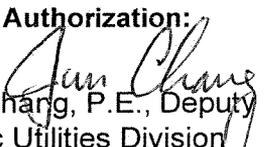
**LOCATION:** The project is located in the following Key Map Grids:

<u>Location</u>	<u>Address</u>	<u>Key Map Grid</u>	<u>Council District</u>
1. West District WWTP	255 Isolde	489 - L	G
2. Upper Brays WWTP	13525 West Houston Center Blvd.	529 - A	G

**SCOPE OF CONTRACT AND FEE:** Under the scope of the Contract, the Consultant will perform Phase I - Preliminary Design, Phase II - Final Design, Phase III -Construction Phase Services and Additional Services. Basic Services Fee for Phase I is based on cost of time and materials with not-to-exceed agreed upon amount. The Basic Services fees for Phase II and Phase III will be negotiated on a lump sum amount after the completion of Phase I. The negotiated maximum for Phase I Basic Services is \$150,000.00. The total Basic Services appropriation is \$650,000.00.

The Contract also includes certain Additional Services to be paid either as lump sum or on a reimbursable basis. The Additional Services include Surveying, Geotechnical Investigation, Reproduction, and Operation and Maintenance Manual. The total Additional Services appropriation is \$160,000.00.

**REQUIRED AUTHORIZATION** **CUIC ID #20GK57**

<b>Finance Department:</b> 	<b>Other Authorization:</b>  Jun Chang, P.E., Deputy Director Public Utilities Division	<b>Other Authorization:</b>  Daniel R. Menendez, P.E., Deputy Director Engineering and Construction Division
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Date	<b>SUBJECT:</b> Professional Engineering Services Contract between the City and Malcolm Pirnie, Inc. for West District and Upper Brays Wastewater Treatment Plant Improvements. WBS No. R-000265-0068-3.	<b>Originator's Initials</b> <i>GK</i>	<b>Page</b> 2 of <u>2</u>
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The total cost of this project is \$891,000.00 to be appropriated as follows: \$810,000.00 for contract services and \$81,000.00 for project management.

**PAY OR PLAY PROGRAM:**

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

**M/WBE INFORMATION:** The M/WBE goal for the project is set at 24%. The Consultant has proposed the following firms to achieve this goal.

<u>Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Total Contract</u>
1. KIT Professionals, Inc.	Engineering Services	\$128,000.00	15.80%
2. HVJ Associates, Inc.	Geotechnical Investigation Services	\$ 25,000.00	3.09%
3. Amani Engineering, Inc.	Surveying Services	\$ 23,500.00	2.90%
4. B & E Reprographics, Inc.	Reproduction Services	<u>\$ 18,518.00</u>	<u>2.29%</u>
<b>TOTAL</b>		<b>\$195,018.00</b>	<b>24.08%</b>

*MSM:DRM:HH:EN:GK:MS*

MSM:DRM:HH:EN:GK:MS:ms

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- c: Marty Stein  
Velma Laws  
Susan Bandy  
Mike Pezeshki, P.E.  
Craig Foster  
File No. R-000265-0068-3 (1.2)

**SUBJECT:** Professional Engineering Services Contract between the City and Arcadis U.S., Inc. for Engineering Services associated with the design of:  
 1. Water Line Replacement in Timbergrove Area: WBS No. S-000035-0122-3.  
 2. Water Line Replacement in Fulton North and Glenwood Forest Area: WBS No. S-000035-0123-3.

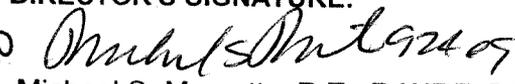
Page 1 of 2

Agenda Item # 69

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

**Origination Date**  
 10/1/09

**Agenda Date**  
 OCT 21 2009

**DIRECTOR'S SIGNATURE:**  
  
 Michael S. Marcotte, P.E., D.WRE, BCEE, Director

**Council District affected:** A, B, H  


**For additional information contact:**  
 Hamlet Hovsepian, P.E.  Phone: (713) 837-7033  
 Interim Senior Assistant Director

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

**RECOMMENDATION: (Summary)**  
 Approve Engineering Services Contract with Arcadis U.S., Inc. and appropriate funds.

**Amount and Source of Funding:**  
 \$1,440,700.00 from Water and Sewer System Consolidated Construction Fund No. 8500. *M.P. 9/8/09*

**PROJECT NOTICE/JUSTIFICATION:** This project is part of the City's Water Line Replacement Program. This Program is required to replace and upgrade water lines within the City to increase circulation and availability of water.

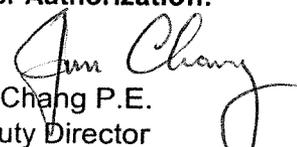
**DESCRIPTION/SCOPE:** This project consists of the design of approximately 74,470 linear feet of water lines with all related appurtenances in the Timbergrove, Fulton North and Glenwood Forest Areas.

**LOCATION:** These projects are located in the following Key Map grids:

<u>Project</u>	<u>Bounded By</u>	<u>Key Map Grid</u>	<u>Council District</u>
1. Timbergrove Area:	A. Lazybrook on the north, W 18 <sup>th</sup> on the south, Mill Creek on the east, and Locksford Way on the west.	452 S	A
	B. Willowby on the north, W 11 <sup>th</sup> on the south, W. T.C. Jester on the east, and Seamist on the west.	452 W,X,Y and 492 C	A
2. Fulton North Area:	E. Tidwell on the north, Berry on the south, Bauman on the east, and I-45 on the west.	453 B,E,F, and G	H
Glenwood Forest Area:	Sterlingshire on the north, Tidwell on the south, Guest on the east, and Seeker on the west.	455 C	B

CUIC ID # 20MB101

**Finance Department:**  


**Other Authorization:**  
  
 Jun Chang P.E.  
 Deputy Director  
 Public Utilities Division

**Other Authorization:**  
  
 Daniel R. Menendez, P.E.  
 Deputy Director  
 Engineering & Construction Division

**SCOPE OF CONTRACT AND FEE:** Under the scope of the contract, the consultant, Arcadis U.S., Inc., will perform Phase I - Preliminary Design, Phase II - Final Design and Phase III - Construction Phase Services and Additional Services. Basic Services Fee for Phase I is based on the cost of time and materials with a not-to-exceed agreed upon amount. The Basic Services fees for Phase II and Phase III will be negotiated on a lump sum basis after the completion of Phase I. The negotiated maximum for Phase I Basic Services is \$81,582.00. The total Basic Services appropriation is \$506,582.00.

The contract also includes certain Additional Services to be paid either as lump sum or on a reimbursable basis. The Additional Services include surveying, geotechnical investigation, environmental assessment, traffic control and storm water pollution prevention. The total Additional Services appropriation is \$803,000.00.

The total cost of this project is \$1,440,700.00 to be appropriated as follows: \$1,309,582.00 for contract services and \$131,118.00 for project management.

	<u>Contract Services</u>	<u>Project Management</u>	<u>Cost of Project</u>
Timbergrove Area	\$620,795.00	\$62,205.00	\$683,000.00
Fulton North and Glenwood Forest Area	\$688,787.00	\$68,913.00	\$757,700.00
<b>Total</b>	<b>\$1,309,582.00</b>	<b>+ \$131,118.00</b>	<b>= \$1,440,700.00</b>

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

**M/WBE INFORMATION:** The M/WBE goal for the project is set at 24%. The Engineer has proposed the following firms to achieve this goal.

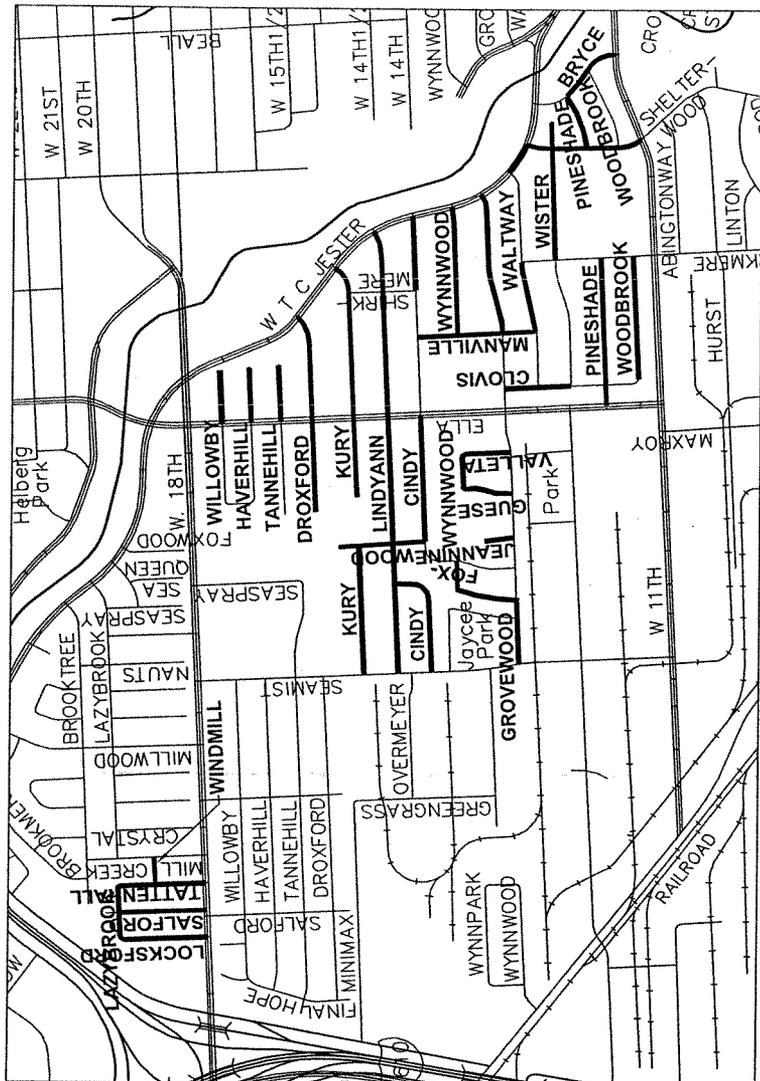
<u>Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Total Contract</u>
1. Amani Engineering, Inc.	Engineering/Surveying Services	\$179,000.00	13.67%
2. Geotest Engineering, Inc.	Phase I ESA	\$12,000.00	0.92%
3. Geotest Engineering, Inc.	Geotechnical Investigation	\$94,000.00	7.18%
4. Gunda Corporation, Inc.	Traffic Control Plan	\$22,800.00	1.74%
5. EPIC Transportation Group, LP.	Traffic Control Plan	\$19,400.00	1.48%
6. Kuo & Associates, Inc.	Engineering/Surveying Services	\$230,000.00	17.56%
<b>TOTAL</b>		<b>\$557,200.00</b>	<b>42.55%</b>

MSM:DRM:HH:SD:MB:OFA  
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- c: Marty Stein  
 Velma Laws  
 Susan Bandy  
 Mike Pezeshki, P.E  
 Craig Foster  
 File Numbers. S-000035-0122-3, S-000035-0123-3 (1.2)

DEPARTMENT OF PUBLIC WORKS AND ENGINEERING  
ENGINEERING & CONSTRUCTION DIVISION

WATER LINE REPLACEMENT IN TIMBERGROVE AND GARDEN OAKS AREA WBS NO. S-000035-0122-4						
STREET	ADDRESS	START STREET	END STREET	EXISTING SIZE	NEW SIZE	LENGTH IN FEET
Willowby	1600-1699	Ella Blvd	Cul-de-sac	2	6	430
Haverhill	1600-1699	Ella Blvd	Cul-de-sac	2	6	430
Tannehill	1500-1699	Ella Blvd	W TC Jester	8	8	780
		W TC				
Droxford	1500-1699	Jester	END (west)	6,8	8	1,950
Kury	8600-6799	Seamist	Foxwood	6	8	1,280
		W TC				
Kury	6200-6599	Jester	Droxford	6	8	2,660
		W TC				
Lindy Ann	6200-6799	Jester	Seamist	8	8	4,280
Cindy	6700-6799	Seamist	Lindy Ann	6	8	1,150
Cindy	6500-6599	Ella Blvd	Foxwood	8	8	1,250
		W TC				
Wynnwood	6200-6399	Jester	Manville	8	8	1,160
Wynnwood	6500-6599	Guese	Vallenta	4	8	360
		W TC				
Groveswood	6200-6399	Jester	Manville	6	8	1,300
Groveswood	6700-6799	Seamist	Foxwood	8	8	920
Waltway	6300-6399	Shirkmere	Manville	6	8	670
Wister	6000-6099	Shelterwood	Cul-de-sac	2	8	300
Wister	6100-6299	Shirkmere	Shelterwood	6	8	1,100
Pineshade	6300-6499	Ella Blvd	Shirkmere	6	8	1,420
Pineshade	6000-6099	Shelterwood	Bryce	6	6	600
Woodbrook	6300-6499	Clovis	Shirkmere	8	8	1,180
Shirkmere	1100-1199	11th St.	Pineshade	6	8	550
Seaspray	1300-1399	Groveswood	Foxwood	8	8	950
Foxwood	1400-1514	Cindy	Kury	8	8	630
Foxwood	1514-1599	Kury	End	8	4	170
Seamist	1300-1399	Groveswood	Cul-de-sac	2	6	300
Guese	1300-1399	Groveswood	Wynnwood	4	8	520
Vallenta	1300-1399	Groveswood	Wynnwood	4	8	500
Clovis	1223-1299	Groveswood	Wister	8	8	630
Clovis	1100-1199	Pineshade	Woodbrook	8	8	350
Manville	1200-1399	Cindy	Waltway	8	8	1,120
		W TC				
Shelterwood	1100-1199	Jester	W 11th	8	8	1,150
W TC Jester	1100-1199	Waltway	Shelterwood	8	8	300
Bryce	1100-1199	Pineshade	W 11th	6	8	700
Locksford	1800-1899	18th St.	Lazybrook	6	8	900
Salford	1800-1899	18th St.	Lazybrook	8	8	900
Tattenhall	1800-1899	18th St.	Lazybrook	4,6	8	900
Lazybrook	2500-2699	Tattenhall	Locksford	6	8	600
Minimill	2400-2499	Mill Creek	Tattenhall	6	8	270
TOTAL						34,680



**TIMBERGROVE AREA**

KEY MAP: 452 S. W. X, Y: 492 C  
COUNCIL DISTRICT - A



11480 Westheimer  
Suite 600  
Houston, TX 77077  
www.arcadis-us.com  
Texas Registration Firm No. F-333



**CITY OF HOUSTON**

WATER LINE REPLACEMENT IN  
TIMBER GROVE AREA  
WBS NO.: S-000035-0122-3

VICINITY MAP - PROJECT AREAS

**SUBJECT:** Professional Engineering Services Contract between the City and Costello, Inc. for Engineering Services associated with the design of Water Line Replacement in Memorial Plaza Area, WBS No. S-000035-0124-3; Shadywood Area, WBS No. S-000035-0125-3 and Regency Square Area, WBS No. S-000035-0126-3.

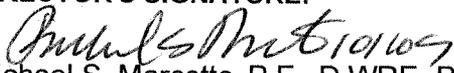
Page 1 of 2

Agenda Item # 70

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

**Origination Date**  
10-1-09

**Agenda Date**  
OCT 21 2009

**DIRECTOR'S SIGNATURE:**  
  
Michael S. Marcotte, P.E., D.WRE, BCEE, Director

**Council District affected:** F, G  
*pu*

**For additional information contact:**  
*MS*  
Hamlet Hovsepian, P.E. Phone: (713) 837-7033  
Interim Senior Assistant Director

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

**RECOMMENDATION: (Summary)**  
Approve Engineering Services Contract with Costello, Inc. and appropriate funds.

**Amount and Source of Funding:**  
\$1,716,755.00 from the Water and Sewer System Consolidated Construction Fund No. 8500. *W.P. 9/8/09*

**PROJECT NOTICE/JUSTIFICATION:** This project is part of the City's Water Line Replacement Program. This Program is required to replace and upgrade water lines within the City to increase circulation and availability of water.

**DESCRIPTION/SCOPE:** This project consists of the design of approximately 88,890 linear feet of water lines with all related appurtenances in the Memorial Plaza, Shadywood and Regency Square Areas.

**LOCATION:** These projects are located in the following Key Map grids:

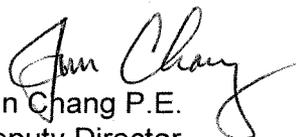
<u>Project</u>	<u>Bounded By</u>	<u>Key Map Grid</u>	<u>Council District</u>
1. Memorial Plaza Area	Interstate 10 on the north, Memorial Dr. on the south, Sam Houston PKWY on the east and N. Wilcrest on the west.	489B,C & G	G
2. Shadywood Area	Interstate 10 on the north, Woodway on the south, Post Oak Rd on the east and Chimney Rock on the west	491B,C	G
	Memorial on the north, Woodway on the south, Chimney Rock on the east and Shadywood on the west	491F,J & K	G
3. Regency Square Area	West Park on the north, Bellaire Blvd on the south, Hillcroft on the east and Fondren on the west	530C,D,G & H	F

CJIC ID # 20RS86

Finance Department:

Other Authorization:

Other Authorization:

  
Jun Chang P.E.  
Deputy Director  
Public Utilities Division

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

**SCOPE OF CONTRACT AND FEE:** Under the scope of the contract, the consultant, Costello, Inc., will perform Phase I - Preliminary Design, Phase II - Final Design and Phase III - Construction Phase Services and Additional Services. Basic Services Fee for Phase I is based on the cost of time and materials with a not-to-exceed agreed upon amount. The Basic Services fees for Phase II and Phase III will be negotiated on a lump sum basis after the completion of Phase I. The negotiated maximum for Phase I Basic Services is \$119,143.00. The total Basic Services appropriation is \$619,278.00.

The contract also includes certain Additional Services to be paid either as lump sum or on a reimbursable basis. The Additional Services include surveying, geotechnical investigation, environmental assessment, traffic control and storm water pollution prevention. The total Additional Services appropriation is \$941,410.00.

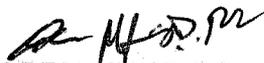
The total cost of this project is \$1,716,755.00 to be appropriated as follows: \$1,560,688.00 for contract services and \$156,067.00 for project management.

	<u>Contract Services</u>	<u>Project Management</u>	<u>Cost of Project</u>
Memorial Plaza Area	\$461,906.00	\$46,190.00	\$508,096.00
Shadywood Area	\$586,554.00	\$58,655.00	\$645,209.00
Regency Square Area	\$512,228.00	\$51,222.00	\$563,450.00
<b>Total</b>	<b>\$1,560,688.00</b>	<b>+</b> <b>\$156,067.00</b>	<b>= \$1,716,755.00</b>

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

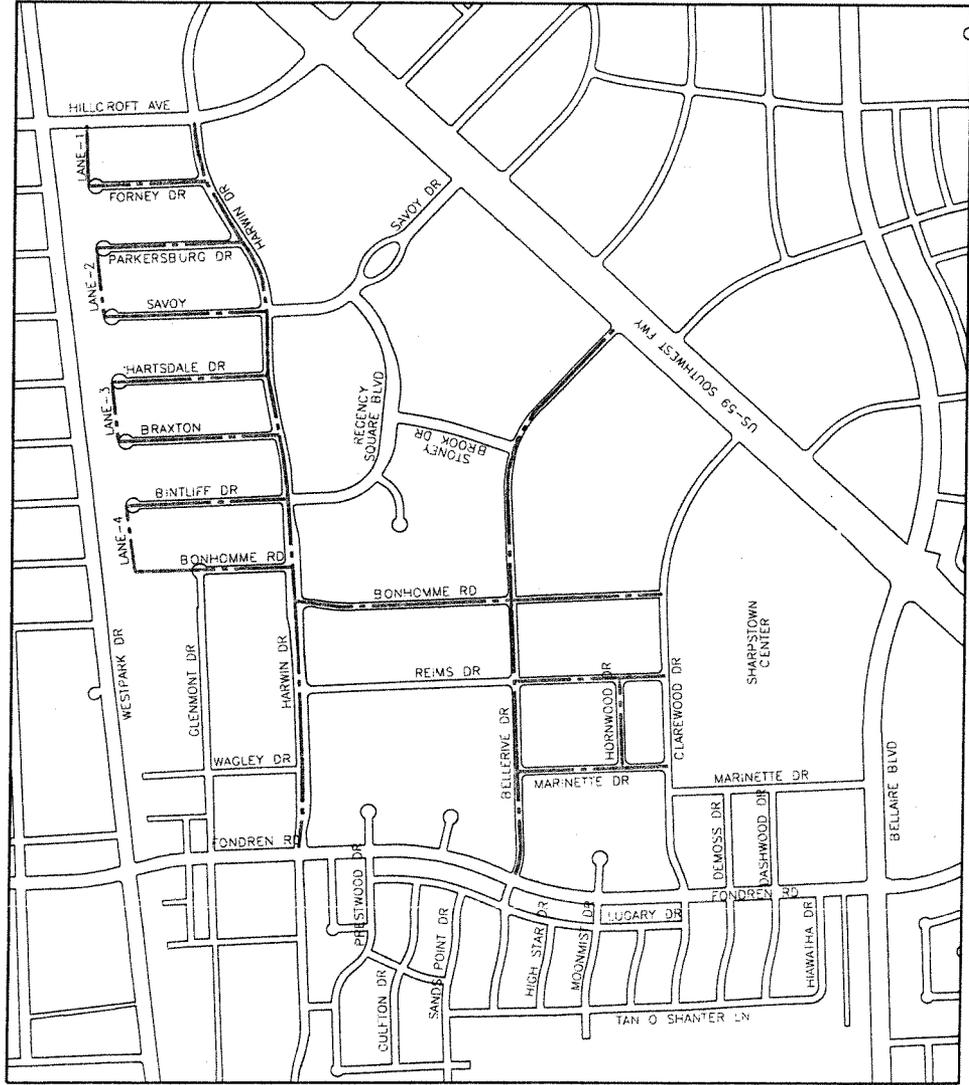
**M/WBE INFORMATION:** The M/WBE goal for the project is set at 24%. The Engineer has proposed the following firms to achieve this goal.

<u>Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Total Contract</u>
1. Kit Professionals, Inc.	Traffic Engineering & Storm Water Pollution Prevention Plan	\$201,836.00	12.93%
2. Aviles Engineering Corporation	Geotechnical & Environmental Services	\$203,704.00	13.05%
	<b>TOTAL</b>	<b>\$405,540.00</b>	<b>25.98%</b>

  
 MSM:DRM:HH:SD:RS:jl  
 Z:\design\A-WS-DIV\WPDATA\RS\S-35-0124,125,126\RCA.doc

- c: Marty Stein  
 Velma Laws  
 Susan Bandy  
 Mike Pezeshki, P.E  
 Craig Foster  
 File Nos. S-000035-0124-3, S-000035-0125-3, S-000035-0126-3 (1.2)

DEPARTMENT OF PUBLIC WORKS AND ENGINEERING,  
 ENGINEERING AND CONSTRUCTION DIVISION  
 WATER LINE REPLACEMENT IN REGENCY SQUARE AREA  
 WBS NO.: S-000035-0126-3



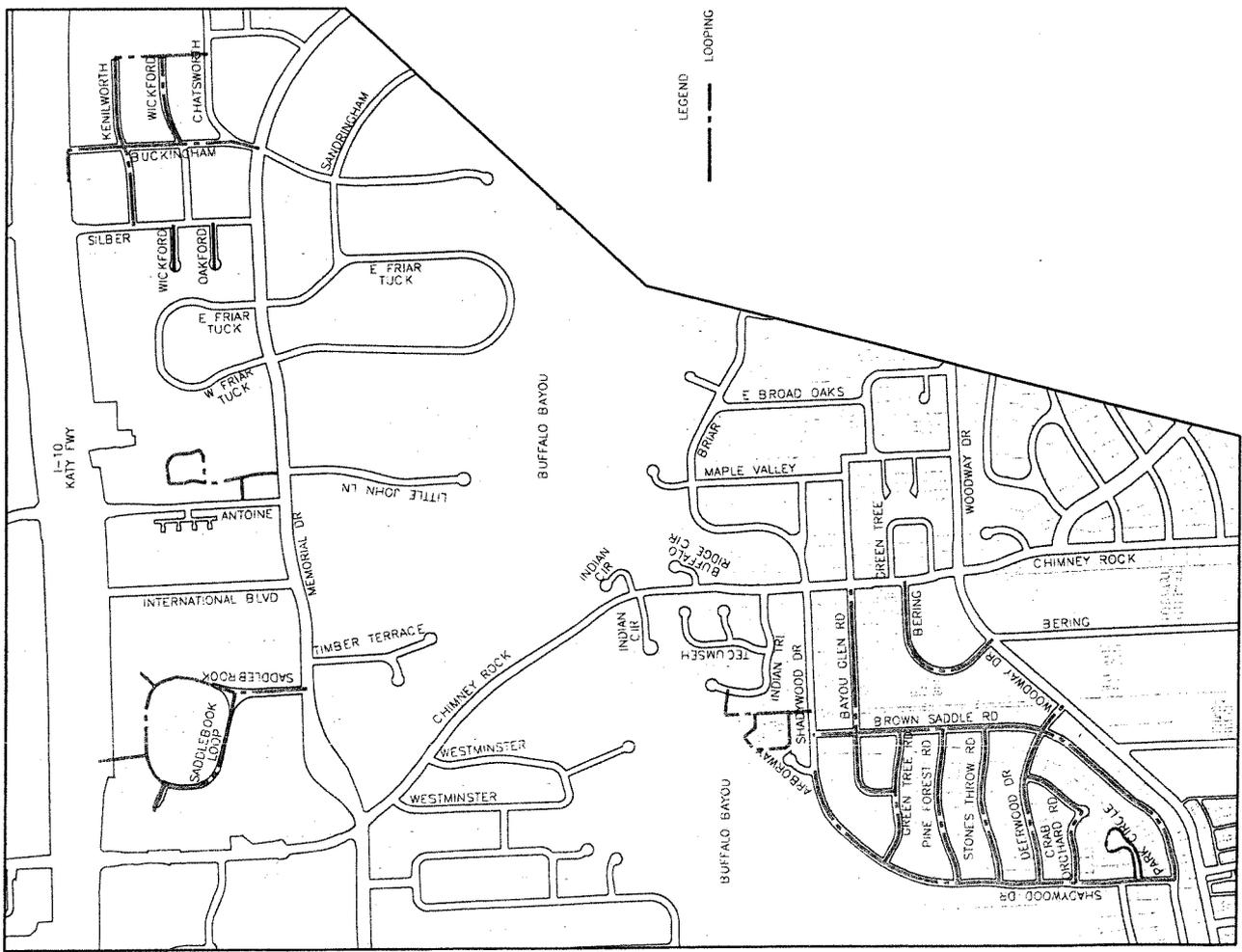
KEY MAP NO. 530 C.D.G.H  
 COUNCIL DISTRICT: F  
 COUNCIL MEMBER: MJ KHAN

STREET NAME	FROM	TO	SIZE (INCH)	LENGTH (FEET)
HILLCROFT AVE	HARWIN	LANE-1	8	140
FORNEY DR	FORNEY	HILLCROFT	8	520
PARKERSBURG DR	HARWIN	LANE-2	8	1150
SAVOY	PARKERSBURG	SAVOY	8	940
HARTSDALE DR	HARWIN	LANE-2	8	1240
BRAXTON	HARWIN	LANE-3	8	1240
BINTLIFF DR	HARWIN	LANE-3	8	1290
BONHOMME RD	HARWIN	LANE-4	8	1260
BONHOMME RD	BINTLIFF	BONHOMME	8	540
REIMS DR	FONDREN	HILLCROFT	12	6100
BELLEVE DR	HARWIN	LANE-4	8	1260
HORNWOOD DR	HARWIN	CLAREWOOD	8	2850
CLAREWOOD DR	BELLEVE	CLAREWOOD	8	1700
MARINETTE DR	BELLEVE	CLAREWOOD	8	1200
FONDREN DR	REIMS	MARINETTE	8	720
SW FRIEWAY	FONDREN	SW FRIEWAY	8	4160
TOTAL				7,310

**Engineering and Surveying**  
 8800 Richmond Avenue, Suite 140  
 Houston, Texas 77042  
 Telephone: 281-485-7774  
 FAX: 281-485-7775  
 TEXAS PROFESSIONAL ENGINEERING REGISTRATION No. 280

**PROJECT AREA MAP**  
**WATER LINE REPLACEMENT IN:**  
**REGENCY SQUARE AREA**  
 WBS NO. S-000035-0126-3

DATE: \_\_\_\_\_  
 SHEET NO.: \_\_\_\_\_



DEPARTMENT OF PUBLIC WORKS AND ENGINEERING,  
 ENGINEERING AND CONSTRUCTION DIVISION  
 WATER LINE REPLACEMENT IN SHADYWOOD AREA  
 WBS NO.: S-000035-0125-3

KEY MAP NO. 491 B,C,F,K  
 COUNCIL DISTRICT: G  
 COUNCIL MEMBER: PAM HOLM

STREET NAME	FROM	TO	SIZE (INCH)	LENGTH (FEET)
SHADYWOOD	ARBORWAY	CHIMNEY ROCK	8	5130
BROWN SADDLE	SHADY RIVER	DEERWOOD	12	1900
RIVERVIEW	DEERWOOD	SHADYWOOD	6	1850
BAYOU GLEN	CHIMNEY ROCK	BROWN SADDLE	12	1250
BAYOU GLEN	BROWN SADDLE	GREEN TREE	6	670
GREEN TREE	BROWN SADDLE	SHADYWOOD	6	1160
PINE FOREST	BROWN SADDLE	SHADYWOOD	6	1360
STONES THROW	BROWN SADDLE	SHADYWOOD	6	1400
DEERWOOD	BROWN SADDLE	SHADYWOOD	6	1440
DEERWOOD	BROWN SADDLE	WOODWAY	12	350
CHAB ORCHARD	DEERWOOD	SHADYWOOD	6	1350
PARK CIRCLE	SHADYWOOD	SHADYWOOD	6	1300
PREST WICK CT	CHIMNEY ROCK	WOODWAY	6	1500
SADDLEBROOK LOOP	MEMORIAL	SADDLEBROOK LOOP	6	600
KENILWORTH	SILBER	END	6	3000
BUCKINGHAM	I-10	MEMORIAL	6	1400
LITTLE JOHN	MEMORIAL	LANE-5	6	1650
LANE-2	LANE-3	LANE-5	6	600
LANE-3	LITTLE JOHN	LANE-3	6	770
LANE-4	ANTOINE	W. FRIAR TUCK	6	900
I-10	ANTOINE	LITTLE JOHN	6	180
LANE-1	BUCKINGHAM	EXISTING 8" PVC	6	500
WICKFORD	SHADY RIVER	INDIAN TRAIL	6	970
OAKFORD	SILBER	END	6	410
WICKFORD	SILBER	END	6	470
BUCKINGHAM	BUCKINGHAM	END	6	750
BUCKINGHAM	KENILWORTH	CHATSWORTH	6	770
Circle west of Brown Saddle Rd			6	900
W/ section crossing the bayou (approx. 650 ft south of Memorial)	approx. 480' west of Little John	approx. 430' east of W. Friar Tuck	6	100
<b>TOTAL</b>				<b>34,200</b>

**Engineering and Surveying**  
 9940 Katy Fwy, Suite 100  
 Houston, TX 77055  
 (713) 783-7786 (713) 783-3500  
 FAX: (713) 783-7787  
 www.cci-engineering.com

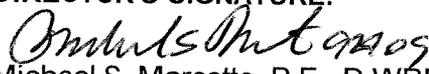
**PROJECT AREA MAP**  
**WATER LINE REPLACEMENT IN SHADYWOOD AREA**  
 WBS NO. S-000035-0125-3

DATE: \_\_\_\_\_  
 SHEET NO.: \_\_\_\_\_



<b>SUBJECT:</b> Professional Engineering Services Contract between the City and CLR, Inc. for: 1. Water Line Replacement in Avondale Area (WBS No. S-000035-0127-3) 2. Water Line Replacement in Beamer Area (WBS No. S-000035-0128-3)	Page 1 of 2	Agenda Item #  <div style="text-align: right; font-size: 2em;">71</div>
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<b>FROM (Department or other point of origin):</b> Department of Public Works and Engineering	<b>Origination Date</b> 10-1-09	<b>Agenda Date</b> OCT 21 2009
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<b>DIRECTOR'S SIGNATURE:</b>  Michael S. Marcotte, P.E., D.WRE, BCEE, Director	<b>Council District affected:</b> D, E <i>CA.</i>
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<b>For additional information contact:</b> Hamlet Hovsepian, P.E. <i>HH</i> Phone: (713) 837-7033 Interim Senior Assistant Director	<b>Date and identification of prior authorizing Council action:</b>
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**RECOMMENDATION: (Summary)**  
 An ordinance approving a Professional Engineering Services Contract with CLR, Inc. and appropriate funds.

**Amount and Source of Funding:** \$1,137,000.00 Water and Sewer System Consolidated Construction Fund No. 8500.  
*M.P. 9/15/09*

**DESCRIPTION/SCOPE:** This project is part of the City's Neighborhood Water Main Replacement program. This project consists of the design of approximately 54,140 linear feet of 4-inch, 6-inch, 8-inch and 12-inch water lines with all related appurtenances in Avondale and Beamer Areas.

**LOCATION:** These projects are located in the following Key Map grids:

Project	Bounded By	Key Map Grid	Council District
1. Avondale Area:	Peden Street on the north, Westheimer Road on the south, Bagby Street on the east and Waugh Drive on the west.	493 N, P, S, T	D
2. Beamer Area:	Fuqua on the north, S. Sam Houston Parkway on the south, Beamer Road on the east and Stover Street on the west.	576 S, T, W, X	E

**REQUIRED AUTHORIZATION** CUIC ID#20SD96 NA

Finance Department 	<b>Other Authorization:</b>  Jun Chang, P.E., Deputy Director Public Utilities Division	<b>Other Authorization:</b>  Daniel R. Menendez, P.E., Deputy Director Engineering and Construction Division
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Date	<b>SUBJECT:</b> Professional Engineering Services Contract between the City and CLR, Inc. for: <ol style="list-style-type: none"> <li>1. Water Line Replacement in Avondale Area (WBS No. S-000035-0127-3)</li> <li>2. Water Line Replacement in Beamer Area (WBS No. S-000035-0128-3)</li> </ol>	<b>Originator's Initials</b> 	<b>Page</b> 2 of 2
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**SCOPE OF CONTRACT AND FEE:** Under the scope of the contract, the Engineer will perform Phase I - Preliminary Design, Phase II - Final Design, Phase III -Construction Phase Services and Additional Services. Basic Services Fee for Phase I is based on cost of time and materials with not-to-exceed agreed upon amount. The Basic Services fees for Phase II and Phase III will be negotiated on a lump sum amount or reimbursable basis after the completion of Phase I. The negotiated maximum for Phase I Basic Services is \$79,362.00. The total Basic Services appropriation is \$382,900.00.

The contract also includes certain Additional Services to be paid either as lump sum or on a reimbursable basis. The Additional Services include Environmental Site Assessment Phase I, TRC Presentation, Surveying, Environmental Assessment Phase II, Geotechnical Investigations, Tree Protection Plans, Traffic Control Plans, Storm Water Pollution Prevention Plans, Right-of-Way acquisitions, Hydraulic Engineering Center/Structural Analysis, Reproduction Services, Subsurface Investigations, Public Meetings, Permits, Court House Research and Drug Testing. The total Additional Services appropriation is \$650,000.00.

The total cost of this project is \$1,137,000.00 to be appropriated as follows:

<u>Project</u>	<u>Contract Services</u>	<u>Project Management</u>	<u>Cost of Project</u>
Avondale	\$ 498,100.00	\$ 49,900.00	\$ 548,000.00
Beamer	\$ 534,800.00	\$ 54,200.00	\$ 589,000.00
<b>Total</b>	<b>\$1,032,900.00</b>	<b>\$104,100.00</b>	<b>\$1,137,000.00</b>

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

**M/WBE INFORMATION:** The M/WBE goal for the project is set at 24%. The Engineer has proposed the following firms to achieve this goal.

<u>Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
1. Aviles Engineering Corporation	Geotechnical Services	\$ 40,000.00	3.87%
2. Berg-Oliver Associates, Inc.	Environmental Consulting Services	\$ 4,500.00	0.44%
3. Corrigan Consulting, Inc.	Environmental Consulting Services	\$ 4,500.00	0.44%
4. Gunda Corporation, Inc.	Traffic Control Services	\$ 24,000.00	2.32%
5. HVJ Associates, Inc.	Geotechnical Services	\$ 45,000.00	4.36%
6. JAG Engineering, Inc.	Surveying Services	\$110,000.00	10.65%
7. Kuo & Associates, Inc.	Surveying Services	\$100,000.00	9.68%
<b>TOTAL</b>		<b>\$328,000.00</b>	<b>31.76%</b>

MSM:DRM:HH:SD:MHC:TT:tt

Z:\design\A-WS-DIV\WPDATA\MHC\Avondale-Beamer\0127-0128\Prebid\PrePhase\IRCA Professional Services CLR.doc

- c:** Marty Stein  
 Velma Laws  
 Susan Bandy  
 Mike Pezeshki, P.E.  
 Craig Foster

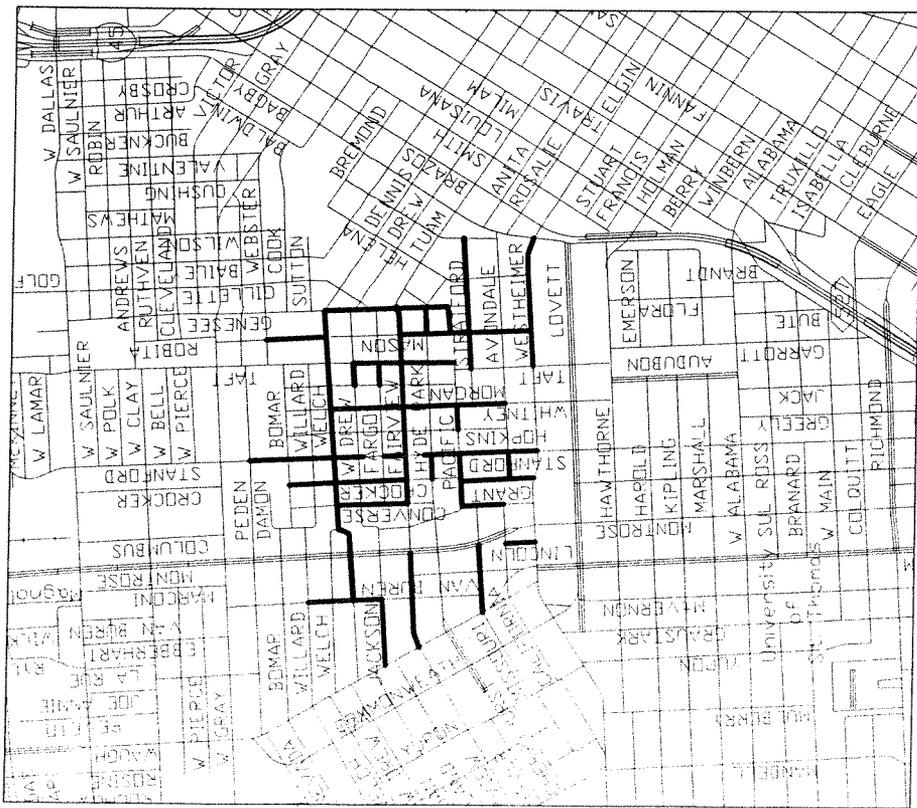
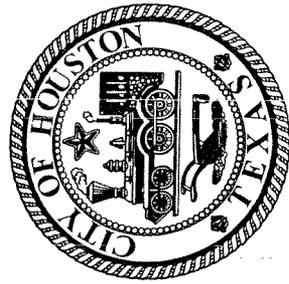
File: S-000035-0127-3 and S-000035-0128-3 (1.2)

# PUBLIC WORKS & ENGINEERING DEPARTMENT

## ENGINEERING AND CONSTRUCTION DIVISION

### WATER LINE REPLACEMENT IN AVONDALE AREA

WBS NO. S-000035-0127-3



STREET NAME	FROM	TO	SIZE (IN)	LENGTH (FT)
WESTHEIMER	SPUR 527	TAFT	8	1300
AVONDALE	STANFORD	CROCKER	8	250
STRAITFORD	BALDWIN	TAFT	8	1300
MISSOURI	MONTROSE	WAUGH	8	700
PACIFIC	GENESEE	MASON	8	250
PACIFIC	WHITNEY	HOPKINS	8	250
PACIFIC	STANFORD	CONVERSE	8	550
HYDE PARK	GENESEE	MASON	8	250
HYDE PARK	STANFORD	CROCKER	8	250
FAIRVIEW	GENESEE	CONVERSE	8	2060
FAIRVIEW	MONTROSE	WAUGH	8	1050
FARGO	TAFT	MORGAN	8	250
JACKSON	VAN BUREN	WAUGH	8	680
W. DREW	TAFT	MORGAN	8	250
WELCH	GENESEE	GRANT	8	2250
GRANT	WELCH	W. DREW	8	150
W. DREW	GRANT	VAN BUREN	8	750
GENESEE	DENNIS	PACIFIC	8	1220
MASON	WEBSTER	WELCH	8	650
MASON	FAIRVIEW	WESTHEIMER	8	1300
TAFT	W. DREW	PACIFIC	8	950
WHITNEY	WELCH	AVONDALE	8	1780
STANFORD	PEDEN	WESTHEIMER	8	2900
CROCKER	BOMAR	FAIRVIEW	8	1220
CROCKER	PACIFIC	WESTHEIMER	8	800
CONVERSE	WELCH	FAIRVIEW	8	750
GRANT	PACIFIC	AVONDALE	8	450
LINCOLN	CALIFORNIA	WESTHEIMER	12	350
VAN BUREN	WILLIARD	JACKSON	8	750
TOTAL				25,660

## VICINITY MAP

KEY MAP GRID 493 N,P,S,T  
 COUNCIL DISTRICT D  
 COUNCIL MEMBER  
 WANDA ADAMS

LEGEND  
 — EXIST ROAD  
 — ROAD WITH PROPOSED WATERLINE



Engineers • Surveyors • GIS  
 7600 West Tidwell, Suite 400, Houston, Texas 77040  
 Phone: (713) 462-0993 Fax: (713) 462-2732

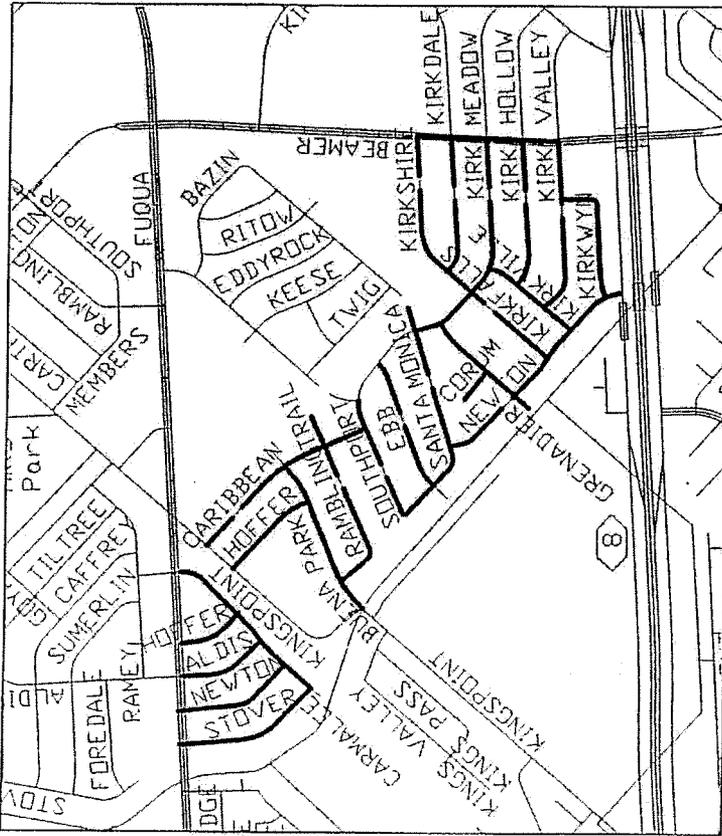
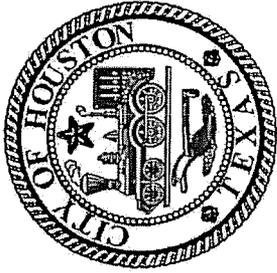
TX Firm Reg. No. 275

# PUBLIC WORKS & ENGINEERING DEPARTMENT

ENGINEERING AND CONSTRUCTION DIVISION

WATER LINE REPLACEMENT IN BEAMER AREA

WBS NO. S-000035-0128-3



STREET NAME	FROM	TO	SIZE (IN)	LENGTH (FT)
STOVER	FUQUA	CARMALEE	8	1130
NEWTON	FUQUA	CARMALEE	8	900
ALDIS	FUQUA	CARMALEE	6	700
HOFFER	FUQUA	CARMALEE	6	520
CARMALEE	FUQUA	STOVER	8	1500
CARIBBEAN	KINGSPPOINT	SOUTHPORT	8	1600
HOFFER	KINGSPPOINT	BUENA PARK	6	800
BUENA PARK	KINGSPPOINT	CARIBBEAN	8	1100
RAMBLING TRAIL	BUENA PARK	END (EAST)	8	1540
SOUTHPORT	NEWTON	CARIBBEAN/KIRKMEADOW	8	1030
EBB	NEWTON	CARIBBEAN/KIRKMEADOW	8	1100
SANTA MONICA	NEWTON	CARIBBEAN/KIRKMEADOW	8	1100
NEWTON	SOUTHPORT	KIRK FALLS	8	1760
NEWTON	KIRK FALLS	BELTWAY 8	12	960
CORUM	GRENADIER	END	4	300
GRENADIER	NEWTON	CARIBBEAN/KIRKMEADOW	8	660
KIRK FALLS	NEWTON	KIRKMEADOW	12	660
KIRKVILLE	NEWTON	KIRKMEADOW	8	860
KIRKSHIRE	KIRKMEADOW	BEAMER	8	1400
KIRKDALE	KIRKSHIRE	BEAMER	8	1100
KIRKMEADOW/CARIBBEAN	SANTA MONICA	BEAMER	12.8	1920
KIRKHOLLOW	KIRKVILLE	BEAMER	8	1210
KIRKVALLEY	KIRKVILLE	BEAMER	8	1420
KIRKWYN	NEWTON	KIRKVALLEY	8	1140
BEAMER	KIRKSHIRE	KIRKVALLEY	12	1650
TOTAL				28,480

## VICINITY MAP

KEY MAP GRID 576 S,T,W,X  
 COUNCIL DISTRICT E  
 COUNCIL MEMBER  
 MIKE SULLIVAN

### LEGEND

- EXIST ROAD
- ROAD WITH PROPOSED WATERLINE

# CLR, Inc.

TX Firm Reg. No. 275

Engineers • Surveyors • GIS  
 7600 West Tidwell, Suite 400, Houston, Texas 77040  
 Phone: (713) 462-0993 Fax: (713) 462-2732

<b>SUBJECT:</b> Fourth Amendment to Professional Engineering Services Contract between the City and Lockwood, Andrews & Newnam, Inc. for services associated with the Surface Water Transmission Program. WBS. No. S-000900-0002-3	Page 1 of 3	Agenda Item #  72
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<b>From: (Department or other point of origin):</b> Department of Public Works and Engineering	<b>Origination Date</b> 10/15/09	<b>Agenda Date</b> OCT 21 2009
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<b>Director's Signature:</b>  Michael S. Marcotte, P.E., D.WRE, BCEE	<b>Council District affected: (Council District Letter Only)</b> A, B, C, D, E, F, G, H, I <span style="float: right;">Kum</span>
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<b>For additional information contact:</b>  Hamlet Hovsepian, P.E. Phone: (713) 837-7033 Interim Senior Assistant Director	<b>Date and identification of prior authorizing Council action:</b> Ordinance No. 2008-1206 (December 17, 2008) Ordinance No. 2007-1459 (December 12, 2007) Ordinance No. 2007-0329 (March 21, 2007) Ordinance No. 2006-0277 (March 22, 2006)
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**Recommendation: (Summary)**  
Approve Fourth Amendment with Lockwood, Andrews & Newnam, Inc. and appropriate funds.

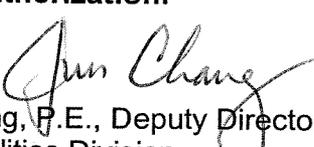
**Amount and Source of Funding:**  
\$4,491,300.00 from the Water and Sewer System Consolidated Construction Fund No. 8500. *M.P. 9/29/09*  
Original appropriation of \$3,300,000.00 from Water and Sewer System Consolidated Construction Fund No. 755 and additional appropriations of \$9,891,900.00 from the Water and Sewer System Consolidated Construction Fund No. 8500

**SPECIFIC EXPLANATION:** This contract supports execution of the Surface Water Transmission Facilities Capital Improvement Program (CIP). This amendment and appropriation will provide for additional program management, technical and planning support, water system management support and design services for citywide water projects.

**PROJECT NOTICE/JUSTIFICATION:** The Surface Water Transmission Program provides professional engineering services to assist the City in meeting the growing system demands, the City's efforts in evaluating the risk associated with failure of critical transmission lines, and the City's efforts to rehabilitate existing large diameter transmission mains.

**DESCRIPTION/SCOPE:** These projects will provide cost-effective planning, design and engineering support of large diameter water transmission line extensions. This appropriation will fund specific tasks to allow the City to maximize the use of available surface water. The net result of these improvements will be improved water system reliability and operational efficiencies stemming from the consolidation of groundwater pump station facilities.  
Specific tasks planned under this appropriation consist of engineering design and associated support services (such as surveying, geotechnical investigations, traffic control design) for large diameter water line projects. Additionally, these tasks include real estate assistance, and water system planning and modeling assistance.

**REQUIRED AUTHORIZATION** CUIC ID #20ACM63 NOT

<b>Finance Department:</b>	<b>Other Authorization:</b>  Jun Chang, P.E., Deputy Director Public Utilities Division	<b>Other Authorization:</b>  Daniel R. Menendez, P.E., Deputy Director Engineering and Construction Division
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**SUBJECT:** Fourth Amendment to Professional Engineering Services Contract between the City and Lockwood, Andrews & Newnam, Inc. for services associated with the Surface Water Transmission Program.  
WBS No. S-000900-0002-3

**Originator's  
Initials**

Acn

**Page  
2 of 3**

**LOCATION:** The project areas are generally described:

1. 48/42-inch water line along existing easements, West Orem Dr., Chimney Rock, River Bluff, and Coach Creek from Sims Bayou Pump Station to Hillcroft. (571 J, K, P).
2. 42-inch water line along Hillcroft, Dublin, Dunlap, Main, Haviland, Minetta, and Canemont/Sandpiper from Coach Creek to W. Airport Blvd. (570 H, M; 571 J).
3. 36-inch water line along W. Airport Blvd. from S. Gessner to Sandpiper. (570 F, G, H).
4. 30-inch water line along S. Gessner from Bissonnet to W. Airport Blvd. (530 T, X; 570 B, F).
5. Condition Assessment of 66-inch water line along Richmond and Wheeler from Hazard to Hutchins. (492 Z; 493 W & X).
6. Condition Assessment of 84-inch water line along Harrisburg from Dowling to Everton. (493 R; 494 N, S, P & Q).
7. Condition Assessment of North 60-inch water line from Bisbee/Schaff to Lawndale/S. Wayside. (534 C, D; 535 A, B, F, L)

**PREVIOUS HISTORY AND SCOPE:** City Council approved the original contract on March 22, 2006, under Ordinance No. 2006-0277, the First Amendment on March 21, 2007, under Ordinance No. 2007-0329, the Second Amendment on December 12, 2007, under Ordinance No. 2007-1459, and the Third Amendment on December 17, 2008, under Ordinance No. 2008-1206. The scope of services consisted of the 42-inch water line contracts along Knight, Holmes, easements along Parcel 3 Road, Uptown, Taintor, W. Airport, Allum, Player, Tidewater, South Post Oak, W. Orem, Croquet and easements near Sims Bayou Pump Station, bound by W. Belfort on the northeast and the Sims Bayou Pump Station on the southwest; Air Release Valve Upgrade Packages; Pressure Reducing Valve Station Improvements - Package No. 4; On-Call Rehabilitation and Replacement of Large Diameter Water Lines and Valves - Package No. 6 and No. 7; the 72-inch (formerly 66-inch) water line along Fuqua from the 96-inch water line near Beamer to Moers Rd.; and system improvements to increase surface water delivered to Bellaire Braes Pump Station. Under this contract, the designs of the above-referenced projects are underway and are anticipated to be completed under the original appropriations. The Director has determined the need for continuation of the Surface Water Transmission Program due to its success in assisting the City in meeting the stated goals and objectives.

**SCOPE OF THIS SUPPLEMENT AND FEE:** The requested fourth amendment will accomplish the following tasks: Basic services (Phase I - Preliminary Design, Phase II - Final Design, Phase III - Construction Phase Services) and Additional Services. \$1,657,900.00 is budgeted as Basic Services Fee to be administered on a lump sum or reimbursable basis. Certain other Additional Services are also proposed to be paid as lump sum or on a reimbursable basis. The Additional Services are currently anticipated to include surveying, geotechnical investigations, Phases I and II environmental services, traffic control plans, and surge analysis, which comprise the bulk of the additional services funds. The total Additional Services Fee under the fourth amendment is \$2,425,100.00. The total requested appropriation is \$4,491,300.00 to be appropriated as follows: \$4,083,000.00 for contract services and \$408,300.00 for City recoverable costs of project management.

**PAY OR PLAY:**

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

**M/WBE INFORMATION:** The M/WBE goal established for this project is 24.0%. The original contract amount and subsequent additional appropriations totals \$11,992,600.00. The engineer has been paid \$8,878,901.50, 74.04% to date. Of this amount \$1,760,756.57, 19.83% has been paid to M/WBE sub-consultants to date. Assuming approval of the requested additional appropriation, the contract amount will increase to \$16,075,600.00. The engineer proposes the following plan to meet the outstanding M/WBE goal participation:

<b>Date</b>	<b>SUBJECT:</b> Fourth Amendment to Professional Engineering Services Contract between the City and Lockwood, Andrews & Newnam, Inc. for services associated with the Surface Water Transmission Program. WBS No. S-000900-0002-3	<b>Originator's Initials</b>  AcM	<b>Page</b> <b>3 of 3</b>
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	<u>Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Total Contract</u>
	Prior work		\$1,760,756.57	10.95%
1.	Nathelyne A. Kennedy & Associates, LP	Engineering Support	\$553,142.69	3.44%
2.	Texas American Engineering	Engineering Support	\$384,990.50	2.39%
3.	Kuo & Associates, Inc.	Engineering Support & Surveying	\$199,839.25	1.24%
4.	Aviles Engineering Corporation	Geotechnical Investigations	\$148,868.25	0.93%
5.	Martinez, Guy & Maybik, Inc.	Surveying	\$108,770.50	0.68%
6.	Omega Engineers, Inc.	Engineering Support	\$89,360.00	0.56%
7.	The Teran Group, LLC	Surveying	\$72,318.00	0.45%
8.	IDCUS, Inc., DBA IDC Inc.	Engineering Support	\$65,000.00	0.40%
9.	B&E Reprographics, Inc.	Reproduction	\$62,081.02	0.39%
10.	Precision Land Surveying, Inc.	Surveying	\$50,000.00	0.31%
11.	Grounds Anderson, LLC	H&H Support	\$45,000.00	0.28%
12.	Corrigan Consulting, Inc.	Environmental Support	\$25,000.00	0.16%
13.	Entech Civil Engineers, Inc.	Engineering Support	\$25,000.00	0.16%
14.	Associated Testing Laboratories, Inc.	Environmental Support	\$13,374.00	0.08%
15.	TTL Corp	Engineering Support	\$9,993.50	0.06%
16.	KIT Professionals, Inc.	Traffic Control and Engineering Support	\$7,795.00	0.05%
17.	Geotest Engineering, Inc.	Geotechnical Investigations	\$6,788.00	0.04%
18.	Gunda Corporation, Inc.	Traffic Control	\$2,081.50	0.01%
19.	Other MWBE Firms	Various Services	\$233,841.22	1.45%
		<b>TOTAL</b>	<b>\$3,864,000.00</b>	<b>24.03%</b>

  
MSM:DRM:HH:SD:ACM

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c: Marty Stein  
Velma Laws  
Susan Bandy  
Mike Pezeshki, P.E.  
Craig Foster  
File No. S-000900-0002-3 (1.2)

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

<b>SUBJECT:</b> Contract Award for Sanitary Sewer Rehabilitation by Cured-In-Place Pipe Method WBS# R-000295-0027-4	<b>Page</b> 1 of 2	<b>Agenda Item #</b>  73
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<b>FROM (Department or other point of origin):</b> Department of Public Works and Engineering	<b>Origination Date</b> 10/15/09	<b>Agenda Date</b> OCT 21 2009
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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> All
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<b>For additional information contact:</b> Dannelle H. Belhateche, 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.

<b>Amount and Source of Funding:</b> \$3,167,584.00 from Water and Sewer System Consolidated Construction Fund No. 8500. This project is eligible for low interest funding through the State Revolving Fund (SRF), Tier II.	<i>M.P. 10/5/09</i>
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**SPECIFIC EXPLANATION:** This project is part of the Neighborhood Sewer Rehabilitation Program and is required to renew/replace deteriorated neighborhood collection systems throughout the City.

**DESCRIPTION/SCOPE:** This project consists of sanitary sewer rehabilitation by cured-in-place pipe method. The contract duration for this project is 540 calendar days.

**LOCATION:** The project area is generally bounded by the City Limits.

**BIDS:** Three (3) bids were received on July 16, 2009 for this project as follows:

Bidder	Bid Amount
1. RePipe Construction, LTD.	\$2,973,889.82
2. Reynolds Inliner, LLC.	\$3,271,322.54
3. Insituform Technologies, Inc.	\$3,287,389.40

**File/Project No. WW 4258-41**

<b>REQUIRED AUTHORIZATION</b>		<b>CUIC# 20DHB295</b>
Finance Department	<b>Other Authorization:</b> <i>Donnell</i>	<b>Other Authorization:</b> <i>Jun Chang</i> Jun Chang P.E., Deputy Director Public Utilities Division

**AWARD:** It is recommended that this construction contract be awarded to RePipe Construction, LTD., with a low bid of \$2,973,889.82.

**PROJECT COST:** The total cost of this project is \$3,167,584.00 to be appropriated as follows:

- Bid Amount \$2,973,889.82
- Contingencies \$148,694.18
- Engineering Testing Services \$45,000.00

Engineering Testing Services will be provided by HTS Consultants, Inc. under a previously approved contract.

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

**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 12.00%, WBE participation of 1% and SBE participation of 9.00%.

<u>MBE - Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
Chief Solutions, Inc.	Clean & Televiser Sewer Lines	\$118,955.59	4.00%
Standard Cement Materials, Inc.	Manhole Rehabilitation	\$118,955.59	4.00%
CBL Industries, LLC	Asphalt/Paving	<u>\$118,955.59</u>	<u>4.00%</u>
	<b>TOTAL</b>	<b>\$356,866.77</b>	<b>12.00%</b>

<u>WBE - Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
Choctaw Pipe & Equipment, Inc.	Supplies	<u>\$29,738.90</u>	<u>1.00%</u>
	<b>TOTAL</b>	<b>\$29,738.90</b>	<b>1.00%</b>

<u>SBE - Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
5M Rope & Supply, LLC	Supplies	<u>\$267,650.09</u>	<u>9.00%</u>
	<b>TOTAL</b>	<b>\$267,650.09</b>	<b>9.00%</b>

All known rights-of-way and easements required for this project have been acquired.

*DJD MR IDR*  
MSM:JC:DHB:RK:JI:DR:mf

- cc: Marty Stein  
 Jun Chang, P.E.  
 Susan Bandy, CPA  
 Velma Laws  
 File No. WW 4258-41

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

<b>SUBJECT:</b> Contract Award for the construction of Proposed 72-inch Water Line along Fuqua From the existing 96-inch Water Line near Beamer to Stover Street. WBS. No. S-000900-0100-4	Page 1 of 2	Agenda Item # <b>74</b>
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<b>FROM: (Department or other point of origin):</b>  Department of Public Works and Engineering	<b>Origination Date:</b>  10/15/09	<b>Agenda Date:</b>  OCT 21 2009
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<b>DIRECTOR'S SIGNATURE:</b>  Michael S. Marcotte, P.E., D.WRE, BCEE	<b>Council District affected:</b>  E <span style="margin-left: 200px;">R2m</span>
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<b>For additional information contact:</b>  Hamlet Hovsepian, P.E.  Phone: (713) 837-7033 Interim Senior Assistant Director	<b>Date and identification of prior authorizing Council action:</b>  Ordinance No. 2008-0982 (November 5,2008)
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**RECOMMENDATION: (Summary)**  
Accept low bid, award construction contract and appropriate funds.

**Amount and Source of Funding:**  
Total of \$6,879,800.00 (with \$5,761,303.96 from the Water and Sewer System Consolidated Construction Fund No. 8500 and \$1,118,496.04 from the Water and Sewer Contributed Capital Fund No. 8319.) *U.P. 10/1/09*

**PROJECT NOTICE/JUSTIFICATION:** This project is part of the Surface Water Transmission program and is required to increase circulation and availability of water in the southeast service area. This project is required to provide water to the City of Pearland as agreed upon in an interlocal cost sharing agreement (Ordinance No. 2008-0982).

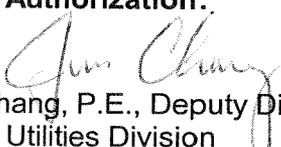
**DESCRIPTION/SCOPE:** This project consists of approximately 5,620 linear feet of 72-inch water line by a combination of open cut and tunneling, valves, connections, and appurtenances, including pavement replacement of two lanes. The contract duration for this project is 270 calendar days. This project was designed by Lockwood, Andrews and Newnam, Inc.

**LOCATION:** The project area containing the proposed 72-inch water line is along Fuqua generally bound by Beamer on the east and Stover Street on the west. The project is located in Key Map Grids 576 S and T.

**BIDS:** Bids were received on July 30, 2009. The ten (10) bids are as follows:

Bidder	Bid Amount
1. Huff & Mitchell, Inc.	\$5,966,411.00
2. Calco Contracting, Ltd.	\$6,121,483.20
3. Texas Sterling Construction Co.	\$6,144,190.50
4. Triple B Services, L.L.P.	\$6,221,481.81
5. E.P. Brady	\$6,224,350.81
6. Oscar Renda Contracting, Inc.	\$6,505,254.50
7. Ramos Industries, Inc.	\$6,593,477.00
8. Reytec Construction	\$6,622,091.15
9. Total Contracting Ltd.	\$7,440,449.00
10. Metro City Construction	\$8,242,058.35

**Required Authorization** CUIC# 20ACM64

<b>Finance Department:</b>	<b>Other Authorization:</b>  Jun Chang, P.E., Deputy Director Public Utilities Division	<b>Other Authorization:</b>  Daniel R. Menendez, P.E., Deputy Director Engineering and Construction Division
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<b>Date</b>	<b>Subject:</b> Contract Award for the construction of Proposed 72-inch Water Line along Fuqua From the existing 96-inch Water Line near Beamer to Stover Street. W.B.S. No. S-000900-0100-4	<b>Originator's Initials</b> ACM	<b>Page</b> 2 of 2
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**AWARD:** It is recommended that this construction contract be awarded to Huff & Mitchell, Inc. with a low bid of \$5,966,411.00, and that Addendum Number 1 be made a part of this contract.

**PROJECT COST:** The total cost of this project is \$6,879,800.00 to be appropriated as follows:

•	Bid Amount	\$5,966,411.00
•	Contingencies	\$298,320.55
•	Engineering and Testing Services	\$190,000.00
•	Project Management	\$179,068.45
•	Construction Management	\$246,000.00

Engineering and Testing Services will be provided by DAE & Associates, LTD., d/b/a/ Geotech Engineering & Testing under a previously approved contract.

Construction Management Services will be provided by Omega Engineers, Inc under a previously approved contract.

Bonus of early completion is \$45,000.00. This represents the number of days between the contract substantial completion date and the early completion date, 30 calendar days maximum, multiplied by \$1,500.00 per day. The actual amount, if applicable, will be based upon the early completion date.

Bonus of interim completion from the 96-inch Interconnect to Beamer Road is \$21,000.00. This represents the number of days between the contract interim completion date and the early completion date, 14 calendar days maximum, multiplied by \$1,500.00 per day. The actual amount, if applicable, will be based upon the early completion date.

**PAY OR PLAY:**

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

**M/WBE PARTICIPATION:** The low bidder has submitted the following proposed program to satisfy the 10% MBE goal and 8% SBE goal for this project.

<u>MBE - Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
1. P.A. Berrios Trucking	Trucking	\$151,321.00	2.5%
2. Reliable Signal & Lighting Solutions, LLC	Temp. Traffic Signal	\$ 27,000.00	0.5%
3. R.P. Construction	Paving Replacement	\$120,000.00	2.0%
4. City Build Utility Supply	Utility Prod. Supplier	\$298,679.00	5.0%
	<b>TOTAL</b>	<b>\$597,000.00</b>	<b>10.0%</b>

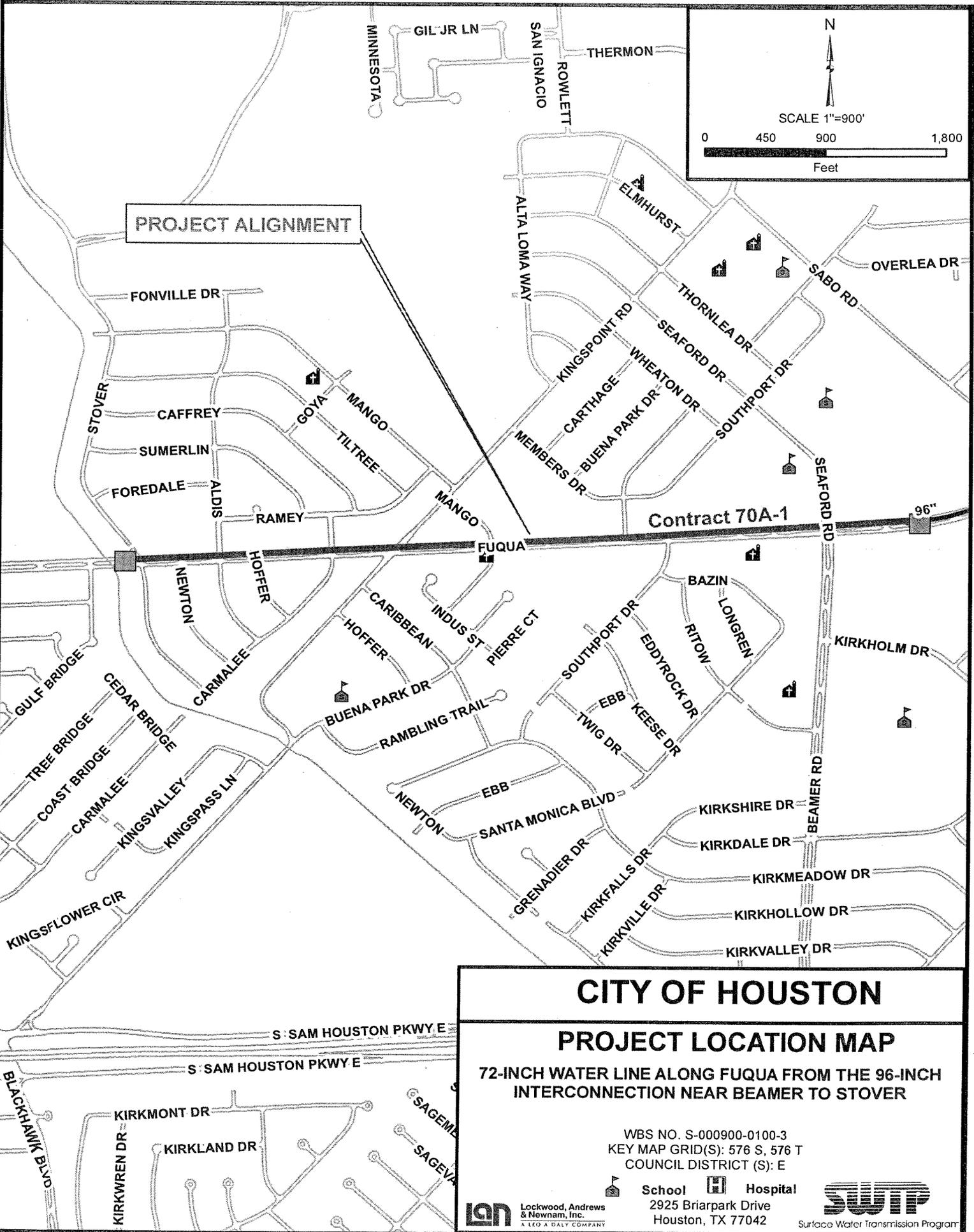
<u>SBE - Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
1. Boring & Tunneling Company of America, Inc.	Boring & Tunneling	\$500,000.00	8.4%
	<b>TOTAL</b>	<b>\$500,000.00</b>	<b>8.4%</b>

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

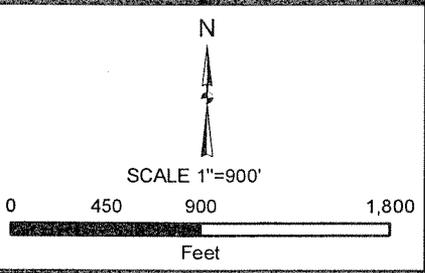
*ACM JP*  
MSM:DRM:HH:SD:ACM:JP

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- c:** Marty Stein  
Velma Laws  
Susan Bandy  
Mike Pezeshki, P.E.  
Craig Foster  
File S-000900-0100-4 (3.7)



**PROJECT ALIGNMENT**



**Contract 70A-1**

**CITY OF HOUSTON**

**PROJECT LOCATION MAP**

**72-INCH WATER LINE ALONG FUQUA FROM THE 96-INCH INTERCONNECTION NEAR BEAMER TO STOVER**

WBS NO. S-000900-0100-3  
 KEY MAP GRID(S): 576 S, 576 T  
 COUNCIL DISTRICT (S): E

**School** **Hospital**  
 2925 Briarpark Drive  
 Houston, TX 77042

**Lockwood, Andrews & Newnam, Inc.**  
 A LEAD A DALY COMPANY

**SWTP**

Surface Water Transmission Program

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

<b>SUBJECT:</b> Motion establishing a public hearing date to consider adopting a Municipal Setting Designation Ordinance for 8880 Bellaire, L.P. for the Site located at 8880 Bellaire Blvd. (MSD # 2008-011-FDC)	<b>Page</b> 1 of 1	<b>Agenda Item</b> # 75
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<b>FROM (Department or other point of origin):</b> Department of Public Works and Engineering	<b>Origination Date</b> 10/15/09	<b>Agenda Date</b> OCT 21 2009
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<b>DIRECTOR'S SIGNATURE:</b>  Michael S. Marcotte, P.E., D.WRE, BCEE, Director	<b>Council District affected:</b> F C and G within 5 miles of site.
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<b>For additional information contact:</b> Carol A. Ellinger, P.E. Senior Assistant Director (713) 837-7658 Richard J. Chapin, P.E. Senior Project Manager (713) 837-0421	<b>Date and identification of prior authorizing Council action:</b> 8/22/2007 – 2007-0959
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**RECOMMENDATION: (Summary)**  
Establish a public hearing date to consider adopting a Municipal Setting Designation (MSD) Ordinance for 8880 Bellaire, L.P. for the site located at 8880 Bellaire Blvd.

**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.

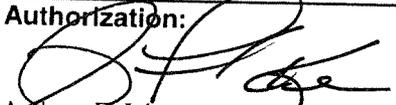
**8880 BELLAIRE, L.P. APPLICATION:** 8880 Bellaire, L.P. is seeking a MSD for 3-acres of land located at 8880 Bellaire Blvd. The contamination consists of tetrachloroethene (PCE), trichloroethene (TCE), cis-1,2-dichloroethene (cis-1,2-DCE), trans-1,2-dichloroethene (trans-1,2-DCE), 1,1-dichloroethene (1,1-DCE), and vinyl chloride (VC). The site consists of approximately 8-acres of land located west of downtown. Golden Fleetwood Dry Cleaners historically operated in tenant space G within the Bellaire Boulevard Retail Center from 1983 through 2001. Site investigations identified groundwater contamination and two soil source areas. Excavation was completed in 2001. Groundwater remediation was started in 2001 using in-situ treatment, dual-phase high vacuum extraction and bioremediation injections. A comparison of the sampling results from as early as February 1999 through September 2008 indicates that the area of impact has reduced substantially over time. A public meeting will be held on 11/16/2009 at the Tracey Gee Community Center 3599 Westchase Dr.

8880 Bellaire, 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.

**RECOMMENDATIONS:** City Ordinance requires City Council to hold a public hearing before adopting a Municipal Setting Designation Ordinance (MSD). The Department of Public Works and Engineering recommends establishing a public hearing date not sooner than six weeks from passage of the Motion and directing the City Secretary to publish notice of the hearing no less than thirty (30) calendar days before the public hearing date for 8880 Bellaire, L.P. for the site located at 8880 Bellaire Blvd. Preferred hearing date, 12/16/2009.

MSM:AFI:CAE  
P:\PLANNING BRANCH\MSD\DATABASE\GENERIC RCA - PUBLIC HEARING.DOC  
C: Marty Stein, Waynette Chan, Gary Drabek, Ceil Price

**REQUIRED AUTHORIZATION** CUI# 20CAE51

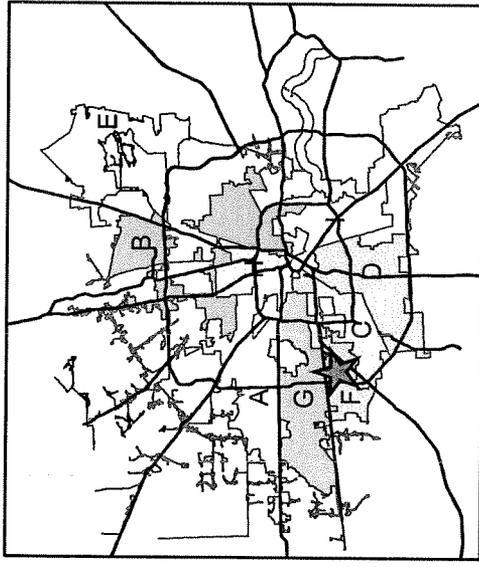
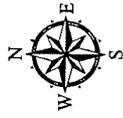
<b>Finance Department:</b>	<b>Authorization:</b>  Andrew F. Icken., Deputy Director Planning and Development Services Division	<b>Other Authorization:</b>
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# Municipal Settings Designation Application

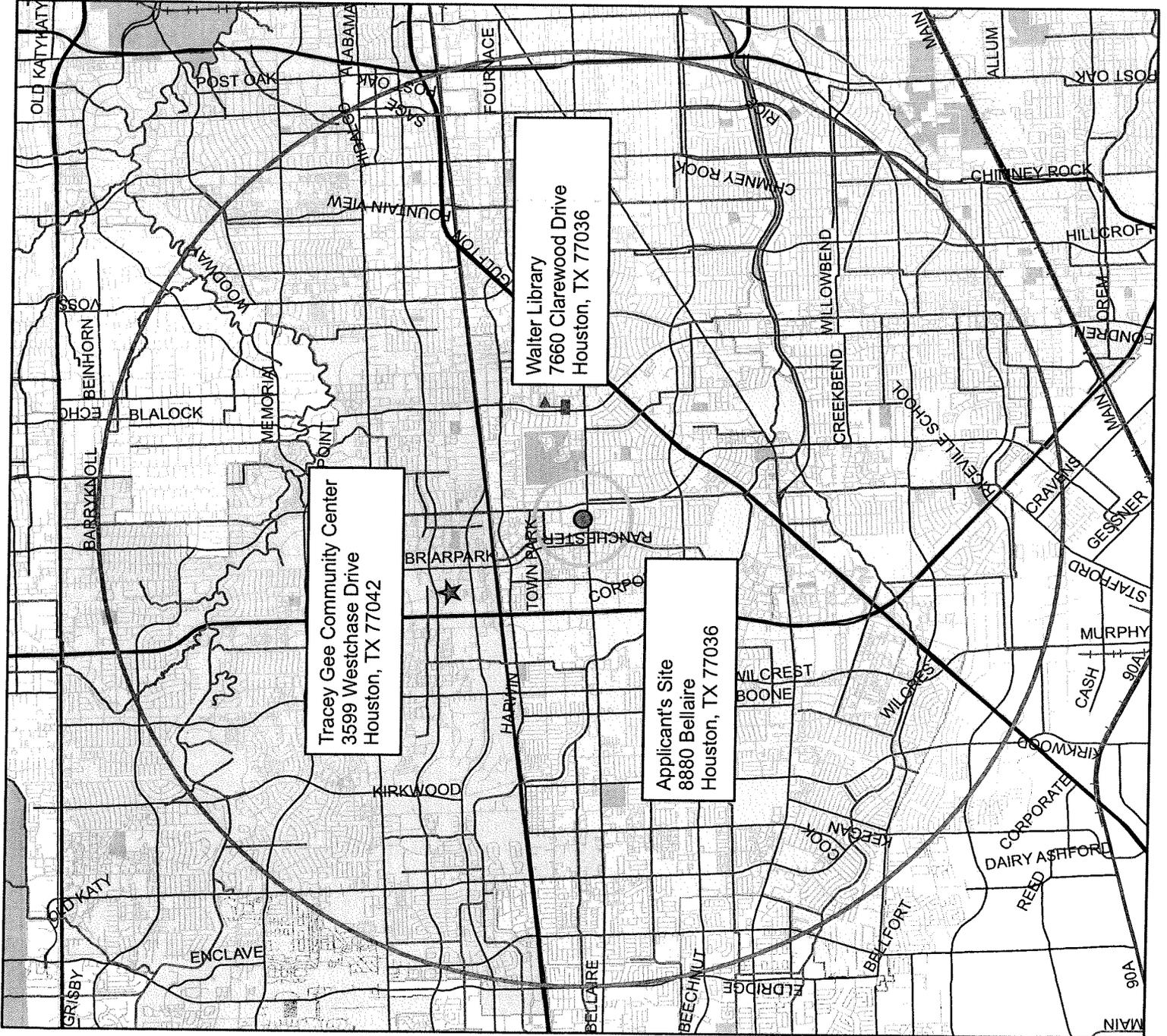
2008-011-FDC  
Vicinity Map

## Legend

- MSD Application
- ★ Community Center
- ⬆ Library
- ◻ 5 Mile Notification Area
- ◻ 1/2 Mile Notification Area



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



TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

<b>SUBJECT:</b> Motion establishing a public hearing date to consider adopting a Municipal Setting Designation Ordinance for SRS Shopping Center, Ltd. for the Site located at 13100 Block Memorial Drive. (MSD # 2009-013-SRS)	<b>Page</b> 1 of 1	<b>Agenda Item</b> # 76
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<b>FROM (Department or other point of origin):</b> Department of Public Works and Engineering	<b>Origination Date</b> 10/15/09	<b>Agenda Date</b> OCT 21 2009
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<b>DIRECTOR'S SIGNATURE:</b>  Michael S. Marcotte, P.E., D.WRE. BCÉE, Director	<b>Council District affected:</b> G A and F within 5 miles of site.
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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
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**RECOMMENDATION: (Summary)**  
Establish a public hearing date to consider adopting a Municipal Setting Designation (MSD) Ordinance for SRS Shopping Center, Ltd. for the site located at 13100 Block Memorial Drive.

**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.

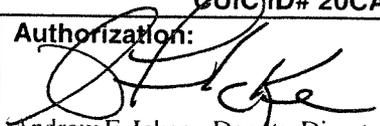
**SRS SHOPPING CENTER, LTD. APPLICATION:** SRS Shopping Center, Ltd. is seeking a MSD for 8.1-acres of land located at 13100 Block Memorial Drive. The contamination consists of tetrachloroethene (PCE), trichloroethene (TCE), cis-1,2-dichloroethene (cis-1,2-DCE), and vinyl chloride (VC). The Rummel center had two dry cleaning tenants who operated TCE dry cleaning equipment, from 1972 - 1977, and 1986 - 1997. The West Office Plaza currently has a dry cleaning tenant that has been in operation since 1994, but ceased using tetrachloroethene (PCE) by 2001. The lateral extent of groundwater impact has been horizontally delineated in all directions. After quarterly monitoring, it was confirmed that impacted groundwater had migrated off-site and that there is no off-site source contributing to the groundwater. A comparison of the sampling results from 1998 through 2008 indicates that the area of impact has significantly reduced over time. Contamination of concern concentrations in the source area wells have been stable to decreasing over the sampling history of the site. A public meeting will be held on 11/19/2009 6:30:00 PM at the Spring Branch Community Center 1721 Pech Road.

SRS Shopping Center, Ltd. 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.

**RECOMMENDATIONS:** City Ordinance requires City Council to hold a public hearing before adopting a Municipal Setting Designation Ordinance (MSD). The Department of Public Works and Engineering recommends establishing a public hearing date not sooner than six weeks from passage of the Motion and directing the City Secretary to publish notice of the hearing no less than thirty (30) calendar days before the public hearing date for SRS Shopping Center, Ltd. for the site located at 13100 Block Memorial Drive. Preferred public hearing date is 12/16/2009.

MSM:AFI:CAE  
P:\PLANNING BRANCH\MSD\DATABASE\GENERIC RCA - PUBLIC HEARING.DOC  
C: Marty Stein, Waynette Chan, Gary Drabek, Ceil Price

**REQUIRED AUTHORIZATION** **CUC ID# 20CAE52**

<b>Finance Department:</b>	<b>Authorization:</b>  Andrew F. Icken., Deputy Director Planning and Development Services Division	<b>Other Authorization:</b>
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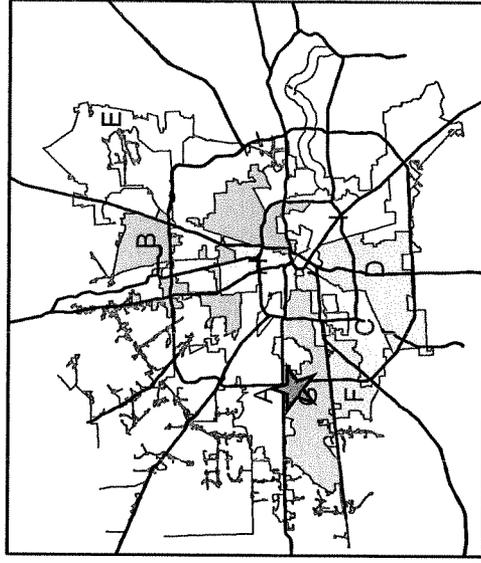
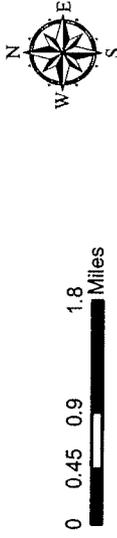
# Municipal Settings Designation Application

2008-013-SRS

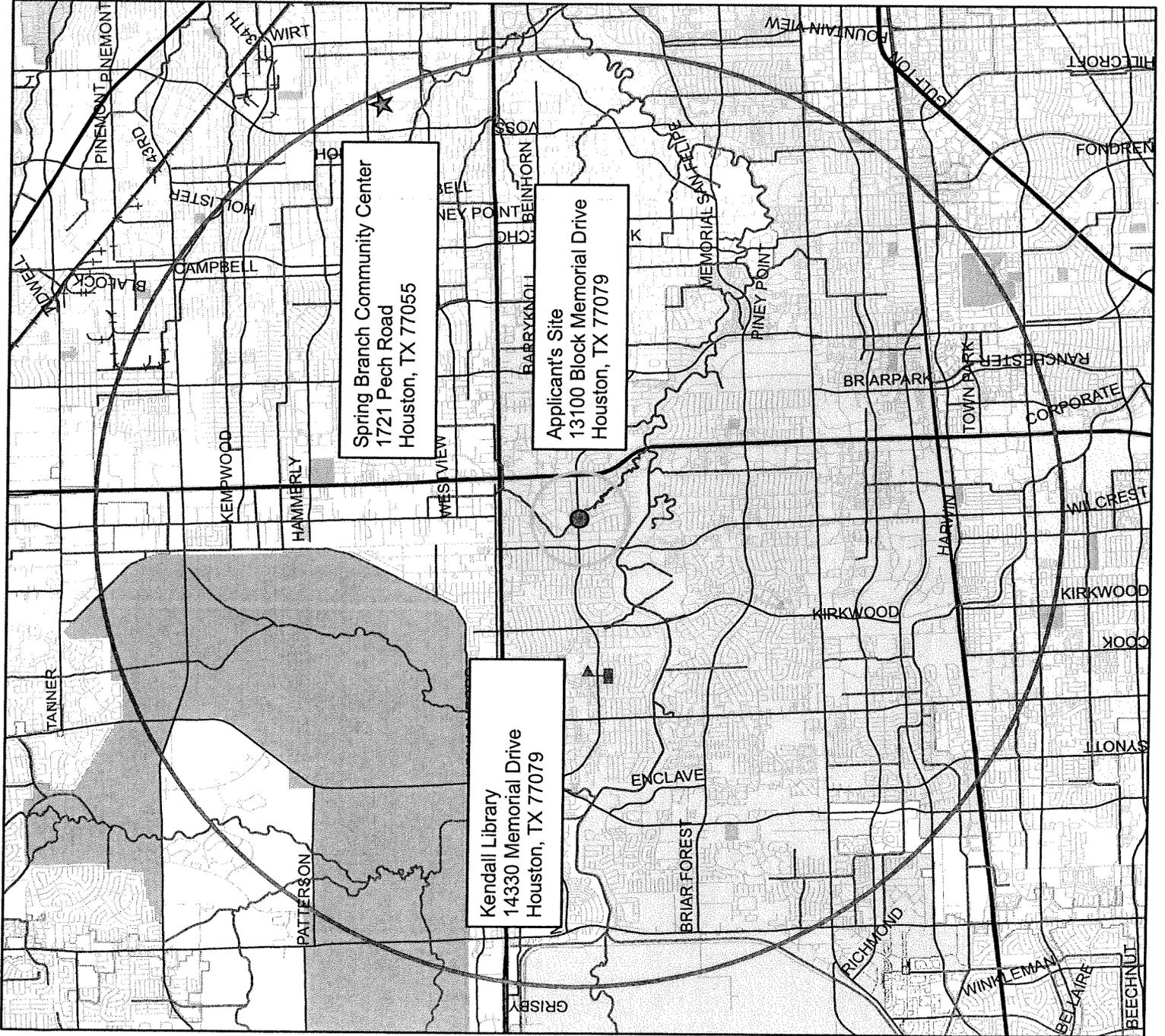
## Vicinity Map

### Legend

- MSD Application
- ★ Community Center
- ▲ Library
- ▭ 5 Mile Notification Area
- ▭ 1/2 Mile Notification Area



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



<b>SUBJECT:</b> Motion authorizing issuance of a purchase order to Gateway to Care, a non-profit corporation, to develop a call center to process the high volume of surge questions regarding H1N1	<b>Category #</b> 9	<b>Page</b> 1 of 1	<b>Agenda Item #</b> [ 77 ] # 125
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<b>FROM (Department or other point of origin):</b> Houston Department of Health and Human Services	<b>Origination Date</b> 10/5/09	<b>Agenda Date</b> <del>OCT 14 2009</del>
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<b>DIRECTOR'S SIGNATURE:</b> <i>Michael Austin for SLW</i>	<b>Council District affected:</b> OCT 21 2009 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>
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**RECOMMENDATION: (Summary)**  
 Approval of a motion authorizing issuance of a purchase order to Gateway to Care, a non-profit corporation, to develop a call center to process the high volume of surge questions regarding H1N1.

<b>Amount of Funding:</b> Total Amount: \$193,773 Fund 5030 Federal State Local – Pass Through Fund	<b>Finance Department:</b>
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**SOURCE OF FUNDING:** [ ] General Fund [X] Grant Fund [ ] Enterprise Fund [ ] Other  
 ( Specify )

**SPECIFIC EXPLANATION:**  
 The Houston Department of Health and Human Services (HDHHS) requests City Council approval of a motion authorizing issuance of a purchase order to Gateway to Care, a non-profit corporation, to develop a call center to provide services to process the high volume of surge questions regarding H1N1 throughout the 2009-2010 flu season. The purchase order will be in the amount of \$193,772.00.

In September 2009, HDHHS received a Public Health Emergency Response (PHER) grant from the Department of State Health Services. The purpose of the PHER grant is to support and enhance the state and local public health infrastructure that is critical to public health preparedness and response, such as strengthening and sustaining the public health workforce, increasing laboratory capacity and capability, strengthening disease surveillance activities, planning and implementing possible large scale mass vaccination activities, developing effective risk communication guidance, etc.

In support of this grant, Gateway to Care will recruit, and train volunteers and provide access to a centralized reporting program in the community. Gateway to Care will recruit and train 160 volunteers and provide navigation services to at least 17,856 callers.

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

cc: Finance Department  
 Legal Department  
 Agenda Director

<b>REQUIRED AUTHORIZATION</b>			NDT
<b>Finance Department</b>	<b>Other Authorization:</b>	<b>Other Authorization:</b>	

**REQUEST FOR COUNCIL ACTION**

**TO:** Mayor via City Secretary

RCA# 8485

**Subject:** Amend Council Motion 2007-0788, Passed July 18, 2007, for MD Helicopter Replacement Parts for the Houston Police Department S09-S22416-A1

Category #  
4

Page 1 of 1

Agenda Item

78 ~~15~~

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

**Origination Date**  
September 24, 2009

**Agenda Date**  
OCT 21 2009  
~~007 14 2009~~

**DIRECTOR'S SIGNATURE**

*Calvin D. Wells*

**Council District(s) affected**  
All

**For additional information contact:**  
Joseph Fenninger *JF 10/2/09* Phone: (713) 308-1708  
Desiree Heath Phone: (832) 393-8742

**Date and Identification of prior authorizing Council Action:**  
CM2007-0788; Passed 07/18/2007

**RECOMMENDATION: (Summary)**

Amend Council Motion 2007-0788, passed July 18, 2007, to increase the spending authority from \$1,275,000.00 to \$1,593,750.00 for MD helicopter replacement parts for the Houston Police Department (HPD).

Spending Authority Increased By: \$318,750.00

**Finance Budget**

\$318,750.00 General Fund (1000)

**SPECIFIC EXPLANATION:**

The City Purchasing Agent recommends that City Council amend Council Motion 2007-0788, to increase the spending authority for MD helicopter replacement parts awarded to Heli-Mart, Inc. from \$1,275,000.00 to \$1,593,750.00.

The additional spending authority will continue the operations in the HPD's Helicopter Patrol Division. During the recent months, the Department's spending authority was depleted due to (1) the addition of three new turbine helicopters (2) increased flight hours and (3) unforeseen emergency repairs due to a recent emergency landing in the metro area.

This award began July 24, 2007 for a 60-month period in an amount not to exceed \$1,275,000.00. Expenditures as of September 24, 2009 totaled \$1,040,589.41. This award consists of a price list, which includes but is not limited to, repair parts such as blades and rotors for MD500E Model 369/500/600/900 Series Helicopters. These helicopters are employed for patrol by HPD.

Buyer: L. Marquez

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

**Estimated Spending Authority**

DEPARTMENT	FY10	OUT YEARS	TOTAL
Police	\$17,708.33	\$301,041.67	\$318,750.00

**REQUIRED AUTHORIZATION**

Finance Department:

Other Authorization:

Other Authorization:

*[Signature]* 10/2/09

*MT*



# CITY OF HOUSTON

Finance & Administration Department  
Strategic Purchasing Division (SPD)

## Interoffice

Correspondence

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

From: M. A. Cruz Goldman

Date: April 12, 2006

Subject: MWBE Participation Form

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

I am **requesting** a MWBE goal below 11% (To be completed by SPD, and prior to advertisement): Yes  No  0%

I am requesting a **revision** of the MWBE Goal: Yes  No  Original Goal: 0% New Goal: 0%

If requesting a revision, how many solicitations were received: \_\_\_\_\_

Solicitation Number: S09-S22416 Estimated Dollar Amount: \$1,275,000.00

Anticipated Advertisement Date: 4/13/2006 Solicitation Due Date: 5/3/2006

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

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

Name and Intent of this Solicitation:

This project covers the purchase of various replacement parts for the MD Helicopters.

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

Bidders on the parts and labor must be FAA certified and its repair facilities approved as an Authorized Maintenance Center by the agency. At this moment there are no City-certified M/WBEs that have received such certification. As a result, Supply Contracts has been granted a 0% M/WBE sign-off in the past. Please see the attachment hereto.

Concurrence:

\_\_\_\_\_  
SPD Initiator

\_\_\_\_\_  
Division Manager

\_\_\_\_\_  
FOR Velma Laws, 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.

File location: <http://choice.net/spd/forms.html>

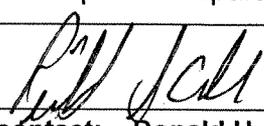
REVISED: 4/12/2007

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

HCDO9-128

09- Irvington Land

<b>SUBJECT:</b> An Ordinance authorizing a Grant Agreement between the City of Houston and Avenue Community Development Corporation.		<b>Category #</b>	<b>Page</b> 1 of 2	<b>Agenda Item #</b> <del>24</del>
<b>FROM (Department or other point of origin):</b> Richard S. Celli, Director Housing and Community Development Department		<b>Origination Date:</b> 09/23/09	<b>Agenda Date:</b> <del>OCT 14 2009</del> 79	
<b>DIRECTOR'S SIGNATURE:</b> 		<b>Council District affected:</b> District "H" <span style="float: right;"><del>OCT 21 2009</del></span>		
<b>For additional information contact:</b> Donald H. Sampley Phone: 713-868-8458		<b>Date and identification of prior authorizing Council action:</b> None		

**RECOMMENDATION: (Summary)**  
 The Department recommends approval of an Ordinance authorizing a \$2,500,000 Grant from the City of Houston to Avenue Community Development Corporation to assist in the land development costs for a subdivision of 95 affordable single-family homes situated on 12.49 acres of a 20.3 acre development tract at 4004 Irvington Boulevard.

**Amount of Funding:** \$2,500,000 **Finance Budget:**

**SOURCE OF FUNDING**       General Fund       Grant Fund       Enterprise Fund

Other (Specify) TIRZ Affordable Housing Fund No. 2409

**SPECIFIC EXPLANATION:**  
 The Housing and Community Development Department (HCDD) proposes providing a \$2,500,000 Grant to Avenue Community Development Corporation (Avenue CDC) to be used for land development costs for a subdivision of 95 affordable single-family homes. The homes will be developed in the Near Northside at 4004 Irvington Boulevard, the location of the former FedEx freight terminal. The homes will be sold to households earning at or below 120% of Area Median Income. The Grant will be funded with TIRZ funds.

Avenue CDC is a non-profit, 501 c 3 corporation founded in 1991, and was recertified by HCDD as a Community Housing Development Organization on September 17, 2009. Avenue CDC has developed in excess of \$35,000,000 in Houston's Washington Avenue and Near Northside communities, which includes the development of over 325 rental units in four apartment projects, and 85 single-family homes.

The City \$2,500,000 Grant will pay down a portion of the outstanding balance on an existing loan from the Houston Housing Finance Corporation (HHFC) which has been used for land acquisition and pre-development costs. By paying down a portion of the existing balance on the HHFC loan, the Grant will allow the HHFC loan to be increased by a like amount to further fund the construction of public roadways and water/wastewater lines, engineering, and other pre-development costs.

The single-family subdivision, which will include an approximate one acre of public park land, will be constructed on 12.49 acres of a 20.3 acre development. The remainder of the site will include construction of a 144-unit mixed-income apartment complex on 5.72 acres to be funded through tax credit equity, a first lien bank loan, and a 2<sup>nd</sup> lien City of Houston loan (application pending for a \$3,000,000 HOME loan), and 2.09 acres for commercial development.

The City Grant will allow for the development of affordable lots at a cost of approximately \$36,000 per home for buyers at or below 120% of median income.

<b>REQUIRED AUTHORIZATION</b>			<b>NOT</b>
<b>Finance Director:</b> 	<b>Other Authorization:</b> 	<b>Other Authorization:</b>	

Date  
9/23/09

Subject: An Ordinance authorizing a Grant Agreement  
between the City of Houston and Avenue Community  
Development Corporation.

Originator's  
Initials  
*POA*

Page  
2 of 2

This project is consistent with the City of Houston Consolidated Plan to provide affordable housing for low-income individuals. The City's participation in the project will contribute to the goal of increasing affordable housing.

Terms of the City's Grant shall be:

- a. Amount: \$2,500,000
- b. The Grant shall be provided with no obligation for repayment provided the borrower fully and timely complies with all of its obligations under the grant documents and;
- c. The Grant shall not bear interest.

Sources of Funds:

City of Houston Grant (TIRZ Funds)	\$ 2,500,000
Houston Housing Finance Corporation	3,390,102
Houston Endowment Grant	<u>1,100,000</u>
TOTAL SOURCE OF FUNDS:	\$ 6,990,102

Uses of Funds:

Land Costs	\$ 3,079,879
Demo & Site Preparation	775,707
Engineering	731,277
Road & Utility Construction	1,460,086
R.E. Taxes, Insurance, Interest	897,430
Permits, Impact Fees, Other	<u>45,723</u>
TOTAL USES OF FUNDS:	\$ 6,990,102

The Department recommends approval of an ordinance approving and authorizing a \$2,500,000 Grant Agreement between the City of Houston and Avenue Community Development Corporation.

RC:DS:JR

cc: City Secretary  
Finance Department  
Legal Department  
Mayor's Office

R

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 8436

Subject: Approve an Amending Ordinance Authorizing a Second Amendment to Extend the Contract Term and Increase the Spending Authority for Contract No. C56218 for Animal Licensing Services for the Houston Department of Health and Human Services - L20150-A2

Category #  
4 & 5

Page 1 of 2

Agenda Item

803

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

Origination Date  
October 07, 2009

Agenda Date  
~~OCT 14 2009~~  
OCT 21 2009

DIRECTOR'S SIGNATURE  
*Calvin D. Wells*

Council District(s) affected

For additional information contact:  
Hope Bennett Phone: (713) 229-7317  
Ray DuRousseau Phone: (832) 393-8726

Date and Identification of prior authorizing Council Action:  
Ord # 2004-808 7/28/04; Ord# 2008-0309 4/9/08

RECOMMENDATION: (Summary)

Approve and authorize a second amendment to the contract between the City of Houston and PetData, Inc.; extending the term from November 12, 2009 to November 11, 2011; and approve an amending ordinance to increase the maximum contract amount from \$954,050.00 to \$1,334,050.00 for animal licensing services for the Houston Department of Health and Human Services.

Maximum Contract Amount Increased by: \$380,000.00

Finance Budget

\$380,000.00 General Fund (1000) (FY2010 \$190,000)

SPECIFIC EXPLANATION:

The City Purchasing Agent recommends that City Council approve an amending ordinance authorizing a second amendment to Contract No. C56218 between the City of Houston and PetData, Inc.; extending the term from November 12, 2009 to November 11, 2011; and increasing the maximum contract amount from \$954,050.00 to \$1,334,050.00 for the animal licensing services for the Houston Department of Health & Human Services. The City Purchasing Agent may terminate this contract at any time upon 30 days written notice to the contractor.

This contract was awarded on July 28, 2004 by Ordinance No. 2004-0808 for a three-year term, with two one-year options to renew, for a total five-year term in the original amount of \$954,050.00. Expenditures as of October 5, 2009 totaled \$912,154.50. A first amendment was approved on April 9, 2008, by Ordinance No. 2008-309, to set up and maintain an online payment processing feature to allow residents of Houston to purchase an animal registration online via a major credit card; provide revenue distribution to the City for all animal registrations collected via the Contractor's website; and make available a donation feature whereby residents who choose to register online can also make voluntary donations to the Bureau of Animal Regulation and Care (BARC).

This proposed second amendment will extend the contract term for two more years. The second amendment also eliminates a bonus provision in the contract which would have allowed PetData to earn an additional \$1.75 per license issued above the average number of licenses sold over the previous three fiscal periods. As indicated in the attached summary, the City has begun an aggressive compliance initiative that we believe will substantially increase reporting compliance rates among veterinarians, thereby increasing licensing activity over the remainder of this fiscal year; thus, this is a major concession on behalf of the vendor. As the initiative is the City's and not PetData's, the company has in good faith agreed to remove the bonus provision from the contract. The proposed second amendment also revises the contract fee schedule for the extended term to reflect the fees the contractor bid for year five of the contract and to increase the online permit processing convenience fee from \$1.75 per transaction to \$1.95 per transaction.

The PetData contract generated \$651,463.50 in animal licensing revenues over the most recent 12-month period. Of that amount, PetData received \$185,821, while the City received \$465,642.50. PetData, Inc. is reportedly the only company in the United States that provides these services. The Health and Human Services Department and Administration and Regulatory Affairs Department both have determined that it is in the best interest of the City to extend the contract with PetData, Inc.

REQUIRED AUTHORIZATION

NDT

Finance Department:

Other Authorization:

Other Authorization:

Yat

Date: 10/7/2009	Subject: Approve an Amending Ordinance Authorizing a Second Amendment to Extend the Contract Term and Increase the Spending Authority for Contract No. C56218 for Animal Licensing Services for the Houston Department of Health and Human Services - L20150-A2	Originator's Initials RB	Page 2 of 2
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The scope of work requires the contractor to provide all labor, tools, transportation, supervision and supplies necessary to manage the City of Houston's cat and dog license program and to accomplish the task of issuing licenses, including but not limited to license tags, vaccination certificate books for veterinarians, return envelopes for registration, renewal notices, reminder notices, and deficiency notices where full fees are unpaid.

Buyer: Roy Breaux

10/7/2009



**City of Houston  
Administration & Regulatory Affairs Department  
Pet Licensing Initiative/PetData Contract Extension Analysis  
October 7, 2009**

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The Administration & Regulatory Affairs Department recommends extension of an amended PetData contract for animal licensing services. Following is the rationale for ARA's recommendation regarding the extension of this contract, and for overall improvement of pet rabies vaccination and licensing compliance rates in the City of Houston.

**Overview**

The City of Houston is responsible for the control of rabies within the City. The duty to enforce the Rabies Control Act of 1981 (Chapter 826 of the Texas Health and Safety Code) is delegated to the Department of Health and Human Services (HHS). The Bureau of Animal Regulation and Care (BARC) is the primary entity in the region actively involved in the sick stray animal, or dangerous animal, population. Other agencies and organizations focus on rescue and adoption efforts for healthy dogs and cats.

Chapter 6 of the Code of Ordinances requires dogs and cats within the City limits to be licensed by BARC through the Director of HHS. The intent of this requirement is to protect public health and safety by minimizing the incidence of rabies in Houston's domestic animal population, and hence the probability that rabies will be transmitted to humans. The Centers for Disease Control (CDC) recently issued a ranking of rabies cases by state for 2008. Texas experienced the highest incidence of rabies, with 1022 documented cases in 2008. Nationwide, rabies cases declined by 3%; however, cases in Texas increased by 5.4% over the same period, marking the third consecutive annual increase in rabies cases in the State.

Veterinarians are also required by Chapter 6 to furnish certification to the City, via PetData, of all rabies vaccinations administered. This vaccination certification is a prerequisite that must be met by pet owners to obtain the mandatory pet license. There are almost one million (estimated at 964,000) dog or cat pets in Houston, of which only 44,000 are currently licensed, a compliance rate of only 4.5%. Of the several hundred veterinarians operating within the City limits, only 20% are complying with certificate reporting requirements of both Chapter 6 of the Houston Code of Ordinances and Chapter 826 of the Texas Health and Safety Code. We believe improving the reporting rates by veterinarians would significantly increase the licensing compliance rates among pet owners. As such, ARA recommends a two-phased approach to address this public health challenge.

**Licensing Initiative Phase I: Education, Community Outreach & PetData Contract Extension**

ARA will initially focus on improving communications with the veterinary industry and pet owner community. The department will clarify to veterinarians reporting requirements prescribed to them by City and State Code, and emphasize the City's desire is to achieve increased compliance with requirements via the most pragmatic and cost-effective means possible. Following are the steps we intend to take during Phase I:

- 1) Clarify veterinarian reporting requirements - PetData supplied to ARA a list of approximately 200 veterinary clinics in the Houston area. Attached is the letter that was sent to these veterinarians on



September 30, 2009. The letter specifically articulates the State and City of Houston reporting requirements, as well as the penalties for non-compliance.

- 2) Outreach to Veterinarian Community - Gerry Fusco and I met with Drs. Jeff Chalkley and Sam Miller, President-Elect and member of the Board of the Harris County Veterinary Medical Association (HCMVA) on October 1, 2009 to discuss the letter and the City's new approach to increase compliance and address the rabies public health concern. The industry requested additional stakeholder meetings with Mr. Fusco, as well as more communication with pet owners describing the benefits of pet licensing. They further recommended:
- (a) Animal control officers should be available after 5:00 p.m. and on weekends, rather than delegating dangerous animal collection to HPD during those hours;
  - (b) Make pamphlets describing BARC and the benefits of animal licensing available to veterinary clinics for distribution;
  - (c) **Ensure that the proceeds of animal licensing fees are distributed only to BARC, rather than the City's General Fund**; this is an item that was previously discussed with a former Director of BARC, and the industry reports that they were assured the funds would be segregated. They believe that veterinarians and pet owners would be more inclined to pay fees knowing that those fees would be used only by BARC and not by other City programs.
  - (d) Talk to Civic Clubs, SuperNeighborhoods and other organizations to spread the word about the benefits of licensing and the need for veterinarians to report owner information to PetData and the City;
  - (e) Consider a subsidy for microchipping pets;
  - (f) Add value to the reporting process by asking PetData to create a field in their database for data entry of a pet's microchip number and manufacturer. Couple this initiative by ensuring that BARC has scanners available for the three major brands of microchips.
  - (g) Write a letter to the Harris County Veterinary Medical Association assuring the veterinarian community of the City's commitment to the licensing program and improvement of the BARC situation overall.

**Mr. Fusco agreed that immediately BARC would create a circular/pamphlet, to be distributed at all veterinary clinics, that describes the benefits of pet licensing for pet owners and pets, as well as the risks and penalties for non-compliance. The circular will be designed to educate the pet owner public about the very real risk pets face when they are taken to BARC or another shelter and no proof of the rabies vaccination is found on the animal. It will also describe the value-added services provided by BARC, such as microchipping pets prior to adoption.**

**We also agreed to underscore the need for the creation of a separate BARC special revenue fund so that animal licensing fees could be segregated from the General Fund and be used specifically to upgrade the treatment of the animals the cleanliness and improvements of the facility.**

- 3) Extension of PetData contract – Before and even since the inception of the PetData contract in 2004, the City considered the feasibility of sharing revenues with veterinarians to encourage them to perform pet licensing rather than delegating the activity to PetData. We discussed this with the HCVMA Board representatives during our meeting. They stated the industry is adamantly opposed to performing these services.

The City has also performed these duties in-house in HHSD in the past, and has considered the feasibility of taking similar actions again in the future. However, before recommending the PetData contract in 2004, HHSD performed a fiscal analysis of the costs of performing these services in-house

and determined that the PetData contract would save the City at least \$282,000 over the primary term of the contract, based on 2004 cost data. ARA is reviewing the costs of in-house vs. outsourcing of these services at this time and will report the actual variance upon conclusion of that analysis.

Thus, at this time, we recommend extending the contract with PetData for the following reasons:

- (a) As stated above, Houston veterinarians have definitively advised us they will not perform these services. Thus, the service can only be performed by the City of Houston or a third party contractor such as PetData.
- (b) The Health & Human Services Department analysis indicates that the cost of outsourcing these services is lower than the cost of performing the services in-house.
- (c) The PetData contract generated \$651,463.50 in animal licensing revenues over the most recent 12-month period. Of that amount, PetData received \$177,605, while BARC received \$473,858.50. As described above, we have begun on an aggressive compliance initiative that we believe will substantially increase reporting compliance rates among veterinarians, thus increasing licensing activity and revenues available to upgrade the treatment of the animals.

PetData is partnering with the City in this compliance effort. In addition to providing all requested reports and data from which we have been able to establish baselines for the compliance program initiative, the vendor has made concessions.

The existing PetData contract contains a bonus provision that specifies that in the event the annual licensing volume exceeds the average licensing volume for the preceding three years by at least 2%, PetData would receive an additional fee of \$1.75 for each new license that exceeds the average number of new licenses sold in the preceding three years.

PetData understands that the City has embarked on a compliance initiative that may substantially increase the number of licenses issued. As the initiative is the City's and not PetData's, the company has in good faith agreed to remove the bonus provision from the extended contract, a concession that worth a minimum of \$20,000 if pet licensing increases by only the 2% threshold.

PetData will also be refunding to the City approximately \$8,000 in licensing fees. At the time of their bid submission, the Company proposed a different fee split for Year Five of the contract – it would have allowed the Company to earn an additional \$0.25 per license on specific categories of licenses. The City accepted PetData's bid, but when the contract was drafted the fee schedule failed to reflect the Year Five amounts bid by PetData. Working from the bid rather than the contract they signed, PetData has in effect billed the City approximately \$8,000 more than the contract allowed since August 2008. We have advised PetData about both the City's error in creating the contract fee schedule for Year Five, as well as PetData's error in billing the incorrect amount. PetData ceased billing at the higher rate as soon as they were notified, and will reflect a reduction of \$8,216 on their next invoice to the City. The City will correct its error going forward, by amending the contract to reflect the appropriate fee amounts for the remainder of the contract term.

- (d) Within the next 60 days, PetData's online licensing capabilities will be substantially enhanced, allowing pet owners to upload their pets' rabies vaccination certificates and pay online, rather than waiting for veterinarians to perform these services.

## **Phase II: Ordinance Revisions and Enforcement**

ARA, using data provided by PetData, will examine the enforcement options available within 60 days of completion of Phase I. The Code of Ordinances provides for fines of up to \$500 for non-compliance; however, it is ARA's intent to work in a collegial and pragmatic manner with all stakeholders to provide a win-win solution to the extent possible. Our goal, however, is 100% compliance among veterinarians and pet owners to best address the public health threat posed by failure to timely vaccinate pets against rabies.

ARA is examining the provisions of Chapter 6 to determine to what extent they should be revised to increase the effectiveness of the ordinance and to address changes in veterinary medical practice. To that end, over the coming months we will be meeting with industry stakeholders and Health Department officials, and reviewing best practices in other major cities with a goal of bringing recommendations to City Council in approximately 90 days.

ARA will continue to explore approaches to reduce the incidence of rabies in the City and to strengthen BARC's viability as an organization. Immediately we will work with Mr. Fusco to:

- Advocate for the creation of a BARC special fund into which licensing fees would be deposited. This idea is widely supported by the veterinary and pet owner population as indicated in the discussion above.
- Increase the use of pet microchip identification. This could be accomplished by encouraging vets to promote microchips at the time of rabies vaccination, or by subsidizing microchipping of pets by BARC upon pickup.
- Negotiate with PetData to ensure they collect microchip data for all "chipped" pets, to enable BARC to scan for each of the three unique microchip frequencies upon pickup. This will assist BARC to differentiate strays from lost pets.

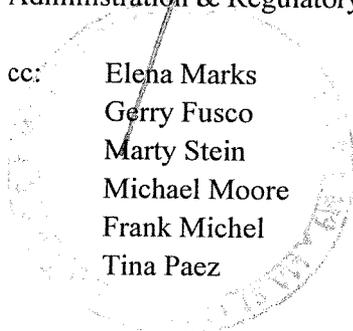
Kindest Regards,



---

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

cc: Elena Marks  
Gerry Fusco  
Marty Stein  
Michael Moore  
Frank Michel  
Tina Paez



81 + 81A

OCT 21 2009

MOTION NO. 2009 0752

MOTION by Council Member Holm that the following item be postponed for one week:

- Item 52 - Ordinance appropriating \$174,875.00 out of Equipment Acquisition Consolidated Fund and \$206,574.00 out of Reimbursement of Equipment/Projects Fund for Purchase of Light-Duty Utility Vehicles for Various Departments
- Item 52A - Recommendation from Purchasing Agent to award to Planet Ford 45 - \$495,063.00 and Philpott Motors, Ltd. - \$978,311.00 for Light-Duty Utility Vehicles for Various Departments - \$1,091,925.00 - Enterprise, Grant, Building Inspection and Special Waste Transportation & Inspection Fund

Seconded by Council Member Khan and carried.

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

Council Member Gonzalez out of the City on City business

PASSED AND ADOPTED this 14th day of October, 2009.

Pursuant to Article VI, Section 6 of the City Charter, the effective date of the foregoing motion is October 20, 2009.

City Secretary

**REQUEST FOR COUNCIL ACTION**

**TO:** Mayor via City Secretary

**RCA# 8448**

**Subject:** Formal Bids Received for Light-Duty Utility Vehicles for Various Departments  
S34-N23274

Category #

Page 1 of 2

Agenda Item

184

**R1+81A** | ~~52-52A9-9A~~

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

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

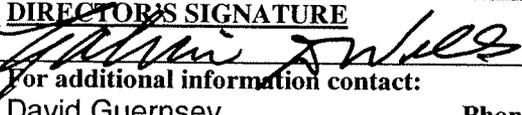
**Origination Date**

September 04, 2009

**Agenda Date**

~~OCT 14 2009~~  
~~OCT 07 2009~~  
OCT 21 2009

**DIRECTOR'S SIGNATURE**

*MS*  


**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 \$174,875.00 out of the Equipment Acquisition Consolidated Fund (Fund 1800) and \$206,574.00 out of the Reimbursement of Equipment/Projects Fund (Fund 1850), and approve various awards as shown below in the total amount of \$1,473,374.00 for light-duty utility vehicles for various departments.

Award Amount: \$1,473,374.00

**Finance Budget**

- \$ 17,876.00 - Clean Rivers Program Fund (Fund 5030)
- \$ 35,752.00 - Special Waste Transportation & Inspection Fund (Fund 2423)
- \$ 206,574.00 - Reimbursement of Equipment/Projects Fund (Fund 1850)
- \$ 174,875.00 - Equipment Acquisition Consolidated Fund (Fund 1800)
- \$ 607,784.00 - Building Inspection Fund (Fund 2301)
- \$ 276,761.00 - HAS-AIF Capital Outlay Fund (Fund 8012)
- \$ 153,752.00 - Combined Utility System General Purpose Fund (Fund 8305)
- \$1,473,374.00 - Total

**SPECIFIC EXPLANATION:**

The City Purchasing Agent recommends that City Council approve an ordinance authorizing the appropriation of \$174,875.00 out of the Equipment Acquisition Consolidated Fund (Fund 1800) and \$206,574.00 out of the Reimbursement of Equipment/Projects Fund (Fund 1850), and approve various awards as shown below in the total amount of \$1,473,374.00 for light-duty utility vehicles for various departments, and that authorization be given to issue purchase orders. These vehicles will be used citywide by department personnel to conduct City business and provide services to the citizens of Houston. The funding for the vehicles funded with the Equipment Acquisition Consolidated Fund (Fund 1800) is included in the adopted FY10 Equipment Acquisition Plan. For the vehicles funded with the Reimbursement of Equipment/Projects Fund (Fund 1850), the fund will be reimbursed by revenue generated from the sale of the Solid Waste Management Department's salvage equipment at the City's auction, and by revenue generated by the Administration & Regulatory Affairs Department's Transportation Section and Property Disposable Management Office.

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

**Planet Ford 45:** Award on its low bid meeting specifications for Item No. 1, eighteen hybrid-electric, 4-door, 2-wheel drive, utility vehicles in the amount of \$495,063.00.

**REQUIRED AUTHORIZATION**

Finance Department:

Other Authorization:

Other Authorization:

*MS*  
*MDT*  
*10 + 10*  
*LS*

Date: 9/4/2009	Subject: Formal Bids Received for Light-Duty Utility Vehicles for Various Departments S34-N23274	Originator's Initials LB	Page 2 of 2
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<u>Company</u>	<u>Amount</u>
1. Planet Ford 45	\$495,063.00
2. Tommie Vaughn Motors, Inc.	\$495,330.00
3. Philpott Motors, Ltd.	\$496,791.00

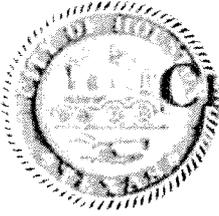
**Philpott Motors, Ltd.:** Award on its low bid meeting specifications for Item No. 2, nine gasoline-powered, 4-door, 4-wheel drive, utility vehicles and low bid for Item No. 3, forty-five gasoline-powered, 4-door, 2-wheel drive, utility vehicles in the amount of \$978,311.00.

<u>Company</u>	<u>Amount</u>
1. Philpott Motors, Ltd	\$ 978,311.00
2. Tommie Vaughn Motors, Inc.	\$1,017,550.00
3. Planet Ford 45	\$1,064,919.00

These new vehicles will come with a full three-year/36,000-mile bumper-to-bumper warranty and the life expectancy is seven years or 100,000 miles. See the attached Equipment Usage Summary for vehicle usage and replacement details. The vehicles that will be replaced have reached their life expectancy and will be sent to auction for disposition. These new vehicles will meet the EPA's current emission standards for low emission vehicles.

Buyer: Larry Benka

- Attachments: 1. Equipment Usage Summary  
2. M/WBE Zero Percentage Goal Document Approved by the Affirmative Action Division



# CITY OF HOUSTON

Administration & Regulatory Affairs Department  
Strategic Purchasing Division (SPD)

## Interoffice

Correspondence

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

RECEIVED

MAY 11 2009

City of Houston  
Affirmative Action

From: Larry Benka

Date: 05/11/2009

Subject: MWBE Participation Form

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

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

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

If requesting a revision, how many solicitations were received: \_\_\_\_\_

Solicitation Number: N23274 Estimated Dollar Amount: \$2,550,000.00

Anticipated Advertisement Date: 5/15/2009 Solicitation Due Date: 6/4/2009

Goal On Last Contract: \_\_\_\_\_ Was Goal met: Yes  No

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

Name and Intent of this Solicitation:

Purchase of Hybrid Electric Light Duty Vehicles for Various Departments

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

These vehicles will be shipped directly from the manufacturer to the City's bidders. There will be no aftermarket accessories. Therefore, there is no potential for M/WBE participation for this procurement.

Concurrence:

Larry Benka  
SPD Initiator

S. B. Johnson  
Division Manager

Robert Gallegos  
Robert Gallegos, Deputy Assistant Director  
\*Affirmative Action

Kevin M. Coleman  
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.

**EQUIPMENT USAGE SUMMARY  
RCA 8448  
LIGHT-DUTY UTILITY VEHICLES  
FOR  
VARIOUS DEPARTMENTS  
S34-N23274**

BID ITEM NO. DESCRIPTION	REQUISITION NO.	QTY	Department/Division Fleet Usage	Equipment Replacement		
				Shop No.	Age	Mileage
ITEM NO. 1 SERIES 660E HYBRID ELECTRIC LIGHT-DUTY UTILITY VEHICLE	10078059	2	General Services/Property Management  These vehicles will be used citywide by the department to transport personnel to various construction and maintenance locations to conduct inspections and to enforce City contract compliance.	24631 25402	14 13	91,352 85,309
	10078906	1	Administration & Regulatory Affairs/Office of Emergency Management  This vehicle will be used citywide by the department to transport personnel to various locations throughout the City to conduct City business in regards to disaster preparedness.	25137	13	97,934
	10084212	1	Administration & Regulatory Affairs/Asset Disposition  This vehicle will be used citywide by the department to transport personnel to various locations throughout the City to view, photograph, and collect vehicle data on units that are to be sold at auction.	This unit is an addition to the Department's fleet. Currently, the Department does not have any similar units for this program.		
	10084213	4	Administration & Regulatory Affairs/ Transportation Section  These vehicles will be used citywide by department to transport regulatory investigators to various locations to conduct inspections and enforce compliance of City codes for taxicab, limousine, charters and school buses.	31908 30055 30054 31740	8 10 10 10	98,486 90,991 93,797 93.320
	10084262	3	Houston Airport System/Operations  These vehicles will be used at the George Bush Intercontinental Airport by department personnel to conduct airport business.	31407 30132 29006	8 10 11	90,716 84,431 52,364
	10084266	1	Houston Airport System/Administration  This vehicle will be used at the George Bush Intercontinental Airport by department personnel to conduct airport business.	28985	11	57,278

**EQUIPMENT USAGE SUMMARY  
RCA 8448  
LIGHT-DUTY UTILITY VEHICLES  
FOR  
VARIOUS DEPARTMENTS  
S34-N23274**

BID ITEM NO. DESCRIPTION	REQUISITION NO.	QTY	Department/Division Fleet Usage	Equipment Replacement		
				Shop No.	Age	Mileage
ITEM NO. 1 SERIES 660E HYBRID ELECTRIC LIGHT-DUTY UTILITY VEHICLE (CONTINUED)	10084268	1	Houston Airport System/Operations  This vehicle will be used in and around William P. Hobby Airport by department personnel for patrolling activities.	31413	8	107,410
	10084280	2	Houston Airport System/Operations  These vehicles will be used at the George Bush Intercontinental Airport by department personnel to perform daily routine maintenance inspections.	30128 29012	10 11	92,143 72,915
	10084286	2	Houston Airport System/Operations  These vehicles will be used at the William P. Hobby Airport by department personnel to conduct airport business.	31922 29177	8 11	80,571 75,427
	10084289	1	Houston Airport System/Operations  This vehicle will be used at the George Bush Intercontinental Airport by the department to transport maintenance personnel, supplies and small equipment to assigned job sites.	29013	11	89,970

**EQUIPMENT USAGE SUMMARY  
RCA 8448  
LIGHT-DUTY UTILITY VEHICLES  
FOR  
VARIOUS DEPARTMENTS  
S34-N23274**

BID ITEM NO. DESCRIPTION	REQUISITION NO.	QTY	Department/Division Fleet Usage	Equipment Replacement		
				Shop No.	Age	Mileage
ITEM NO. 2 SERIES 661B LIGHT-DUTY 4-WHEEL DRIVE GASOLINE UTILITY VEHICLE	10085034	3	Public Works & Engineering/Safety & Environmental  These vehicles will be used citywide by the department to carry needed equipment and personnel for the completion of safety investigations, safety inspections, field surveys, and hazardous spill removal training.	21185 22794 29155	16 15 11	186,987 230,881 145,330
	10085194	1	Public Works & Engineering/Office of the Director  This vehicle will be used citywide by department personnel to meet with the media and constituents at various sites to discuss and handle Public Works & Engineering Department issues.	23164	15	58,949
	10085195	1	Public Works & Engineering/Office of the Director/Small Business Development  This vehicle will be used citywide by department personnel for site visits and networking seminars with contractors to ensure they are in compliance with the Mayor's programs.	This unit is an addition to the Department's fleet. This is a newly created group that is responsible for the Mayor's Play or Pay program and there is currently no vehicle in this group for this purpose.		
	10085196	3	Public Works & Engineering/Office of the Director/Internal Audit  These vehicles will be used citywide by department personnel to visit site locations to monitor contractor performance, conduct field audits and contract monitoring.	21108 23098 27959	16 15 11	31,119 105,409 96,215
	10085766	1	Public Works & Engineering/Engineering & Construction  This vehicle will be used citywide by department personnel to make field visits or meet with consultants and/or the public.	21189	16	103,940

**EQUIPMENT USAGE SUMMARY  
RCA 8448  
LIGHT-DUTY UTILITY VEHICLES  
FOR  
VARIOUS DEPARTMENTS  
S34-N23274**

BID ITEM NO. DESCRIPTION	REQUISITION NO.	QTY	Department/Division Fleet Usage	Equipment Replacement		
				Shop No.	Age	Mileage
ITEM NO. 3 SERIES 663B LIGHT-DUTY 2-WHEEL DRIVE GASOLINE UTILITY VEHICLE	10084233	26	Public Works & Engineering/Planning & Development Services	28526	11	114,887
			These vehicles will be used citywide by department personnel to make inspections and an investigation to enforce compliance with the City's building codes.	28737	11	108,379
				28738	11	114,563
				28746	11	95,622
				28750	11	100,649
				28751	11	94,775
				28755	11	132,627
				29518	10	159,993
				29524	10	139,188
				30725	9	128,311
				30851	9	108,623
				30852	9	98,951
				30854	9	108,450
				30862	9	121,177
				30868	9	141,622
				32971	7	125,685
				32977	7	131,350
				32978	7	111,480
				32979	7	110,212
				32981	7	155,510
32982	7	129,928				
32984	7	139,156				
32988	7	116,414				
32990	7	107,979				
32993	7	132,766				
32994	7	105,390				
	10084236	3	Public Works & Engineering/Planning & Development Services	25657	14	130,126
			These vehicles will be used citywide by department personnel to make inspections and investigations ensuring compliance with the City's codes and State/Federal regulations relating to flood plain management, street cuts, and storm water quality.	27071	12	162,311
				21460	15	157,703
	10084314	2	Public Works & Engineering/Right of Way	30726	9	139,481
			These vehicles will be used citywide by the department to transport small tools, equipment and personnel to job sites throughout the City.	21227	16	107,537

**EQUIPMENT USAGE SUMMARY  
RCA 8448  
LIGHT-DUTY UTILITY VEHICLES  
FOR  
VARIOUS DEPARTMENTS  
S34-N23274**

BID ITEM NO. DESCRIPTION	REQUISITION NO.	QTY	Department/Division Fleet Usage	Equipment Replacement														
ITEM NO. 3 SERIES 663B LIGHT-DUTY 2- WHEEL DRIVE GASOLINE UTILITY VEHICLE (CONTINUED)	10084399	5	Public Works & Engineering/Planning & Development Services  These vehicles will be used citywide by department personnel to make inspections and an investigation to enforce compliance with the City's building codes.	These units are additions to the department's fleet. These new vehicles will allow the department to rotate existing units into reserves to maintain a reserve fleet that is adequate to ensure that sufficient reserve vehicles are available for inspectors when front-line vehicles are out-of-service for maintenance or repairs.														
	10086204	2	Health & Human Services/Environmental Health  These vehicles will be used by the department to transport employees and job-related equipment and supplies to various worksites throughout the City.	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;"><u>Shop No.</u></th> <th style="text-align: left;"><u>Age</u></th> <th style="text-align: left;"><u>Mileage</u></th> </tr> </thead> <tbody> <tr> <td>28360</td> <td>11</td> <td>136,271</td> </tr> <tr> <td>29514</td> <td>10</td> <td>91,439</td> </tr> </tbody> </table>	<u>Shop No.</u>	<u>Age</u>	<u>Mileage</u>	28360	11	136,271	29514	10	91,439					
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10086233	2	Health & Human Services/Environmental Health  These vehicles will be used by the department to transport employees and job-related equipment and supplies to various worksites throughout the City.	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;"><u>Shop No.</u></th> <th style="text-align: left;"><u>Age</u></th> <th style="text-align: left;"><u>Mileage</u></th> </tr> </thead> <tbody> <tr> <td>21300</td> <td>16</td> <td>81,760</td> </tr> <tr> <td>24640</td> <td>14</td> <td>84,163</td> </tr> </tbody> </table>	<u>Shop No.</u>	<u>Age</u>	<u>Mileage</u>	21300	16	81,760	24640	14	84,163						
<u>Shop No.</u>	<u>Age</u>	<u>Mileage</u>																
21300	16	81,760																
24640	14	84,163																
10086720	4	Solid Waste Management/Support Services  These vehicles will be used citywide by the department to transport senior superintendents to various facilities to monitor field operations and inspect facilities for safety compliance.	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;"><u>Shop No.</u></th> <th style="text-align: left;"><u>Age</u></th> <th style="text-align: left;"><u>Mileage</u></th> </tr> </thead> <tbody> <tr> <td>22502</td> <td>15</td> <td>201,184</td> </tr> <tr> <td>26488</td> <td>13</td> <td>123,470</td> </tr> <tr> <td>31425</td> <td>8</td> <td>136,600</td> </tr> <tr> <td>32200</td> <td>8</td> <td>160,197</td> </tr> </tbody> </table>	<u>Shop No.</u>	<u>Age</u>	<u>Mileage</u>	22502	15	201,184	26488	13	123,470	31425	8	136,600	32200	8	160,197
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22502	15	201,184																
26488	13	123,470																
31425	8	136,600																
32200	8	160,197																
10087601	1	Health & Human Services/Environmental Health  This vehicle will be used citywide by the department to transport employees and job-related equipment and supplies to various worksites.	This vehicle is an addition to the department's fleet. This utility vehicle will complement the pickup trucks in the fleet, offering more flexibility of service including increased passenger capacity.															