

**AGENDA - COUNCIL MEETING - TUESDAY - AUGUST 24, 2010 - 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

**MATTERS RELATING TO THE NOVEMBER 2, 2010 ELECTION**

1. ORDINANCE ordering a Special Election to be held on November 2, 2010, for the purpose of submitting to the qualified voters of the City of Houston, Texas, a proposition to amend the City Charter to prohibit the use of Photographic Traffic Signal Enforcement Systems (Red Light Cameras)

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

**RECONVENE**

**WEDNESDAY - AUGUST 25, 2010 - 9:00 A. M.**

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

**MAYOR'S REPORT**

**CONSENT AGENDA NUMBERS 2 through 17**

**AGENDA - AUGUST 25, 2010 - PAGE 2**

**MISCELLANEOUS** - NUMBERS 2 and 3

2. REQUEST from Mayor for confirmation of the appointment of **MR. JOSEPH G. SOLIZ**, to Position One on the **CIVIL SERVICE COMMISSION** for a term to expire June 14, 2013
3. RECOMMENDATION from Director of Human Resources Department for approval of the Holiday Schedule for Calendar Year 2011

**ACCEPT WORK** - NUMBERS 4 and 5

4. RECOMMENDATION from Interim Director General Services Department for approval of final contract amount of \$32,137.00 and acceptance of work on contract with **INLAND ENVIRONMENTS, LTD.**, for Asbestos Abatement and Demolition at Kingwood Library **DISTRICT E - SULLIVAN**
5. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$2,803,242.26 and acceptance of work on contract with **D. L. ELLIOTT ENTERPRISES, INC** for Water Line Grid Extensions along North Park, N. Wayside, Mt. Houston, Homestead and Winfield - 1.64% under the original contract amount - **DISTRICTS B - JOHNSON and E - SULLIVAN**

**PURCHASING AND TABULATION OF BIDS** - NUMBER 6

6. **ORACLE USA, INC** for Oracle Technical Support Services through the City's Master Agreement with the Texas Department of Information Resources for the Information Technology Department \$309,820.50 - Central Services Revolving Fund

**RESOLUTIONS AND ORDINANCES** - NUMBERS 7 through 17

7. RESOLUTION approving and authorizing nomination of **CAMERON INTERNATIONAL CORPORATION** to the Office of the Governor Economic Development & Tourism through the Economic Development Bank as an Enterprise Project
8. RESOLUTION approving and authorizing nomination of **JPMORGAN CHASE BANK, NATIONAL ASSOCIATION** to the Office of the Governor Economic Development & Tourism through the Economic Development Bank as an Enterprise Project
9. ORDINANCE **AMENDING THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to the Public Parking Commission; dissolving the Commission and **AMENDING CHAPTER 33 OF THE CODE OF ORDINANCES** to transfer certain of the Commission's responsibilities to the Planning Commission; containing findings and other provisions relating to the foregoing subject; containing a repealer; providing for severability
10. ORDINANCE approving Oil and Gas Lease with **SOUTHERN STAR EXPLORATION, LLC**, as Lessee, for prospecting for and producing oil and gas from the City's Herman Brown Park, Brock Park, parts of Maxey Park, and Public Works McCarty Road Service Center - **DISTRICTS B - JOHNSON and I - RODRIGUEZ**

**RESOLUTIONS AND ORDINANCES** - continued

11. ORDINANCE appropriating \$2,204,176.69 out of Tax Increment Funds for Reinvestment Zone Number One, City of Houston, Texas (Lamar Terrace Zone), Reinvestment Zone Number Two, City of Houston, Texas (Midtown Zone), Reinvestment Zone Number Three, City of Houston, Texas (Main Street/Market Square Zone), Reinvestment Zone Number Four, City of Houston, Texas (Village Enclaves Zone), Reinvestment Zone Number Five, City of Houston, Texas (Memorial Heights Zone), Reinvestment Zone Number Seven, City of Houston, Texas (Old Spanish Trail/Almeda Corridors Zone), Reinvestment Zone Number Eight, City of Houston, Texas (Gulfgate Zone), Reinvestment Zone Number Nine, City of Houston, Texas (South Post Oak Zone), Reinvestment Zone Number Ten, City of Houston, Texas (Lake Houston Zone), Reinvestment Zone Number Eleven, City of Houston, Texas (Greater Greenspoint Zone), Reinvestment Zone Number Twelve, City of Houston, Texas (City Park Zone), Reinvestment Zone Number Thirteen, City of Houston, Texas (Old Sixth Ward Zone), Reinvestment Zone Number Fourteen, City of Houston, Texas (Fourth Ward Zone), Reinvestment Zone Number Fifteen, City of Houston, Texas (East Downtown Zone), Reinvestment Zone Number Sixteen, City of Houston, Texas (Uptown Zone), Reinvestment Zone Number Seventeen, City of Houston, Texas (Memorial City Zone), Reinvestment Zone Number Eighteen, City of Houston, Texas (Fifth Ward Zone), Reinvestment Zone Number Nineteen, City of Houston, Texas (Upper Kirby Zone), Reinvestment Zone Number Twenty, City of Houston, Texas (Southwest Houston Zone), Reinvestment Zone Number Twenty-One, City of Houston, Texas (Hardy/Near Northside Zone), and Reinvestment Zone Number Twenty-Two, City of Houston, Texas (Leland Woods Zone) for administrative expenses, payments to Houston Independent School District, and payment to certain redevelopment authorities as provided herein
12. ORDINANCE approving and authorizing Master Services Agreement between the City of Houston and **ADP, INC** for Payroll Services - 1 Year with two one-year options - \$97,500.00 - Central Services Revolving Fund
13. ORDINANCE awarding contract to **RUSH TRUCK CENTERS OF TEXAS, L.P. dba RUSH TRUCK CENTER, HOUSTON** for Peterbilt Truck Repair Services for the Public Works & Engineering Department; providing a maximum contract amount - 3 Years with two one-year options - \$624,975.00 - Fleet Management Fund
14. ORDINANCE approving and authorizing Maintenance Agreement between the City and the **GREATER SHARPSTOWN MANAGEMENT DISTRICT** for Right of Way Improvements **DISTRICTS C - CLUTTERBUCK; F - HOANG and G - PENNINGTON**
15. ORDINANCE de-appropriating \$104,767.00 of Street & Bridge Consolidated Construction Funds from a Construction Management At Risk Contract with **JE DUNN SOUTH CENTRAL, INC** for Right-of-Way and Fleet Maintenance Facilities Expansion (Approved by Ordinance No. 2009-746), appropriating \$104,767.00 out of Street & Bridge Consolidated Construction Funds to the CIP Salary Recovery Fund for Project Management Costs associated with Right-of-way and Fleet Maintenance Facilities Expansion Project for FY 2010 and FY 2011 - **DISTRICTS H - GONZALEZ and I - RODRIGUEZ**
16. ORDINANCE appropriating \$41,280.00 out of General Improvement Consolidated Construction Fund; awarding construction contract to **AIA GENERAL CONTRACTORS, INC** for Underground Storage Tank Removal at Bureau of Animal Regulation and Care (B.A.R.C.); 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 project management and construction oversight, and contingencies relating to construction of facilities financed by the General Improvement Consolidated Construction Fund **DISTRICT B - JOHNSON**

**RESOLUTIONS AND ORDINANCES** - continued

17. ORDINANCE granting to **GI ENVIRONMENTAL VACUUM SERVICE, INC, A Texas Corporation**, the right, privilege and franchise to collect, haul and transport solid waste and industrial waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions  
**FIRST READING**

**END OF CONSENT AGENDA**

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

**MATTERS HELD** - NUMBERS 18 through 20

18. ORDINANCE approving and authorizing Interlocal Agreement between the City of Houston and **NORTH FOREST INDEPENDENT SCHOOL DISTRICT** under the American Recovery and Reinvestment Act for Installation of New Energy Efficient Roof - \$1,500,000.00 - American Recovery and Reinvestment Act Fund - **DISTRICT B - JOHNSON**  
**TAGGED BY COUNCIL MEMBER CLUTTERBUCK**  
This was Item 21 on Agenda of August 18, 2010
19. ORDINANCE approving agreement between the City of Houston, Texas and **INTOWN HOMES, LTD.** pursuant to Chapter 380 of the Texas Local Government Code for Economic Development Assistance for development of three residential subdivisions in the City - **DISTRICTS A - STARDIG and H - GONZALEZ** - **TAGGED BY COUNCIL MEMBER GONZALEZ**  
This was Item 23 on Agenda of August 18, 2010
20. ORDINANCE approving and authorizing contract between the City of Houston and **GT DISTRIBUTORS, INC** for Conducted Energy Devices (Tasers), Accessories, Supplies and Repair Services for the Houston Police Department; providing a maximum contract amount 5 Years - \$4,452,310.25 - General Fund  
**TAGGED BY COUNCIL MEMBERS BRADFORD and ADAMS**  
This was Item 27 on Agenda of August 18, 2010

**MATTERS TO BE PRESENTED BY COUNCIL MEMBERS** - Council Member Hoang 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  
AUGUST 24, 2010 – 2:00 PM**

**AGENDA**

3MIN	3MIN	3MIN
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**NON-AGENDA**

3MIN	3MIN	3MIN
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MS. REBECCA UDDEN – 2540 Times Blvd. – 77005 – 713-524-3622 – HOT Contract

MR. MICHAEL REMSON – 3311 Richmond Ave, Ste. 350 – 77098 – 713-522-9699 – HOT Contract

MS. SANDRA ORGAN – 309 Drew – 77006 – 713-520-9876 – HOT Contract

MS. KIM LYKINS – Post Office Box 667183 – 77266-7183 – 713-529-0787 – HOT Contract

MS. BEVIN DUBROWSKI – 1441 W. Alabama – 77006 – 713-529-4755 ext. 3 – HOT Contract/continuing  
Art funding

MR. RAUL EDWARDS – 1302 Waugh Dr., No. 553 – 77019 – 713-524-3936 – HOT Contract

MR. RAJ MANKAD – 1743 Kiplings – 77098 – 832-641-0703 – HOT Contract

MS. MICHELLE BARNES – Post Office Box 88308 – 77288 - 713-523-1616 – HOT Contract

MR. AHMAD SOLOMON – 14855 Memorial Dr. – 77079 – 281-827-8337 – Why HPD is permitted to  
intimidate the Muslim Community

MR. EFFREN WILLIAMS – 1212 Cleveland – 77019 – 832-458-6225 - Promote fitness in Houston

MR. RALPH LOWE – 2100 Memorial Dr., No. 606 – 77007 – 281-904-2930 – Introducing a new technology  
Luboron

MR. JORGE QUINONES – 12401 S. Post Oak – 77045 – 713-252-1736 – Houston Career initiative

MS. DEBORAH ANDERSON – 12401 S Post Oak rd. – 77045 – 713-723-6837 – Job placement and Career  
Development

MR. RONALD SCHINDLER – 7200 Shadyvilla Ln. – 77055 – 832-373-3880 - Camera

MS. MARY TAYLOR - 1403 Fashion Hill Dr. - 77088 - 281-445-0682 – Police stole my car off my property  
July 15, 2010 – Unjust

MR. BARRY ROSETTE – 5015 Fannin – 77004 – 832-483-3231 – Health Inspection complaint

MS. DEBORAH WILKERSON – 1723 Desoto – 77091 – 713-972-4026 – Environmental issues/Air

MR. LEE PERRY – 3940 Main – 77002 – 713-876-4571 – Environmental issues/rule 106.4

MR. /COACH R. J. BOBBY TAYLOR - 3107 Sumpter - 77026 - FA34511 - Behavior; Fiesta Ballroom, 200  
Jackson Street, Houston, disgracing Parents/Children


**PREVIOUS**

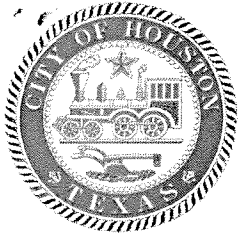
1MIN	1MIN	1MIN
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REV. JOE ANGEL LOPEZ – 13334 Wells River – 77041 – 832-891-2724 – Houston SEARCH Coalition for  
Homeless - City Council lay bedside together

MS. CLAUDINE WOODS – 480 West Parker Rd. – 77091 – 713-742-0932 – Enter Faith United State Country  
Appraiser of Queen Store

PRESIDENT JOSEPH CHARLES - Post Office Box 524373 - 77052-4373 – Criminal charges – Officer Baines  
Terrorist False Arrest – Psychic threats – Stalked

SUBJECT: Charter Amendment Election Relating to the Use of Photographic Traffic Signal Enforcement Systems (Red Light Cameras)		Category #	Page 1 of 1	Agenda Item # /
FROM (Department or other point of origin): City Attorney		Origination Date August 24, 2010	Agenda Date August 24, 2010	
DIRECTOR'S SIGNATURE: 		Council District affected: All		
For additional information contact: David M. Feldman Phone: 832-393-6412		Date and identification of prior authorizing Council action:		
RECOMMENDATION: (Summary) That the City Council adopt an ordinance ordering a charter amendment election to be held on November 2, 2010, relating to the use of photographic traffic signal enforcement systems (red light cameras).				
Amount of Funding:		F & A Budget:		
<b>SOURCE OF FUNDING:</b> <input type="checkbox"/> General Fund <input type="checkbox"/> Grant Fund <input type="checkbox"/> Enterprise Fund <input type="checkbox"/> Other (Specify)				
<b>SPECIFIC EXPLANATION:</b>  <p>On August 24, 2010, City Secretary Anna Russell submitted a report to Mayor Annise D. Parker and Members of City Council which verified the petition filed by Citizens Against Red Light Cameras seeking a charter amendment election relating to the use of photographic traffic signal enforcement systems (red light cameras). In her report, the City Secretary determined that a sufficient number of valid signatures was submitted in the petition. Section 9.004(a) of the Local Government Code provides that the City Council must place an item on the ballot if a valid petition is timely received.</p> <p>The proposed ordinance calls an election to be held on November 2, 2010, jointly with other governmental entities, for the purpose of placing before the voters of the City a proposed Charter amendment to discontinue the use of photographic traffic signal enforcement systems (red light cameras).</p>				
<b>REQUIRED AUTHORIZATION</b>				
F&A Director:		Other Authorization:		Other Authorization:



# CITY OF HOUSTON

Office of the City Secretary

## Interoffice

Correspondence

**To:** Mayor Annise D. Parker  
and Members of City Council

**From:** Anna Russell  
City Secretary

**Date:** August 24, 2010

**Subject:** CHARTER AMENDMENT PETITION to  
add a separate section relating to the  
photographic traffic signal enforcement  
systems

At approximately 2:10 p.m. on August 9, 2010, a petition containing approximately 10,585 counterparts calling for a charter amendment to add a separate section relating to the photographic traffic signal enforcement systems, was received in the Office of the City Secretary.

Section 9.004 of the Texas Local Government Code requires 20,000 qualified signatures for a petition to call an election to amend a City Charter and Section 277.002 Texas Election Code provides the requirements for petition signatures.

A total of 29,384 signatures were checked. The names were checked against the Harris County list of qualified voters. Addresses within a precinct that is partially within the city (split precincts) were checked to determine whether the address was within the City of Houston.

20,969 signatures appearing on the petition contained correct information as required, that being (1) signature, (2) printed name, (3) date of birth, (4) voter registration number/residence address (were verifiable without a voter certificate number), and (5) date of signing. All 20,969 signatures were verified as registered voters of the City of Houston.

8,415 signatures failed to provide one or more of the requirements listed above or were not found on the list of qualified voters or were listed outside the City of Houston.

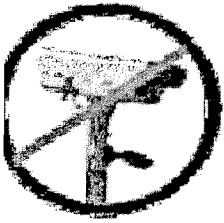
A sufficient number of valid signatures were checked without the necessity of checking the balance of the submitted signatures.

I have not undertaken to make any other examination into the validity of the respective signatures.

A copy of a page of the petition is attached for your information.

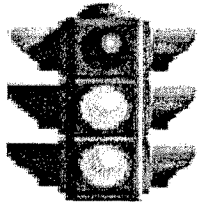
  
Anna Russell  
City Secretary

AR:pj



# Petition to Ban Red Light Cameras

## SIGN AND RETURN TODAY!



Please Return the Petition today in the enclosed postage paid envelope, with as many signatures as possible.



\*\*\*\*\*AUTO\*\*5-DIGIT 77092

EDWARD & JERRY TAYLOR  
4433 Nina Lee Ln  
Houston, TX 77092



Petition Page Number: P21695

Mailed on: July 9, 2010

All Petition signers below are Registered  
to vote in city of Houston - Harris County  
at the address on the left

To the Mayor and City Council of the City of Houston ("City"), we, the undersigned voters of the City of Houston, Texas, under Section 9.004 of the Local Government Code, hereby petition for an election to amend the Charter of the City of Houston to add the following as a separate section to our Charter to read as follows:

The City of Houston shall not use photographic traffic signal enforcement systems to civilly, criminally, or administratively enforce any state law or City Ordinance against the owner or operator of a vehicle operated in violation of a traffic control signal, specified by Section 544.007(d) of the Texas Transportation Code, nor shall it collect any money from any recipient of a Notice of Violation issued, in whole or in part, in connection with the use of a photographic traffic signal enforcement system.

VOTER CERTIFICATE #		NAME / ADDRESS	BIRTHDAY	SIGNATURE	DATE
1)	02379147	JERRY G. TAYLOR 4433 Nina Lee Ln Houston, TX 77092 (Harris)	1/1/1900	X	7/16/2010
2)	02379139	EDWARD F. TAYLOR 4433 Nina Lee Ln Houston, TX 77092 (Harris)	2/14/1934	X	7/16/2010

005001

Signer must be a registered voter and reside in the City of Houston and sign their name as it appears above. Please return original signed petitions (FAXs and copies not allowed) to Stop Red Light Cameras, 1701 Lubbock St., Houston, TX 77007.





# CITY OF HOUSTON

Legal Department

# 1  
8/24/10  
**Interoffice**

Correspondence

**To:** Mayor Annise D. Parker  
City Council Member  
Via Marty Stein

**From:**   
David M. Feldman  
City Attorney

**Date:** August 23, 2010

**Subject:** Red light camera citizen petition - legal obligations/duty of City Council; referendum vs. charter amendment

This memorandum is to advise the City Council of its legal obligations upon being presented with a citizen petition to amend the City Charter and the report of the City Secretary confirming that the petition contains the minimum number of valid signatures of the registered voters of the City required by law. Under these circumstances, the obligation to call a charter amendment election is a mandatory ministerial duty, the performance of which is not subject to the Council tag rule for the reasons set forth below.

Chapter 9 of the Texas Local Government Code, along with the Texas Election Code, constitutes the controlling state law in City charter amendment matters. *Brown v. Blum*, 9 S.W.3d 840 (Tex.App.-- Houston [14<sup>th</sup>] 1999, *dism. w.o.j.*). The second sentence of Section 9.004(a) provides, in clear language, that:

The governing body **shall** submit a proposed charter amendment to the voters for their approval at an election if the submission is supported by a petition signed by a number of qualified voters of the municipality equal to at least five percent of the number of qualified voters of the municipality or 20,000, whichever number is the smaller. (Emphasis added) *Blum* at p. 847

A City Charter amendment petition in Houston requires only 20,000 signatures of City voters. It appears that you may soon receive a report from the City Secretary advising that her office has verified more than 20,000 signatures on the "Photographic Traffic Signal Enforcement System (Red Light Camera)" petition (Petition) filed with her office on August 9, 2010. In such event, your legislative role is no longer discretionary, but ministerial and is limited to adopting the ordinance ordering an election to submit the Charter amendment proposal relating to red light cameras to the qualified voters of the City. The election order is required by both the statutory and common law of this State. *Coalson v. City Council of Victoria*, 610 S.W.2d 744 (Tex. 1980); *Jones v. Int'l Ass'n of Firefighters, Local Union No. 936*, 601 S.W.2d 454 (Tex. App. – Corpus Christi, 1980, *writ ref'd n.r.e.*).

Page 2

Any failure of the City Council to carry out its legal obligation to order the charter amendment election required under the circumstances stated above will subject the Council to an action for mandamus in the District Court. *Black v. Coons*, 244 S. W. 1080 (Tex. Civ. App. – Fort Worth 1922, n.w.h.) ; *McCarty v. Jarvis*, 96 S.W. 2d 564 (Tex. Civ. App. – Fort Worth 1936, err. dismiss.)

Some in the community may contend that the Petition should be treated as an untimely referendum petition that, in effect, seeks the repeal of an ordinance previously enacted by the City Council authorizing the use of the present red light camera system. Article VIIIb, Section 3, of the Charter requires that a referendum petition be filed with the City Secretary either (i) prior to the effective date of the targeted ordinance or (ii) within thirty (30) days after the publication of such ordinance. It is important to recognize that such a legal issue, if it is to be raised, would have no bearing on Council's ministerial duty under State law, to place the proposed Charter amendment on the ballot, as stated above. Rather, it is an issue that would have to be raised in the form of an election contest, in the event the amendment is approved by the voters

Finally, the City Council's tag rule is a rule of procedure and cannot supersede the substantive law of the State discussed above. Inasmuch as August 24, 2010 is the last date on which an election order may be adopted by Council to place a Charter amendment on the ballot for the November 2, 2010 election, the tag rule may not be applied to this agenda item.

cc: Marty Stein, Agenda Director  
Anna Russell, City Secretary



ANNISE D. PARKER  
MAYOR

OFFICE OF THE MAYOR  
CITY OF HOUSTON  
TEXAS

2

AUG 25 2010

COPY TO EACH MEMBER OF COUNCIL:

CITY SECRETARY: 7.29.10  
date

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

July 28, 2010

The Honorable City Council  
City of Houston

Dear Council Members:

Pursuant to Texas Local Government Code, Chapter 143, Article V(a) of the City Charter, and Chapter 14 of the Code of Ordinances, I am appointing Joseph G. Soliz, to Position One, for a term to expire June 14, 2013, on the Civil Service Commission, subject to the confirmation of City Council.

The résumé of the appointee is attached for your review.

Sincerely,

Annise D. Parker  
Mayor

AP:LC:jsk

Attachments

cc: Ms. Candy Aldridge, Acting Director, Human Resources

# REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA#

Subject:

Holiday Schedule for Calendar Year 2011

Category #

Page 1 of 1

Agenda Item

3

FROM (Department or other point of origin):

Human Resources

Origination Date

August 4, 2010

Agenda Date

AUG 25 2010

DIRECTOR'S SIGNATURE

Council District(s) affected

All

For additional information contact:

Candy Clarke Aldridge

Roderick J. Newman

Phone:

(713) 837-9333

(713) 837-9411

Date and Identification of prior authorizing Council Action:

October 7, 2009 – Motion 2009-0716

RECOMMENDATION: (Summary)

It is recommended that City Council approve the following Holiday Schedule for 2011.

Amount of Funding:

None Required

F & A Budget

SOURCE OF FUNDING:

☐ General Fund

☐ Grant Fund

☐ Enterprise Fund

☐ Other (Specify)

None Required

SPECIFIC EXPLANATION:

The proposed 2011 Holiday Schedule listed below is similar to those in the past.

## Proposed 2011 Holiday Schedule

New Year's Day (Observed)	Monday	01-03-2011
Martin Luther King, Jr.	Monday	01-17-2011
Memorial Day	Monday	05-30-2011
Independence Day	Monday	07-04-2011
Labor Day	Monday	09-05-2011
Veteran's Day	Friday	11-11-2011
Thanksgiving Day	Thursday	11-24-2011
Day after Thanksgiving	Friday	11-25-2011
Christmas Eve (Observed)	Friday	12-23-2011
Christmas (Observed)	Monday	12-26-2011

Plus one (1) floating holiday granted for Municipal and Classified Police Employees and one (1) floating holiday granted for Fire Fighters designated as the "September 11<sup>th</sup> Floating Holiday" according to guidelines established and administered by the Administration.

Cc: Waynette Chan

Marty Stein

## REQUIRED AUTHORIZATION

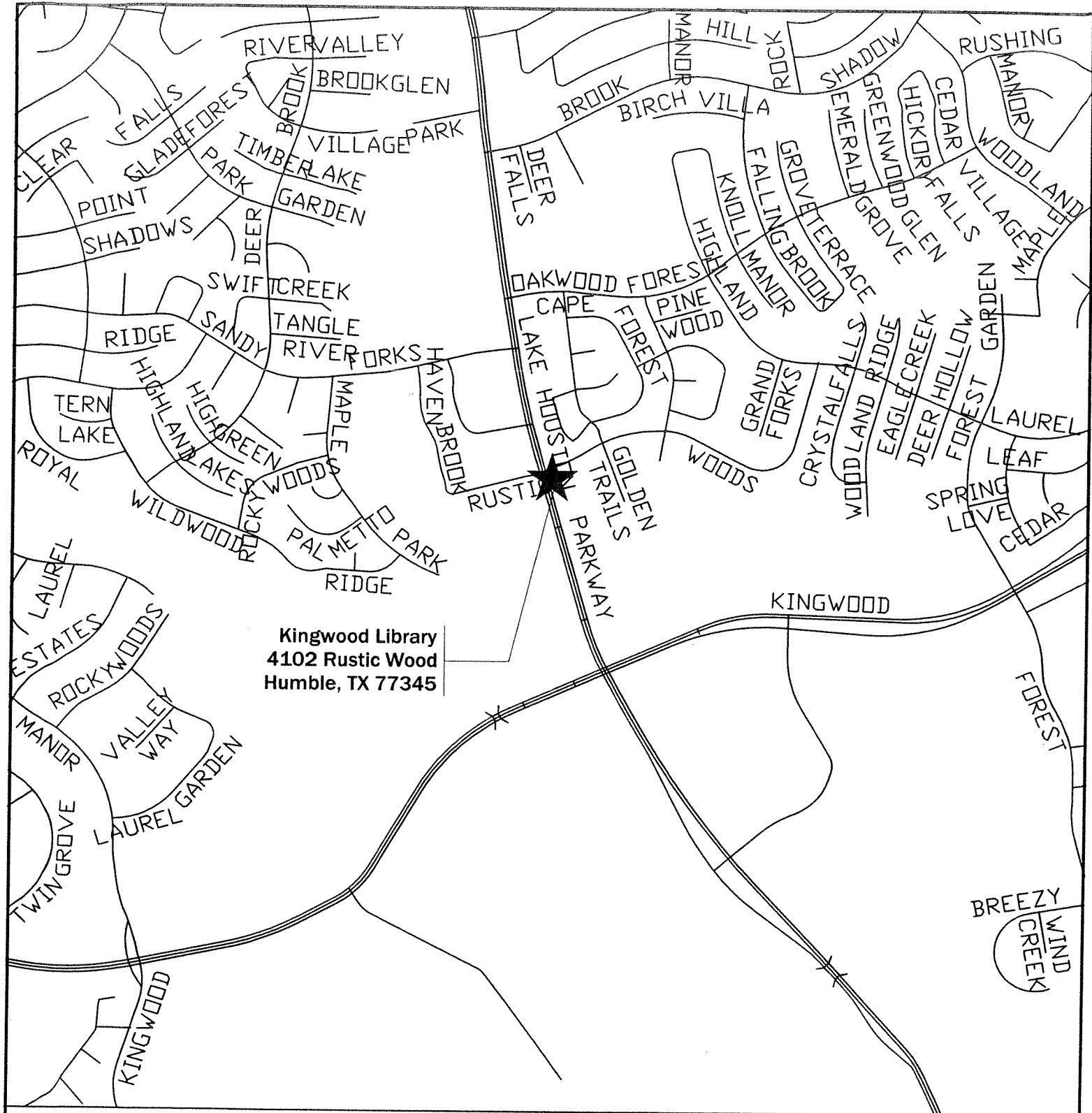
F&A Director:

Other Authorization:

Other Authorization:

<b>SUBJECT:</b> Accept Work Inland Environments, Ltd. Asbestos Abatement and Demolition at Kingwood Library WBS No. D-000073-0088-4		<b>Page</b> 1 of 1	<b>Agenda Item</b> 4
<b>FROM (Department or other point of origin):</b> General Services Department		<b>Origination Date</b> 8/19/10	<b>Agenda Date</b> AUG 25 2010
<b>DIRECTOR'S SIGNATURE:</b> <i>Forest R. Christy, Jr.</i> Forest R. Christy, Jr., Interim Director		<b>Council District affected:</b> E	
<b>For additional information contact:</b> Jacquelyn L. Nisby <i>JLN</i> <b>Phone:</b> 832-393-8023		<b>Date and identification of prior authorizing Council action:</b> Ordinance No. 10-0363 Dated: 05/12/2010	
<b>RECOMMENDATION:</b> Pass a motion approving the final contract amount of \$32,137.00 accept the work and authorize final payment.			
<b>Amount and Source of Funding:</b> No Additional Funding Required  <b>Previous Funding:</b> <b>\$33,743.85</b> General Improvements Consolidated Construction Fund (4509)		<b>Finance Budget:</b>	
<b>SPECIFIC EXPLANATION:</b> The General Services Department recommends that City Council approve the final contract amount of \$32,137.00, accept the work and authorize final payment to Inland Environments, Ltd. for asbestos abatement and demolition of the former Kingwood Library.			
<b>PROJECT LOCATION::</b> 4102 Rustic Wood Houston, Texas (Key Map No. 297-X)			
<b>PROJECT DESCRIPTION:</b> The project completed asbestos abatement and disposed of approximately 1,200 square feet of asbestos containing 12"x12" floor tiles and mastic. Removed 600 linear feet of window caulk and 6,500 square feet of vapor barrier behind the brick on all exterior walls, provided hydro-mulch for the site and will provide maintenance of the existing landscaping for the next six months.			
<b>CONTRACT COMPLETION AND COST:</b> The contractor completed the project within the original contract duration of 20 days. The final cost of the project is the original contract amount of \$32,137.00.			
FRC:HB:JLN:GM:MCJ:fk  c: Marty Stein Jacquelyn L. Nisby Velma Laws Calvin Curtis Gabriel Mussio File.			
<b>REQUIRED AUTHORIZATION</b>			
<b>General Services Department:</b>  <i>Humberto Bautista</i> Humberto Bautista, P.E. City Engineer		<b>Other Authorization:</b>	<b>Other Authorization:</b> <i>MCJ</i>

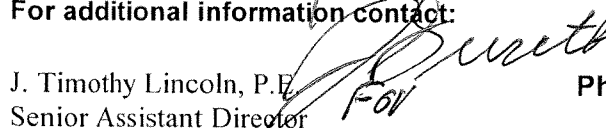
CUIC ID # 25GM233



**Asbestos Abatement & Demolition at:**  
**Kingwood Library**  
**4102 Rustic Woods**  
**Kingwood, TX 77345**

**O: Mayor via City Secretary      REQUEST FOR COUNCIL ACTION****SUBJECT:** Accept Work for Water Line Grid Extensions along North Park, N. Wayside, Mt. Houston, Homestead and Winfield. WBS. No. S-000700-0062-4.Page 1 of 1Agenda Item # **5****FROM (Department or other point of origin):**

Department of Public Works and Engineering

**Origination Date**  
8/19/10**Agenda Date**  
AUG 25 2010**DIRECTOR'S SIGNATURE:**  
Daniel W. Krueger, P.E., Director**Council Districts affected:**  
B, E**For additional information contact:**  
J. Timothy Lincoln, P.E.  
Senior Assistant Director**Phone:** (832) 395-2355**Date and Identification of prior authorizing Council Action:**  
Ord. #2007-170 dated 02/07/2007**RECOMMENDATION: (Summary)** Pass a motion to approve the final Contract Amount of \$2,803,242.26, which is 1.64% 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 \$3,248,500.00 from Water and Sewer System Consolidated Construction Fund No. 8500.)

**PROJECT NOTICE/JUSTIFICATION:** This project was part of the City's Water Line Grid Extension Program. This program is required to improve the City's water distribution system efficiency for recirculation and fire protection.**DESCRIPTION/SCOPE:** The project consisted of the construction of 1,651 linear feet of 12-inch, 11,012 linear feet of 16-inch and 1,778 linear feet 24-inch water lines with all related appurtenances. The project also consisted of site restoration, cathodic protection, water line bridge crossings, water line casings, tree protection, storm water pollution prevention and traffic control related to the water line construction. SES Horizon Consulting Engineers, Inc. designed the project with 365 calendar days allowed for construction. The project was awarded to D. L. Elliott Enterprises, Inc. with an original Contract Amount of \$2,849,981.85.**LOCATION:** The project area is generally located in three (3) sections:

Section:	Key Map Grid	Council District
1. North Park from Loop 494 to Hidden Pines	296-S, T & U	E
2. N. Wayside from Little York to Heath	415-T	B
3. Mt. Houston from Hirsch to Homestead	414-M	B
Homestead from Mt. Houston to Winfield	414-M	B
Winfield from Homestead to Swan River	414-M & 415-J	B

**CONTRACT COMPLETION AND COST:** The Contractor, D. L. Elliott Enterprises, Inc. has completed the Work under the subject Contract. The project was completed with an additional 69 days approved by Change Order Nos. 1 and 2. The final cost of the project, including overrun and underrun of estimated bid quantities and previously approved Change Order Nos. 1, 2 and 3 is \$2,803,242.26, a decrease of \$46,739.59 or 1.64% under the original Contract Amount.


The decreased cost is primarily due to the work not requiring use of Clean Air Incentive Item and most Extra Unit Price Items.

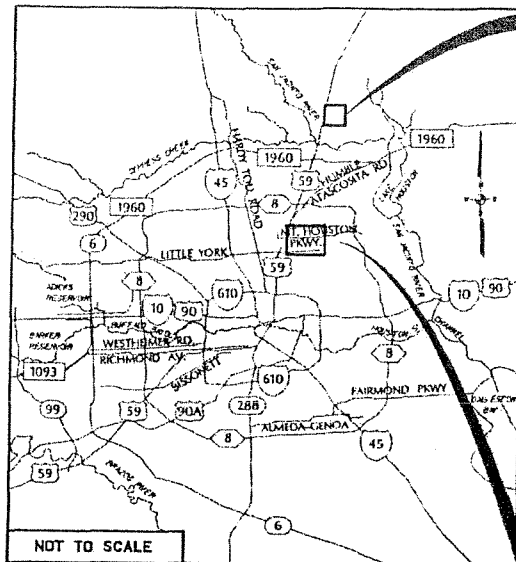
**M/WBE PARTICIPATION:** The M/W/SBE goal for this project was 20.00%. According to Affirmative Action and Compliance Division, the actual participation was 21.21%. The contractor achieved an "Outstanding" rating for M/W/SBE compliance.

DWK:DRM:JTL:JLS:EK:mq

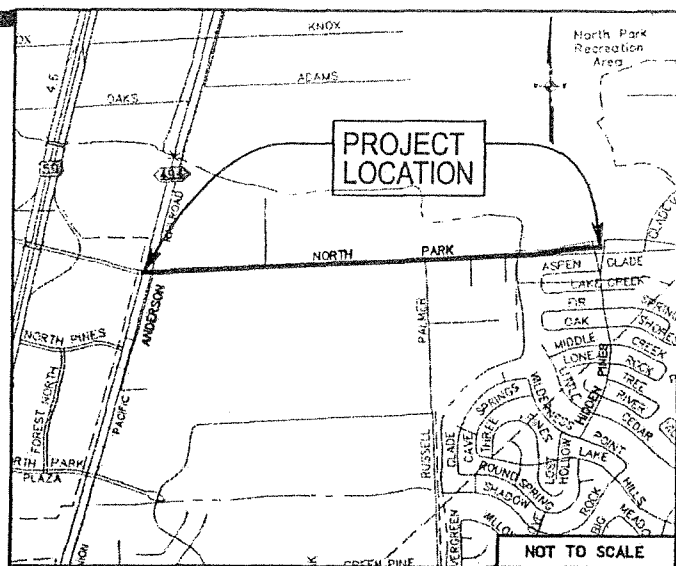
Z:\E&amp;C Construction\East Sector\PROJECTS\S-000700-0062-4 Grid Extension North Park, etc\Closeout\RCA\RCA\_Closeout-revised.DOC

File No. S-000700-0062-4 - Closeout

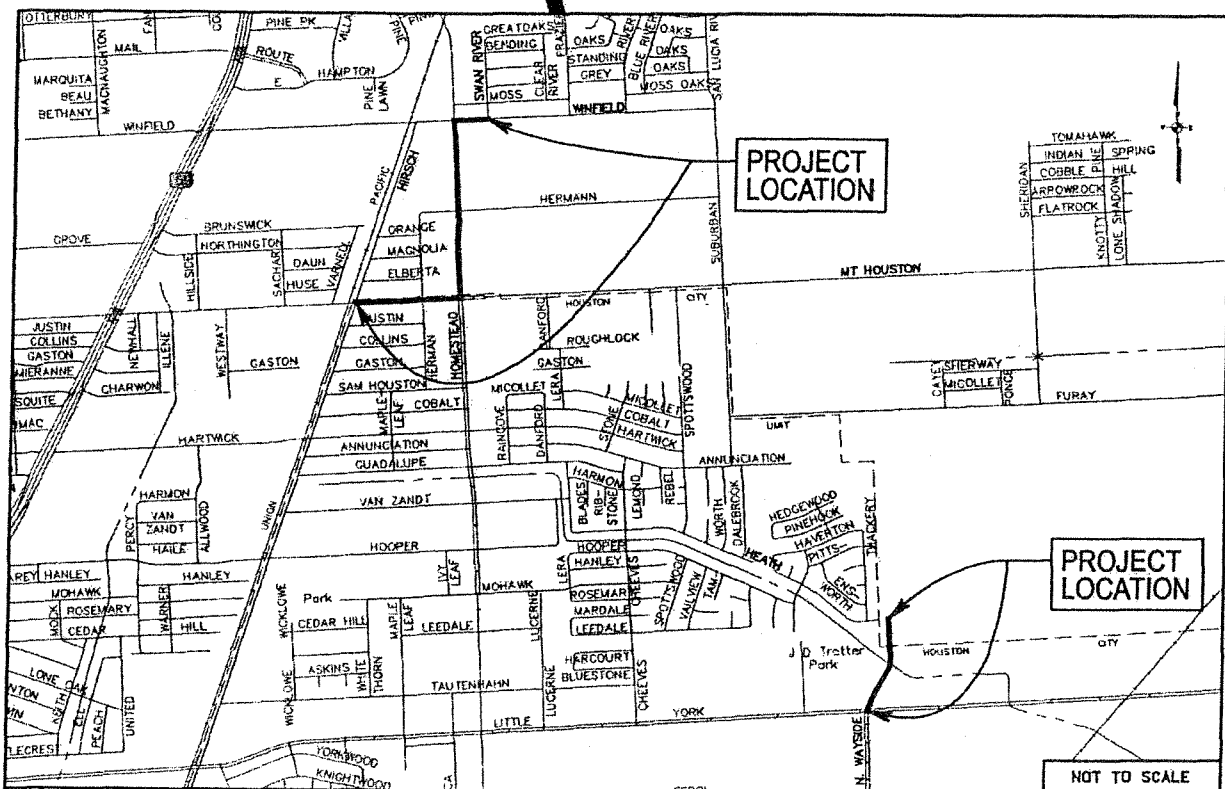
**REQUIRED AUTHORIZATION****CUIC ID# 20MZQ180****Finance Department:****Other Authorization:****Other Authorization:**  
Daniel R. Menendez, P.E., Deputy Director  
Engineering and Construction Division



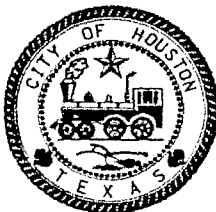
LOCATION MAP



KEY MAP No. 296 S.T & U.  
COUNCIL DISTRICT E AND MONTGOMERY COUNTY



KEY MAP No. 414 M & 415 J.  
KEY MAP No. 415 T. COUNCIL DISTRICT B  
COUNCIL DISTRICT B



**CITY OF HOUSTON**  
DEPARTMENT OF PUBLIC WORKS AND ENGINEERING  
WATER LINE GRID EXTENSIONS ALONG  
NORTH PARK, N. WAYSIDE,  
MT. HOUSTON, HOMESTEAD AND WINFIELD  
G.F.S. No.: S-0700-62-2  
FILE No.: WA10844

JANUARY, 2005



**SES HORIZON**  
CONSULTING ENGINEERS, INC.

10101 Southwest Freeway, Suite 400 Houston, Texas 77074  
(713) 988-3504, Fax (713) 988-1441 www.seshorizon.com

**PROJECT LOCATION  
MAP**



# **REQUEST FOR COUNCIL ACTION**

**TO:** Mayor via City Secretary

**RCA# 8844**

**Subject:** Purchase of Oracle Technical Support Services through the City's Master Agreement with the Texas Department of Information Resources  
S17-H23732

Category #  
4 & 5

Page 1 of 1

Agenda Item

**6**

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

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

**Origination Date**

August 11, 2010

**Agenda Date**

AUG 25 2010

**DIRECTOR'S SIGNATURE**

*Calvin D. Wells*

**Council District(s) affected**

All

**For additional information contact:**

Earl M. Lambert      Phone: (832) 393-0038  
Douglas Moore      Phone: (832) 393-8724

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

**RECOMMENDATION: (Summary)**

Approve the purchase to renew Oracle technical support services in the total amount of \$309,820.50 through the City's Master Agreement with the Texas Department of Information Resources (DIR).

Award Amount - \$309,820.50

**Finance Budget**

\$309,820.50 - Central Service Revolving Fund (1002)

**SPECIFIC EXPLANATION:**

The City Purchasing Agent recommends that City Council approve the purchase to renew Oracle technical support services in the total amount of \$309,820.50 through the City's Master Agreement with DIR for the Information Technology Department (IT), and that authorization be given to issue a purchase order to DIR's Go Direct Vendor, Oracle USA, Inc.

Oracle USA, Inc. is the developer, copyright owner and sole source provider of the Oracle technical support services.

This renewal will cover a 12-month period and will allow IT personnel to keep up with software updates, upgrades and obtain technical support services.

The technical support services will include:

- Program updates, fixes, security alerts, and critical patches
- Assistance with service requests 24/7
- Upgrade of scripts, and certification with new third-party products/versions
- General maintenance releases, selected functionality releases, and documentation updates

This recommendation is made pursuant to Chapter 252, Section 252.022 (a) (7) (A) of the Texas Local Government Code for exempt procurements.

Buyer: Murdock Smith

**REQUIRED AUTHORIZATION**

Finance Department:

Other Authorization:

Other Authorization:

*MA*

# **REQUEST FOR COUNCIL ACTION**

**TO:** Mayor via City Secretary

**RCA #**

**SUBJECT:** A resolution to nominate Cameron International Corporation located at 1333 West Loop South, Suite 1700, Houston 77027 as an Enterprise Project.

**Category #**

**Page 1 of 1**

**Agenda Item#**

**7**

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

Michelle Mitchell, Director  
Finance Department

**Origination Date**

**Agenda Date**

AUG 25 2010

**DIRECTOR'S SIGNATURE:**

*Michelle Mitchell*

**Council Districts affected:**

All

**For additional information contact:**

Tim Douglass  
Keith R. Phillips

**Phone:** 713-837-9857

**Phone:** 713-837-0610

**Date and identification of prior authorizing Council Action:** Ordinance No. 2008-118 dated 2/13/08, as amended by Ordinance No. 2008-359 dated 4/23/08

**RECOMMENDATION: (Summary) :** A resolution to nominate Cameron International Corporation located at 1333 West Loop South, Suite 1700, Houston, 77027 as an Enterprise Project.

**Amount of Funding:** No City funding required

**Finance Budget:**

**SOURCE OF FUNDING:**

☐ General Fund      ☐ Grant Fund      ☐ Enterprise Fund  
☒ Other (Specify) State funded incentive

**SPECIFIC EXPLANATION:**

The Texas Enterprise Zone Program is an economic development tool for local communities to partner with the State of Texas to promote job creation and capital investment. Designated Enterprise Projects are eligible to apply for state sales and use tax refunds on qualified expenditures. The level and amount of refund is related to the capital investment and jobs created or retained at the qualified business site. Depending on investment amount, there is a maximum refund of \$2,500 - \$7,500 per job for the company. The program incentives are funded 100% by the State of Texas and no City funding is required.

State law requires that each candidate for designation as an Enterprise Project be nominated by the municipality or county. Houston issued 7 nominations out of a maximum of 9 project designations allowed per biennium, beginning September 1, 2009 and ending August 31, 2011. The next quarterly state application deadline is September 1, 2010. City Council previously adopted an ordinance authorizing the City to nominate projects for this state funded incentive.

The proposed Resolution will nominate Cameron International Corporation ("Cameron") as an Enterprise Project with an estimated capital investment up to \$25 million and the intention to create 75 jobs and retain over 400 jobs spanning the 5-year program period. Cameron is a leading provider of flow equipment products, systems and services to worldwide oil, gas and process industries. Cameron operates around the world from more than 300 locations covering virtually all of the world's oil and gas operating basins. Cameron employs approximately 125 people at its global headquarters located at 1333 West Loop South, Suite 1700, Houston, 77027 and employs approximately 304 people at its manufacturing operations for compression systems at 16250 Port Northwest Drive, 77041. In total, Cameron has over 3,000 employees in Houston. The company intends to invest in equipment upgrades, technology improvements, production enhancements, and infrastructure improvements at these two locations.

An impact analysis by the Greater Houston Partnership estimates the net benefit for the City to be approximately \$5.5 million over the first ten years.

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

## **REQUIRED AUTHORIZATION**

**Finance Director:**

**Other Authorization:**

**Other Authorization:**

*[Signature]*



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# **PROJECT CAM**

## **BRIEFING REPORT**

August 17, 2010

**PREPARED FOR:**

City of Houston

Finance Department – Economic Development

**Cameron International Corp**  
**AKA: PROJECT Cam**



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**COMPANY CONTACT:**

Eric Geisler  
Economic Incentive Services, LLC  
713.665.7200  
[geisler@edincentives.com](mailto:geisler@edincentives.com)

**COMPANY/PROJECT OVERVIEW**

Cameron is a leading provider of flow equipment products, systems and services to worldwide oil, gas and process industries. Leveraging its global manufacturing, engineering and sales and service network, Cameron works with drilling contractors, oil & gas producers, pipeline operators, refiners and other process owners to control, direct, adjust, process, measure and compress pressures and flows. Cameron operates around the world from more than 300 locations covering virtually all of the world's oil and gas operating basins. Approximately 2/3 of its business comes from outside the United States.

The company's global headquarters located at 1333 West Loop South in Houston supports 11 operating divisions each with its own strong suite of product brands. Cameron's manufacturing operations for compression systems employs 300 people and the headquarters location employs approximately 125 employees. In total, Cameron has over 3000 employees in Houston.

Cameron is experiencing significant financial pressure from the industry and the current economy. The Texas EZ program will help Cameron remain competitive and deal with the current challenges. The company currently employs approximately 425 employees at the two facilities and plans to retain all the jobs for which it receives benefit through the project designation period. With state and local government assistance, the company intends to create at least 75 new jobs at its facilities over the next 5 years, while investing \$25 million for equipment upgrades, technology improvements, production enhancements, infrastructure improvements, etc.

**Project/Potential Site facts**

**Request:** Enterprise Zone Designation  
**District:** G - Pennington

**Investment:** \$25.0 million

**Direct Jobs Created:** 75

**Direct Jobs Retained:** 425

**D & I Jobs Created &  
Retained:** 1,765

**Total Salaries :** \$803,370,714

**Taxable Purchases by  
workers:** \$148,868,125

**Net Benefit to  
City:** \$5,511,228



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## BASIC FACTS

Manufacturer, provider, and servicer of oil and gas industry equipment, the company makes products that control pressure at oil and gas wells, including blowout preventers, chokes, controls, wellheads, and valves. It also makes integral and separable reciprocating engines and compressors used in oil and gas and power-generation applications. Cameron International sells its products, which are used for offshore, onshore, and subsea applications, under brand names such as Ajax, Cameron, Demco, Foster, Petreco, Retsco, and Willis.

Current U.S. Headquarters:	Cameron International Corporation, Houston, TX
Type of Company:	Public
Date Founded:	1994
Organization Type:	Headquarters
Industry Type:	Oil and gas field equipment
Primary NAICS Code:	(333132) Oil and gas field machinery and equipment
manufacturing	
2009 Sales:	\$5.22 BILLION
URL:	<a href="http://www.c-a-m.com">www.c-a-m.com</a>
Fortune 500 Ranking:	399



## ECONOMIC AND FISCAL IMPACTS

This analysis was created on the assumption of the created and retained employment and production at the Houston facility. *Source: Impact DataSource Fiscal Impact Model – Developed by Jerry Walker for the Greater Houston Partnership – Research Department*

### Economic Impact Over the First Ten Years

The following are some of the economic impacts that the area can expect from the firm over the first ten years:

Some of the Regional Economic Impacts of the Firm over the First Ten Years (1)	
Total direct and indirect jobs to be retained and created	1,765
Total salaries to be paid to direct and indirect workers retained and created	\$803,370,714
Total taxable sales and purchases retained and created	\$148,868,125
Total property to be added to local tax rolls over the first ten years	\$195,832,022

### Costs and Benefits for Over the First Ten Years

The city can expect the following costs and benefits from the plant and from the created and retained direct and indirect employees associated with the plant over the over the first ten years:

Net Benefits Created and Retained for the City Over the First Ten Years	
<u>Benefits:</u>	
Sales taxes collections	\$1,488,681
Property tax collections	\$10,413,452
Utility revenues and utility franchise fee collections	\$10,124,410
Collections of other taxes and user fees	\$1,299,268
Total benefits	\$23,325,811
<u>Costs:</u>	
Costs of providing municipal services	\$8,951,280
Costs of providing utility services	\$8,863,302
Total costs	\$17,814,583
Net benefits	\$5,511,228



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### Net Benefits for All Local Taxing District Over the First Ten Years

The city, county, school district and other districts where the plant is located can expect the following costs and benefits from the plant and the created and retained direct and indirect employees associated with the plant over the first 10 years.

Net Benefits Created and Retained for the City, County, School District, and Special Taxing Districts Over the First Ten Years	
<u>Benefits:</u>	
Sales tax collections	\$4,383,261
Property tax collections	\$46,987,270
Utility revenues	\$9,232,606
Utility franchise fees	\$891,803
Hotel occupancy taxes	\$26,374
Collections of other taxes and user fees	\$2,046,007
Building permits	\$0
Additional state and federal school funding	\$16,493,413
Total benefits	\$80,060,736
<u>Costs:</u>	
Costs of providing services to new residents	\$10,230,035
Costs of providing city utility services to new residents	\$8,863,302
Costs of providing services to new students	\$18,166,557
Reduction in state aid with the addition of new residential and commercial property on school district tax rolls	\$20,391,879
Total costs	\$57,651,773
Net benefits for city, county, school district and special taxing districts	\$22,408,963



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## COMMITMENT IN HOUSTON

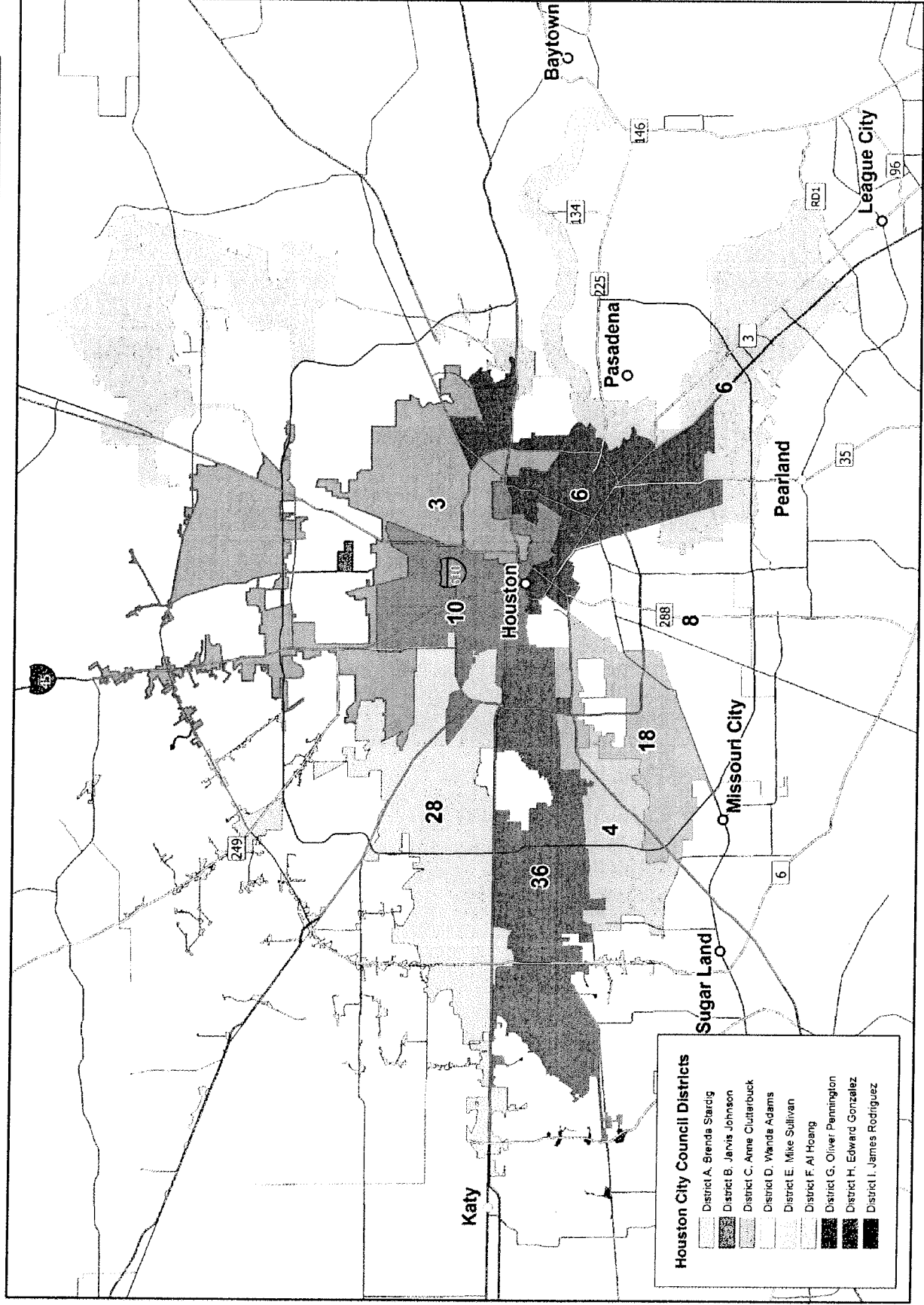
Charitable Contributions:

Cameron supports many types of charitable entities including the following:

ALLEY THEATRE	HOUSTON SYMPHONY SOCIETY
AMERICAN HEART ASSOCIATION	HOUSTON TECHNOLOGY CENTER
AMERICAN PETROLEUM INSTITUTE	JAMES A BAKER III INSTITUTE FOR C
AMSCHWAND SARCOMA CANCER FOUNDATION	KIPP INC
ASSISTANCE LEAGUE OF HOUSTON	KOMEN HOUSTON AFFILIATE
BABC HOUSTON	LITERACY ADVANCE OF HOUSTON
BIG BROTHERS BIG SISTERS	MARCH OF DIMES
BOY SCOUTS OF AMERICA	MEDICAL BRIDGES INC
BUFFALO BAYOU PARTNERSHIP	MUSEUM OF FINE ARTS-HOUSTON
CENTER FOR HEARING AND SPEECH	NATIONAL MULTIPLE SCLEROSIS
CHILD ADVOCATES INC	NATURE CONSERVANCY OF TEXAS
CHILDREN'S MUSEUM OF HOUSTON	OPERA IN THE HEIGHTS
COMMUNITIES IN SCHOOLS HOUSTON INC	POST OAK LITTLE LEAGUE
COVENANT HOUSE TEXAS	PROJECT GRAD HOUSTON
DISCOVERY GREEN CONSERVANCY	REBUILDING TOGETHER HOUSTON
FREINDS OF CANCARE	SMALL STEPS NURTURING CENTER
FRIENDS OF BARC	SPINDLETOP CHARITIES INC
FUND FOR TEACHERS	TEACH FOR AMERICA - HOUSTON
FURNITURE BANK	TEXANS FOR LAWSUIT REFORM
GULF COAST MARROW DONOR PROGRAM	UNITED WAY OF THE
HOUSTON AFFILIATE OF	UNIVERSITY OF HOUSTON
HOUSTON ALUMNI ORGANIZATION	WOODROW WILSON CENTER
HOUSTON BALLET	WORLD AFFAIRS COUNCIL OF HOUSTON
HOUSTON GRAND OPERA	YMCA OF THE GREATER
HOUSTON SPCA	



# Project Cam - Estimated Employees by City Council District



## REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA #

R

**SUBJECT:** A resolution to nominate JPMorgan Chase Bank, National Association located at 712 Main Street, 77002, as an Enterprise Project.

Category #

Page 1 of 1

Agenda Item#

8

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

Michelle Mitchell, Director  
Finance Department

Origination Date

8/19/10

Agenda Date

AUG 25 2010

**DIRECTOR'S SIGNATURE:**


Council Districts affected:

All

**For additional information contact:**

Tim Douglass

Phone: 713-837-9857

Keith R. Phillips

Phone: 713-837-0610

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

**Ordinance No. 2008-118 dated 2/13/08, as amended by Ordinance No. 2008-359 dated 4/23/08**

**RECOMMENDATION: (Summary):** A resolution to nominate JPMorgan Chase Bank, National Association located at 712 Main Street, 77002, as an Enterprise Project.

**Amount of Funding:** No City funding required

**Finance Budget:****SOURCE OF FUNDING:**☐ General Fund☐ Grant Fund☐ Enterprise Fund☒ Other (Specify) State funded incentive**SPECIFIC EXPLANATION:**

The Texas Enterprise Zone Program is an economic development tool for local communities to partner with the State of Texas to promote job creation and capital investment. Designated Enterprise Projects are eligible to apply for state sales and use tax refunds on qualified expenditures. The level and amount of refund is related to the capital investment and jobs created or retained at the qualified business site. Depending on investment amount, there is a maximum refund of \$2,500 - \$7,500 per job for the company. The program incentives are funded 100% by the State of Texas and no City funding is required.

State law requires that each candidate for designation as an Enterprise Project be nominated by the municipality or county. Houston issued 7 nominations out of a maximum of 9 project designations allowed per biennium, beginning September 1, 2009 and ending August 31, 2011. The next quarterly state application deadline is September 1, 2010. City Council previously adopted an ordinance authorizing the City to nominate projects for this state funded incentive.

The proposed Resolution will nominate JPMorgan Chase Bank, National Association as an Enterprise Project with an estimated capital investment up to \$17.6 million and the retention of 3,400 jobs over the 5-year program period.

JPMorgan Chase Bank, National Association is a leading global bank and financial services firm with a significant presence in Houston. The company intends to improve, enhance, and add technology and equipment at each of the following four facilities located at: 700 Louisiana Street (Global Commodities) 9900 Katy Freeway (Telephone Banking Call Center) 1111 Fannin Street (Infrastructure and Technology Support) and 712 Main Street (JPMorgan Chase Bank, National Association Administration Building). An impact analysis by the Greater Houston Partnership estimates the net benefit for the City to be approximately \$62 million over the first ten years.

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

## REQUIRED AUTHORIZATION

**Finance Director:****Other Authorization:****Other Authorization:**




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# **PROJECT JAWS**

## **BRIEFING REPORT**

August 11, 2010

**PREPARED FOR:**

City of Houston

Finance Department – Economic Development

**JPMorgan Chase Bank, National Association  
AKA: PROJECT Jaws**



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**COMPANY CONTACT:**

James M. Summers  
Fulbright & Jaworski L.L.P.  
210.270.7176  
[jsummers@fulbright.com](mailto:jsummers@fulbright.com)

**COMPANY/PROJECT OVERVIEW**

JPMorgan Chase Bank, National Association (NYSE: JPM) is a leading global bank and financial services firm with assets in excess of \$2.0 trillion. It has a long-term and significant presence in Houston – in addition to the 3,400 jobs at the four administrative facilities described below that are the subject of the specific Enterprise Project, JPMorgan Chase employs an additional 3,350 persons in the Greater Houston area in connection with its consumer and business banking.

In accordance with the requirements of the Texas Enterprise Zone Program, JP Morgan Chase intends to retain all of its existing positions at the four Houston locations for which they will receive program benefit and JP Morgan Chase further intends that at least 25% of any non certified replacement positions will be filled by Enterprise Zone residents or economically disadvantaged individuals.

The proposed Enterprise Zone properties (And associated employee numbers) are as follows:

- 712 Main Street - JPMorgan Chase Building/Administration- currently more than 800 employees in main corporate offices, and providing infrastructure support for retail, wealth management, corporate services, investment banking, and treasury services.
- 9900 Katy Freeway - Houston Telephone Banking Call Center - currently approximately 1,300 employees supporting customers and online inquiries made by individuals and businesses; also includes consumer risk and consumer fulfillment departments.
- 1111 Fannin Street - Infrastructure and Technology Support - currently more than 1,100 employees supporting the investment bank, automobile finance, and business banking; also includes the North America Technology Center that provides platform and technology support for various lines of business around the world.
- 700 Louisiana Street - Global Commodities - currently more than 200 traders and professionals focused on energy trading.

**Project Facts**

<b>Request:</b>	Enterprise Zone Designation
<b>Precinct:</b>	I - Rodriguez (712 Main Street)
<b>Investment:</b>	\$17.0 million
<b>Direct Jobs Retained:</b>	3,400
<b>D &amp; I Jobs Retained:</b>	8,258
<b>Total Salaries :</b>	\$5,415,585,370
<b>Taxable Purchases by workers:</b>	\$1,026,402,019
<b>Net Benefit to City:</b>	\$62,616,484



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## CAPITAL INVESTMENT

The proposed capital investments would be improvements, enhancements, and additional technology and equipment at each of the highlighted facilities. The total amount of such capital improvements is approximately \$17M. The nature of the capital improvements include the following categories:

- Space and infrastructure additions, upgrades, and reconfigurations
- Various space utilization changes and upgrades for maximization of workspace
- Upgrade and additions to all operations centers re new technology and related electrical infrastructure Additional technology and equipment
- A renewed commitment by the City to JPMorgan Chase, it is expected that there would continue to be growth in new jobs consistent with the positive growth pattern over the past few years.

## COMMITMENT IN HOUSTON

**Philanthropy and Community Development:** contributed over \$7.3 million in 2009 to Texas nonprofits. Beneficiaries of major grants in Houston include:

- Children's Museum
- United Way of Greater Houston
- Neighborhood Centers
- LISC
- YMCA of Greater Houston Area
- Houston Symphony Society
- Texas Children's Hospital
- Project GRAD Houston
- Avenue Community Development Corporation
- Communities in Schools, Houston

**JPMorgan Chase's Community Renaissance Strategy** focuses on a neighborhood-centric approach to philanthropic giving. It is designed to focus the firm's philanthropic and community relations activities — volunteerism, lending, financial education — to maximize our impact in high-need neighborhoods located in our markets. Houston Community Renaissance funding is focused in the Gulfton/Sharpstown community.

- The JPMorgan Chase foundation awarded a \$1 million grant to Neighborhood Centers, Inc. to help fund construction of for its newest community center in Gulfton/Sharpstown. The center will connect families to health and education, help immigrants assimilate economically, include a public marketplace, business incubation, classrooms for citizenship and leadership development, a continuum of education, and neighborhood banking services. The center will also house a charter elementary school in partnership with NCI's Head Start Program.
- The United Way THRIVE program assists low-income families to build better lives by increasing income, building savings and acquiring assets through an integrated strategy. This integrated approach and coordinated effort will make it possible for larger numbers of families to acquire the knowledge and tools necessary for them to reach financial stability and self-sufficiency.



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#### COMMITMENT IN HOUSTON Cont'd

- **The Houston Volunteer Leadership Group (VLG)** provides Chase employees with information about community service opportunities within Houston and surrounding areas by centralizing opportunities and resources to engage and empower employees to participate in volunteer activities.
- **Supporting financial empowerment** participant in the Bank on Houston program, offering low cost checking products to help underbanked individuals gain access to mainstream banking.
- **Chase Homeownership Center** serves the region. As part of our ongoing efforts to keep families in their homes, Chase has opened a regional Homeownership Center in Houston -- where homeowners whose mortgages are serviced by Chase, WaMu or EMC can meet face-to-face with trained advisors to discuss their situation.



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houston.org

## ECONOMIC AND FISCAL IMPACTS

This analysis was created on the assumption of the retained employment and operations at the Houston facilities. *Source: Impact DataSource Fiscal Impact Model – Developed by Jerry Walker for the Greater Houston Partnership – Research Department*

### Economic Impact Over the First Ten Years

The following are some of the economic impacts that the area can expect from the firm over the first ten years:

Some of the Regional Economic Impacts of the Firm over the First Ten Years (1)	
Total number of direct and indirect jobs to be retained and created	8,258
Total salaries to be paid to direct and indirect workers retained	\$5,415,585,370
Total taxable sales and purchases retained and created	\$1,026,402,019
Total property to be added to local tax rolls over the first ten years	\$793,834,871

### Costs and Benefits for Over the First Ten Years

The city can expect the following costs and benefits from the facilities and from the retained direct and indirect employees associated with the locations over the over the first ten years:

Net Benefits Retained for the City Over the First Ten Years	
<u>Benefits:</u>	
Sales taxes collections	\$10,264,020
Property tax collections	\$45,046,943
Utility revenues and utility franchise fee collections	\$56,556,357
Collections of other taxes and user fees	\$7,893,568
Total benefits	\$119,760,888
<u>Costs:</u>	
Costs of providing municipal services	\$50,001,353
Costs of providing utility services	\$7,143,050
Total costs	\$57,144,404
Net benefits	\$62,616,484



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### Net Benefits for All Local Taxing District Over the First Ten Years

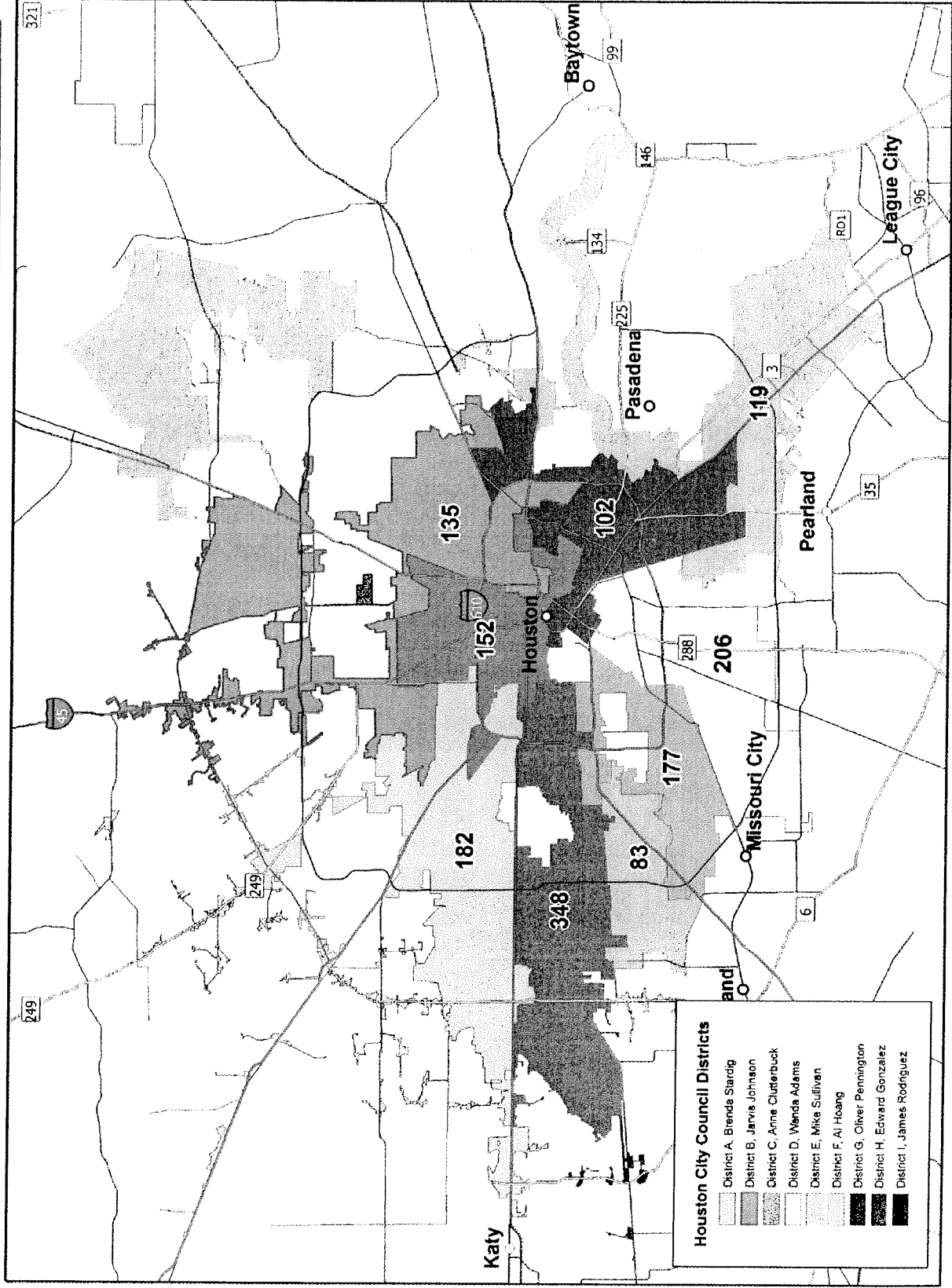
The city, county, school district and other districts where the plant is located can expect the following costs and benefits from the plant and the retained direct and indirect employees associated with the facilities over the first 10 years.

Net Benefits for the City, County, School District, and Special Taxing Districts Over the First Ten Years	
<b>Benefits:</b>	
Sales tax collections	\$30,005,315
Property tax collections	\$192,764,610
Utility revenues	\$51,572,825
Utility franchise fees	\$4,983,533
Hotel occupancy taxes	\$964,951
Collections of other taxes and user fees	\$11,428,881
Building permits	\$0
Additional state and federal school funding	\$129,633,547
Total benefits	\$421,353,661
<b>Costs:</b>	
Costs of providing services to new residents	\$57,144,404
Costs of providing city utility services to new residents	\$49,509,912
Costs of providing services to new students	\$93,076,887
Reduction in state aid with the addition of new residential and commercial property on school district tax rolls	\$79,905,487
Total costs	\$279,636,690
Net benefits for city, county, school district and special taxing districts	<b>\$141,716,972</b>

\*Impact figures above include the benefits to the city from the \$17M million investment from JP Morgan Chase and the impact from the Houston residents currently employed by J.P. Morgan Chase (3,659)



# JP Morgan Chase - Estimated Employees by City Council District



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

<b>SUBJECT:</b> Dissolution of the Public Parking Commission and addition of certain responsibilities to the Houston Planning Commission.		<b>Category #</b>	<b>Page</b> 1 of 1	<b>Agenda Item #</b> 9
<b>FROM (Department or other point of origin):</b> Marlene L. Gafrick, Director Planning and Development		<b>Origination Date</b> 08-10-10		<b>Agenda Date</b> AUG 25 2010
<b>DIRECTOR'S SIGNATURE:</b> <i>Ms Marlene L. Gafrick</i>		<b>Council District affected:</b> All		
<b>For additional information contact:</b> Marlene Gafrick Phone: 713-837-7760		<b>Date and identification of prior authorizing Council action:</b> Ordinance No. 2005-993, 8/24/05; Ordinance No. 2007-464, 4/11/07		
<b>RECOMMENDATION: (Summary)</b> Amend Chapter 33-22 Subsection (b) of the Code of Ordinances to add responsibilities to the Planning Commission, repeal Division 2 of Article I of Chapter 26, and delete Item (7) of Chapter 12-5 of the Code of Ordinances.				
<b>Amount and Source of Funding:</b> NA			<b>Finance Budget:</b>	
<b>SPECIFIC EXPLANATION:</b> It was determined that the Public Parking Commission has accomplished the purposes for which it was created. Therefore, the city of Houston recommends dissolving the Parking Commission and transferring certain duties to the Houston Planning Commission. These duties include:  (1) To recommend to the City Council such capital improvements or other programs as the commission shall consider necessary to accommodate the present or future parking needs of the city.  (2) To conduct studies of the current or anticipated parking needs of the city or any locale as the commission shall deem necessary or advisable and to report its findings on such matters to the city council.  (3) To provide a forum for input on present and future parking needs and related issues for stakeholders and other interested parties.  This action also terminates the responsibility that the Director of Convention and Entertainment Facilities Department had to serve as an ex-officio member of the Parking Commission.  cc: David Feldman, City Attorney Deborah McAbee, City Legal Donna Capps, City Legal Mark Kilkenny, Houston Planning Commission				
<b>REQUIRED AUTHORIZATION</b>				
<b>Finance Director:</b>		<b>Other Authorization:</b>		<b>Other Authorization:</b>

City of Houston, Texas, Ordinance No. 2010-\_\_\_\_\_

**AN ORDINANCE AMENDING THE CODE OF ORDINANCES, HOUSTON, TEXAS, RELATING TO THE PUBLIC PARKING COMMISSION; DISSOLVING THE COMMISSION AND AMENDING CHAPTER 33 OF THE CODE OF ORDINANCES TO TRANSFER CERTAIN OF THE COMMISSION'S RESPONSIBILITIES TO THE PLANNING COMMISSION; CONTAINING FINDINGS AND OTHER PROVISIONS RELATING TO THE FOREGOING SUBJECT; CONTAINING A REPEALER; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.**

\* \* \* \* \*

**WHEREAS**, by Ordinance No. 2005-993 adopted on August 24, 2005, as amended by Ordinance No. 2007-464 adopted on April 11, 2007, the City Council established a Public Parking Commission to address parking issues, direct future planning, and propose parking regulations; and

**WHEREAS**, the members of the Public Parking Commission have devoted a great deal of time and experience to advising the City Council on such parking matters; and

**WHEREAS**, because the Public Parking Commission has accomplished the purposes for which it was created, the City Council finds that the Commission may now be dissolved;

**WHEREAS**, the City Council further finds that certain of the responsibilities of the Committee can be continued by the Planning Commission; **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 Division 2 of Article I of Chapter 26 of the Code of Ordinances, Houston, Texas is hereby repealed.

**Section 3.** That Section 12-5 of the Code of Ordinances, Houston, Texas, is hereby amended by deleting Item (7).

**Section 4.** That Subsection (b) of Section 33-22 of the Code of Ordinances is hereby amended by adding new items (11), (12), and (13) that read as follows:

- “(11) To recommend to the city council such capital improvements or other programs as the commission shall consider necessary to accommodate the present or future parking needs of the city.
- (12) To conduct studies of the current or anticipated parking needs of the city or any locale as the commission shall deem necessary or advisable and to report its findings on such matters to the city council.
- (13) To provide a forum for input on present and future parking needs and related issues for stakeholders and other interested parties.”

**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 \_\_\_\_\_, 2010.**

**APPROVED this \_\_\_\_ day of \_\_\_\_\_, 2010.**

\_\_\_\_\_  
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 Department \_\_\_\_\_

DRC:drc July 29, 2010

*Donna Capps* *DFA* *ch*  
\_\_\_\_\_  
Assistant City Attorney

Requested by Alfred Jay Moran, Jr., Administration & Regulatory Affairs Department  
L.D. No. 0611000131001

**REQUEST FOR COUNCIL ACTION****TO:** Mayor via City Secretary**Subject:** Oil and Gas Lease between City and Southern Star Exploration LLC

Category #

Page 1 of 1

Agenda Item  
10**FROM (Department or other point of origin):**

Houston Parks and Recreation Department

**Origination Date:**

August 20, 2010

**Agenda Date****AUG 25 2010****DIRECTOR'S SIGNATURE:**

Joe Turner, Director

**Council District(s) affected:**

District B, I

**For additional information contact:**

Andy Icken, 832-393-1064

Robert Johnson, 832-393-8364

**Date and Identification of prior authorizing Council Action:****RECOMMENDATION: (Summary):**

Adopt ordinance approving an Oil and Gas Lease with Southern Star Exploration LLC for Herman Brown Park, Brock Park, parts of Maxey Park; and the McCarty Road Service Center.

**Amount of Funding:**

Revenue

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

The Administration recommends that City Council approve an Oil and Gas Lease covering Herman Brown Park (770 net mineral acres); Brock Park (176 net mineral acres); parts of Maxey Park (16 net mineral acres); and the Public Works and Engineering Department's McCarty Road Service Center (24 net mineral acres). Principal terms of the Lease are:

- Payment of approximately \$200,000 to City upon signing of lease (of which amount, \$154,000 is attributable to Herman Brown Park);
- Twenty-five percent (25%) royalty on produced minerals;
- Lease term of three years and so long thereafter as minerals are produced;
- No drilling operations will be from the surface of City lands – all wells into subsurface of City land will be directionally drilled from surface locations outside of City lands.

The lessee, Southern Star Exploration, LLC, is an independent oil and gas company based in Houston. Southern Star's principals have over 30 years of experience in the oil and gas business and have been involved in drilling in populated urban areas.

The terms of the Herman Brown Park deed expressly provide for right of mineral development in conjunction with use of land for park purposes. The Herman Brown Park deed provides that all income received by City for mineral leasing or revenues is to be used by the City for the purpose of equipping, maintaining, preserving and expanding Herman Brown Park for public park purposes.

Section 253.005 of the Texas Local Government Code authorizes a City to enter into mineral leases on land it owns. Section 253.005 provides:

(a) Except as provided by Subsection (b), a municipality may lease oil, gas, or mineral land that it owns, in the manner and on the terms that the governing body of the municipality determines, for the benefit of the municipality. A lease under this section is not a sale under the law governing the sale of municipal land.

(b) A municipality may not lease under this section a street, alley, or public square in the municipality.

(c) A well may not be drilled in the thickly settled part of the municipality or within 200 feet of a private residence.

The Development and Regulatory Affairs Committee reviewed the proposed Oil and Gas Lease on August 19, 2010, and voted to forward the ordinance to City Council.

Finance Director:

Other Authorization:



Daniel W. Krueger, Director, PW&amp;E

Other Authorization:



TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

**SUBJECT:** An ordinance appropriating \$2,204,176.69 in tax increment revenue from Harris County, Harris County Hospital District, Houston Community College District, and Interest Revenue and authorizing the transfer of tax increment revenues and interest revenue from the various Tax Increment Funds to the City for administration costs, and to the Redevelopment Authorities pursuant to Tri-Party Agreements and Interlocal Agreements.

**Category**  
# 1

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**Agenda Item**  
#

**FROM: (Department or other point of origin):**  
Michelle Mitchell, Director  
Finance Department

**Origination Date**

8/12/10

**Agenda Date**

AUG 25 2010

**DIRECTOR'S SIGNATURE:**

*Michelle Mitchell*

**Council Districts affected:**

**For additional information contact:**

Tim Douglass Phone: (713) 837-9857  
Randell Naquin Phone: (713) 837-9646

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

**RECOMMENDATION: (Summary)**

An ordinance appropriating \$2,204,176.69 in tax increment revenue from Harris County, Harris County Hospital District, Houston Community College District, and Interest Revenue and authorizing the transfer of tax increment revenues from the various Tax Increment Funds pursuant to Tri-Party Agreements and Interlocal Agreements.

**Amount of Funding:** \$2,204,176.69

Finance Budget

**Source of Funding:** ) [ ] General Fund [ ] Grant Fund [ ] Enterprise Fund [ X ] Other (Specify)  
Tax Increment Reinvestment Zone Funds (TIRZ) (see attached analysis)

**Specific Explanation:**

The appropriation of \$2,204,176.69 results from tax increment revenue from Harris County, Harris County Hospital District, Houston Community College District, and Interest Revenue.

As set forth in the attached analysis:

- \$2,150,021.69 will be paid to various redevelopment authorities pursuant to Tri-Party Agreements and Interlocal Agreements;
- \$ 54,155.00 will be transferred to the General Fund for TIRZ Administrative costs.

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

**Finance Director:**

**Other Authorization:**

**Other Authorization:**

*TE*



CITY OF HOUSTON TAX INCREMENT REINVESTMENT ZONES  
TAX INCREMENTS FROM HOUSTON COMMUNITY COLLEGE DISTRICT FOR TY09

#	TIRZ Name	Fund #	(A) Payments Received Houston Community College	(B) Affordable Housing Transfer to Fund 2409	City Admin. Fee Transfer to Fund 1000	Total Increment Amount Due to Redev. Auth.	Payee
1	Lamar Terrace	7512					
2	Midtown Original jur code 300 Annexed jur code 302 Annexed jur code 304	7550	\$ 855,027.93 454,781.95 274,829.71 125,616.27		\$ 25,000.00 13,297.28 8,029.85 3,672.87	\$ 830,027.93	Midtown RA
3	Main St/Market Square Original Annexed	7551	\$				
4	Village Enclave Original Annexed	7552					
5	Memorial Heights Original Annexed	7553					
6	Eastside	7554					
7	OST/Alameda Original Annexed	7555					
8	Gulfgate Original Annexed	7556					
9	South Post Oak	7557					
10	Lake Houston Original Annexed	7558					
11	Greater Greenspoint	7559					
12	City Park	7560					
13	Old Sixth Ward	7561					
14	Fourth Ward Original Annexed	7562					
15	East Downtown Original Annexed	7563					
16	Uptown	7564					
17	Memorial City	7565					
18	Fifth Ward Original Annexed	7566					
19	Upper Kirby	7567					
20	Southwest Houston	7568					
21	Hardy/Near Northside	7569					
22	Leland Woods	7570					
Total			\$ 855,027.93	\$ -	\$ 25,000.00	\$ 830,027.93	

Note:

HCC participates in Original area Jur 300, Annexed area 302, and Annexed area 304

CITY OF HOUSTON TAX INCREMENT REINVESTMENT ZONES  
TAX INCREMENT FUND INTEREST REVENUE IN FUNDS-FISCAL YEAR 2010

#	TIRZ	Fund # (SAP)	(A) Payments Received	(B) Affordable Housing Fund (col A/3) <sup>(2)</sup>	(C) Administrative Fee Transfer to General Fund 1000 (col A-B) x 5%	(D) Interest Earned in Fund per TIRZ	Fund Interest/Net Increment due to Redevelopment Authority (D)	Payee
1	Lamar Terrace	7512	N/A	N/A	N/A	9,671.09	9,671.09	St. George Place RA
2	Midtown	7550	N/A	N/A	N/A	46,385.34	46,385.34	Midtown RA
3	Market Square <sup>(2)</sup>	7551	N/A	N/A	N/A	29,679.51	29,679.51	Main Street/Market Square
	Original Annexed							
4	Village Enclave	7552	N/A	N/A	N/A			
5	Memorial Heights	7553	N/A	N/A	N/A	31,216.07	31,216.07	Special Pay Instructions #1
6	Eastside	7554	N/A	N/A	N/A	8,685.11	8,685.11	Memorial Heights RA
7	OST/Alameda	7555	N/A	N/A	N/A	-	-	No payment
	Original Annexed					23,475.25	23,475.25	OST Alameda RA
8	Gulfgate	7556	N/A	N/A	N/A	3,367.61	3,367.61	Gulfgate RA
	Original Annexed							
9	South Post Oak	7557	N/A	N/A	N/A			
10	Lake Houston	7558	N/A	N/A	N/A	2,504.89	2,504.89	South Post Oak RA
11	Greenspoint	7559	N/A	N/A	N/A	206,672.94	206,672.94	Special Pay Instructions #2
12	CityPark	7560	N/A	N/A	N/A	37,839.93	37,839.93	Greater Greenspoint RA
13	Old Sixth Ward	7561	N/A	N/A	N/A	1,740.99	1,740.99	City Park RA
14	Fourth Ward	7562	N/A	N/A	N/A	3,434.20	3,434.20	Old Sixth Ward RA
15	East Downtown	7563	N/A	N/A	N/A	10,267.65	10,267.65	Fourth Ward RA
16	Uptown	7564	N/A	N/A	N/A	6,264.83	6,264.83	East Downtown RA
17	Memorial City	7565	N/A	N/A	N/A	55,769.96	55,769.96	Uptown Development Authority
18	Fifth Ward	7566	N/A	N/A	N/A	15,349.70	15,349.70	Memorial City RA
19	Upper Kirby	7567	N/A	N/A	N/A	1,332.07	1,332.07	Fifth Ward RA
20	Southwest Houston	7568	N/A	N/A	N/A	17,259.71	17,259.71	Upper Kirby RA
21	Hardy Yards	7569	N/A	N/A	N/A	15,835.94	15,835.94	Southwest Houston RA
22	Leland Woods	7570	N/A	N/A	N/A	12,566.17	12,566.17	Hardy Place RA
	Total		\$ -	\$ -	\$ -	430.80	430.80	Leland Woods RA
			\$ -	\$ -	\$ -	539,749.76	539,749.76	

Special Pay Instructions #1

Payment should be paid to Houston Independent School District for FY10 Interest

Special Pay Instructions #2

Retain in fund to pay developer and TIRZ admin costs

**CITY OF HOUSTON TAX INCREMENT REINVESTMENT ZONES  
TAX INCREMENT CALCULATIONS FOR HARRIS COUNTY - TAX YEAR 2008 and TAX YEAR 2009**

#	TIRZ	Fund # (SAP)	(A) County Payments Received	(C) Administrative Fee Transfer to General Fund 1000 (col A-B) x 5%	Harris County Net Increment due to Redevelopment Authority (col A-B-C)	Payee
1	Lamar Terrace	7512	N/A		N/A	
2	Midtown	7550	\$ 459,455.00	\$ 22,972.75	\$ 436,482.25	Midtown RA
3	Market Square <sup>(2)</sup>	7551	123,645.00	6,182.25	\$ 117,462.75	Main Street/Market Square
	Original Annexed		123,645.00	6,182.25		
4	Village Enclave	7552	N/A		N/A	
5	Memorial Heights	7553	N/A		N/A	
6	Eastside	7554	N/A		N/A	
7	OST/Almeda	7555	N/A		N/A	
	Original Annexed					
8	Gulfgate	7556				Gulfgate RA
	Original Annexed					
9	South Post Oak	7557		(1) \$		
10	Lake Houston	7558	N/A		N/A	South Post Oak RA
11	Greenspoint (Original)	7559	226,299.00	(1) \$	226,299.00	Greater Greenspoint RA
12	CityPark	7560	N/A		N/A	
13	Old Sixth Ward	7561	N/A		N/A	
14	Fourth Ward	7562	N/A		N/A	
15	East Downtown	7563	N/A		N/A	
16	Uptown	7564	N/A		N/A	
17	Memorial City	7565	N/A		N/A	
18	Fifth Ward	7566	N/A		N/A	
19	Upper Kirby	7567	N/A		N/A	
20	Southwest Houston	7568	N/A		N/A	
21	Hardy Yards	7569	N/A		N/A	
22	Leland Woods	7570	N/A		N/A	
<b>Total</b>			<b>\$ 809,398.00</b>	<b>\$ 29,155.00</b>	<b>\$ 780,244.00</b>	

**Notes:**

- (1) County does not contribute to the Administration Fee per the Interlocal Agreement  
(2) #3 Market Square - County funds received separately for Port of Houston and HC Hospital District effective with TY05 revenue.

Harris County  
Port Authority  
Hospital District

\$ 123,645.00  
\$ 123,645.00

# **REQUEST FOR COUNCIL ACTION**

**TO:** Mayor via City Secretary

**RCA# 8635**

**R**

**Subject:** Approve an Ordinance Awarding a Contract for Federal Tax Filing and Form W-2 Hosting Tax Services for the Administration & Regulatory Affairs Department/E23719

Category #

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

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

**Origination Date**

August 16, 2010

**Agenda Date**

AUG 25 2010

**DIRECTOR'S SIGNATURE**

**Council District(s) affected**  
All

**For additional information contact:**

Don Pagel

Phone: (713) 837-7656

Frank Carmody

Phone: (713) 837-9521

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

**RECOMMENDATION: (Summary)**

Approve an ordinance awarding a contract to ADP, Inc in an amount not to exceed \$97,500.00 for federal tax filing and Form W-2 hosting tax services for the Administration & Regulatory Affairs Department.

Maximum Contract Award Amount: \$97,500.00 (3 years)

**Finance Budget**

\$97,500.00 – Central Services Revolving Fund (1002)

**SPECIFIC EXPLANATION:**

The Administration & Regulatory Affairs Department (ARA) recommends approval of an ordinance awarding a one-year contract, with two one-year options to ADP, Inc. (ADP) in an amount not to exceed \$97,500.00 for federal tax filing and Form W-2 hosting tax services for ARA.

In January 2008, ARA identified several structural shortcomings due to the fact that City of Houston relied on hard-copy Form W-2 distribution. As a result, ARA analyzed potential solutions to provide electronic, online Form W-2's to all City employees. Due to the significant inconvenience experienced by relying on the hard-copy W-2's, one of the priorities in ARA's analysis was to identify a solution which could be implemented and would make 2009 Form W-2's available to City employees in January/February 2010.

ARA subsequently established an agreement with ADP to execute a pilot project whereby ADP established a secure online Form W-2 hosting, registration and distribution platform, as well as printing and mailing of hard-copy Form W-2's to those City of Houston employees who elected to not access their W-2 online. On August 28, 2009 ARA issued a purchase order to ADP in the amount of \$32,500 to provide this service for 2009 W-2's. ADP's participation in the pilot project was contingent on its provision of federal tax filing services. ADP automates and transmits employee tax data for each pay period, to include transferring City employees' federal taxes and the city's FICA contribution to the IRS on a "next-day" basis.

The scope of work requires the contractor to provide all labor, materials, equipment, supervision, and training for federal tax filing and Form W-2 hosting tax services. The City will deposit an average of \$9 million each pay period into an ADP account, shared with other ADP customer deposits, representing the amount of the City's payroll tax withholding to pay for City employees' federal taxes and the City's FICA contribution to the IRS. ADP is obligated to pay the City's payroll tax to the IRS and will retain the interest earned on the City's deposit during the time it holds the City's payroll tax, for a period not to exceed 24 hours.

The proposed contract will formalize a successful partnership between the City of Houston and ADP, Inc. This pilot project has brought significant savings to the City in foregone personnel, printing and postage cost and has benefited City employees by enhancing W-2 access options over a shorter time period. The contract clarifies the responsibilities of both the City of Houston and ADP, Inc. and mitigates the risk associated with the fact that the holding bank does not collateralize the deposit. Approximately 11,000 City employees accessed their 2009 W-2's online; ARA is working diligently to increase awareness employee awareness of the online option to increase participation and further reduce cost for 2010 W-2 distribution.

This recommendation is made pursuant to Chapter 252, Section 252.022(a)(7)(A) of the Texas Local Government Code for exempted procurements.

**REQUIRED AUTHORIZATION**

**NDT**

Finance Department:

Other Authorization:

Other Authorization:

# **REQUEST FOR COUNCIL ACTION**

TO: Mayor via City Secretary

**RCA# 8765**

**Subject:** Approve an Ordinance Awarding a Contract for Peterbilt Truck Repair Services for the Public Works & Engineering Department

Category #  
4

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Agenda Item

S30-L23641

**13**

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

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

**Origination Date**

June 07, 2010

**Agenda Date**

AUG 25 2010

**DIRECTOR'S SIGNATURE**

*Calvin D. Wells*

**Council District(s) affected**  
All

**For additional information contact:**

David Guernsey                      Phone: (832) 395-3640  
Douglas Moore                      Phone: (832) 393-8724

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

**RECOMMENDATION: (Summary)**

Approve an ordinance awarding a contract to Rush Truck Centers of Texas, L.P. dba Rush Truck Center, Houston on its sole bid in the amount not to exceed \$624,975.00 for Peterbilt truck repair services for the Public Works & Engineering Department.

Maximum Contract Amount: \$624,975.00

**Finance Budget**

\$624,975.00 - Fleet Management Fund (1005)

**SPECIFIC EXPLANATION:**

The City Purchasing Agent recommends that City Council approve an ordinance awarding a three-year contract, with two one-year options, to Rush Truck Centers of Texas, L.P. dba Rush Truck Center, Houston on its sole bid in the amount not to exceed \$624,975.00 for Peterbilt truck repair services for the Public Works & Engineering Department. The City Purchasing Agent may terminate this contract at any time upon 30-days written notice to the contractor.

This project was advertised in accordance with the requirements of the State of Texas bid laws. Eight prospective bidders downloaded the solicitation document from SPD's e-bidding website and one bid was received as outlined below. The Strategic Purchasing Division conducted a thorough search for additional vendors who could possibly perform these services. As a result, twenty vendors were identified and notified of the Invitation to Bid (ITB). Subsequent to receipt of the bid, vendors were contacted to determine the reason for the limited response to the ITB; potential respondents advised that this service was not in their core business plans or they did not have the necessary resources to meet the scope of work requirements specified in the ITB or they were not interested in submitting a bid.

This contract will be used to provide repair services on Peterbilt trucks. The scope of work requires the contractor to furnish all labor, materials, supplies, equipment, transportation and supervision necessary to repair 134 Peterbilt trucks. Repairs to these trucks include, but are not limited to, body work, frame repair, preventative maintenance services, and mechanical repairs to the engine, chassis and driveline.

**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: Richard Morris

**REQUIRED AUTHORIZATION**

Finance Department:

Other Authorization:

Other Authorization:

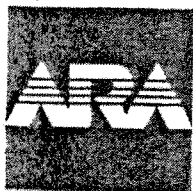
*MD*

Date: 6/7/2010	Subject: Approve an Ordinance Awarding a Contract for Peterbilt Truck Repair Services for the Public Works & Engineering Department  S30-L23641	Originator's Initials RM	Page 2 of 2
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**ESTIMATED SPENDING AUTHORITY**

<b>Department</b>	<b>FY 11</b>	<b>Out Years</b>	<b>Total</b>
Public Works & Engineering Dept.	\$123,325.00	\$501,650.00	\$624,975.00

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

Administration &  
Regulatory Affairs

# Memorandum

**To:** Calvin D. Wells, Deputy Director  
City Purchasing  
Strategic Purchasing Division

**From:** Richard Morris

**Date:** April 16, 2010

**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: 6% New Goal: 0%

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

Solicitation Number: S30-L23641 Estimated Dollar Amount: \$750,000.00 Goal On Last Contract: N/A

Anticipated Advertisement Date: 04/16/10 Solicitation Due Date: 05/13/10 Was Goal met: Yes ☐ No ☐

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

**Name and Intent of this Solicitation:** Contract will be used to repair Peterbilt Trucks including labor and parts for mechanical, paint and body work.

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

The scope of services has no participation possibilities due to Peterbilt parts being sent directly to the contractor and that the technicians have to be certified by Peterbilt to guarantee warranty work. Warranty work must be done with Peterbilt parts and by Peterbilt certified technicians.

Concurrence:

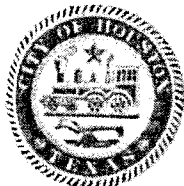
Richard Morris  
SPD Initiator

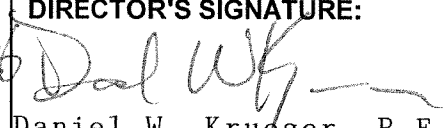


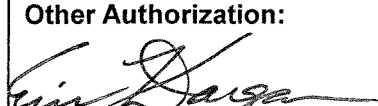
Donna Moore  
Division Manager

Robert Gallegos  
Robert Gallegos, Deputy Assistant Director

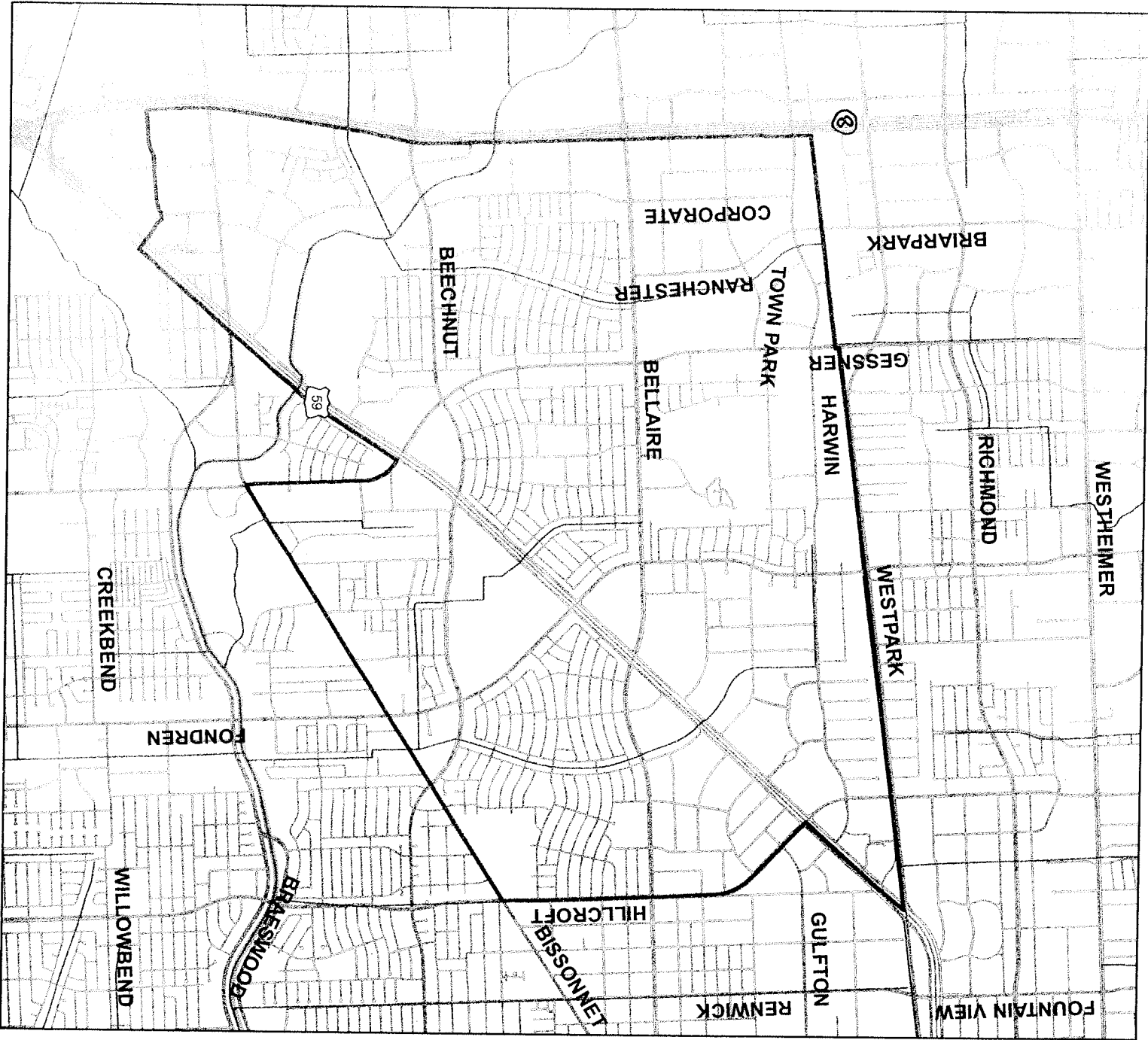
\*Affirmative Action

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



<b>SUBJECT:</b> Maintenance Agreement for Right-of-Way Improvements between the City of Houston and the Greater Sharpstown Management District.		<b>Page</b> 1 of 1	<b>Agenda Item #</b> 14
<b>FROM (Department or other point of origin):</b> Department of Public Works and Engineering		<b>Origination Date</b> 8/19/10	<b>Agenda Date</b> AUG 25 2010
<b>DIRECTOR'S SIGNATURE:</b>  Daniel W. Krueger, P.E.		<b>Council District affected:</b> F, C, G C92	
<b>For additional information contact:</b> Carol E. Haddock, P.E.  Phone: (832)395-2686		<b>Date and identification of prior authorizing Council action:</b>	
<b>RECOMMENDATION: (Summary)</b> It is recommended that City Council pass an Ordinance authorizing a Maintenance Agreement between the City of Houston and the Greater Sharpstown Management District.			
<b>Amount and Source of Funding:</b> N/A			
<p><b>PROJECT NOTICE/JUSTIFICATION:</b> The Greater Sharpstown Management District (District) was created by Texas Legislature in 2006 to promote, develop, encourage and maintain employment, commerce, transportation, housing, tourism, recreation, the arts, entertainment, economic development, safety, and the public welfare in the district and adjacent areas.</p> <p><b>DESCRIPTION/SCOPE:</b> The improvements installed by the District include street furniture, irrigation systems, plantings, lightings, pavers, way finding signs, street signs, and various enhancements to the streetscape.</p> <p><b>LOCATION:</b> The District encompasses an area in bounded by Westpark Tollway, to the north, Hillcroft and U.S. 59 to the east, Bissonnet and U.S. 59 to the south, and Sam Houston Tollway to the west. Key Map reference pages are: 529 and 530.</p> <p><b>SCOPE OF THIS AGREEMENT:</b> The City, through the Municipal Code of Ordinances, requires abutting property owners to maintain improvements in the public right of way including trimming trees, controlling weeds between the private property line and the curb in the right of way, repairing sidewalks, curbs and gutters, and maintaining facilities associated with individual vault right easements. The City had originally authorized, by ordinance 2005-1350, the Southwest Houston Redevelopment Authority to provide maintenance for the Sharpstown District. With the creation of the Greater Sharpstown Management District, this agreement will terminate the Redevelopment Authority's maintenance agreement and turn over maintenance obligations to the District. The City has agreed to allow the District to place improvements within the City right-of-way with the understanding that the District will maintain these improvements. However the District will not assume the maintenance requirements of abutting property owners. This Agreement establishes the respective duties and obligations of the District and the City of Houston concerning the ownership, operation, maintenance, repair, and replacement of these Improvements.</p>			
<b>REQUIRED AUTHORIZATION</b>		<b>CUIC ID# 20CAE71</b>	
		<b>Other Authorization:</b>  Mark L. Loethen, P.E., CFM, PTOE Acting Deputy Director Planning and Development Services Division	<b>Other Authorization:</b>  Eric Dargan, Deputy Director Right-of-Way and Fleet Maintenance Division



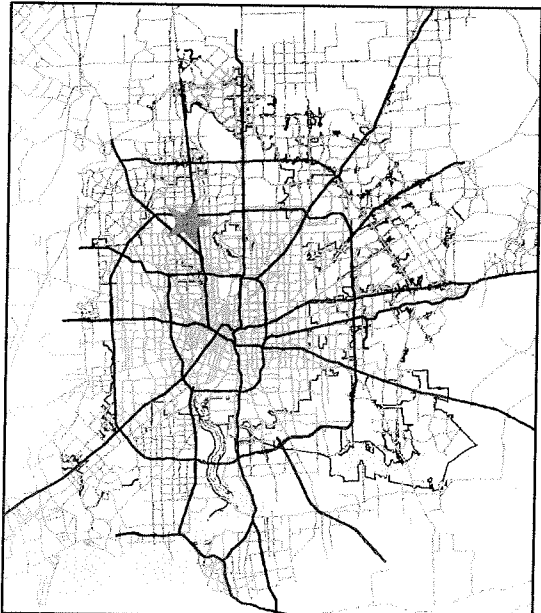


# Sharpstown Management District Service Area

## Legend

- Sharpstown
- Railroad
- Major Roads
- City of Houston

## Locational Map



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

### REQUEST FOR COUNCIL ACTION

### REQUEST FOR COUNCIL ACTION

<b>SUBJECT:</b> Award Construction Contract AIA General Contractors, Inc. Underground Storage Tank Removal at Bureau of Animal Regulation and Care (B.A.R.C.) WBS No. D-000073-0089-4		<b>Page</b> 1 of 2	<b>Agenda Item</b> 16									
<b>FROM (Department or other point of origin):</b> General Services Department		<b>Origination Date</b> 8/18/10	<b>Agenda Date</b> AUG 25 2010									
<b>DIRECTOR'S SIGNATURE:</b> <i>Forest R. Christy, Jr.</i> Forest R. Christy, Jr., Interim Director		<b>Council District affected:</b> B										
<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>										
<b>RECOMMENDATION:</b> Award construction contract and appropriate funds for the project.												
<b>Amount and Source of Funding:</b> \$41,280.00 General Improvement Consolidated Construction Fund (4509)		<b>Finance Budget:</b>										
<b>SPECIFIC EXPLANATION:</b> The General Services Department recommends that City Council award a construction contract to AIA General Contractors, Inc. on the low bid amount of \$24,800.00 to provide construction services at B.A.R.C. for the Houston Department of Health and Human Services.												
<b>PROJECT LOCATION:</b> 2700 Evella Street Houston, Texas (Key Map 454-W)												
<b>PROJECT DESCRIPTION:</b> The scope of work consists of removal and disposal of one 10,000 gallon gasoline Underground Storage Tank (UST) with associated lines, observation wells, manholes and ancillary equipment, disposal of aqueous liquid, saw-cutting, demolition and removal of concrete paving over the UST, backfilling and compaction and concrete replacement, waste classification, loading, hauling and proper disposal.												
The contract duration for this project is 30 calendar days.												
<b>BIDS:</b> The following two bids were received on May 27, 2010:												
<table border="0"> <thead> <tr> <th></th> <th><u>Bidder</u></th> <th><u>Bid Amount</u></th> </tr> </thead> <tbody> <tr> <td>1.</td> <td>AIA General Contractors, Inc.</td> <td>\$24,800.00</td> </tr> <tr> <td>2.</td> <td>Pemco, Inc.</td> <td>\$33,230.00</td> </tr> </tbody> </table>			<u>Bidder</u>	<u>Bid Amount</u>	1.	AIA General Contractors, Inc.	\$24,800.00	2.	Pemco, Inc.	\$33,230.00		
	<u>Bidder</u>	<u>Bid Amount</u>										
1.	AIA General Contractors, Inc.	\$24,800.00										
2.	Pemco, Inc.	\$33,230.00										
<b>REQUIRED AUTHORIZATION</b>												
<b>General Services Department:</b> <i>Humberto Bautista</i> Humberto Bautista, P.E. City Engineer		<b>Other Authorization:</b>										
		<b>Other Authorization:</b>										


NOT CUIC ID # 25GM234

ite	<b>SUBJECT:</b> Award Construction Contract AIA General Contractors, Inc. Underground Storage Tanks Removal at Bureau of Animal Regulation and Care (B.A.R.C.) WBS No. D-000073-0089-4	<b>Originator's Initials</b>  GM	<b>Page</b>  2 of 2
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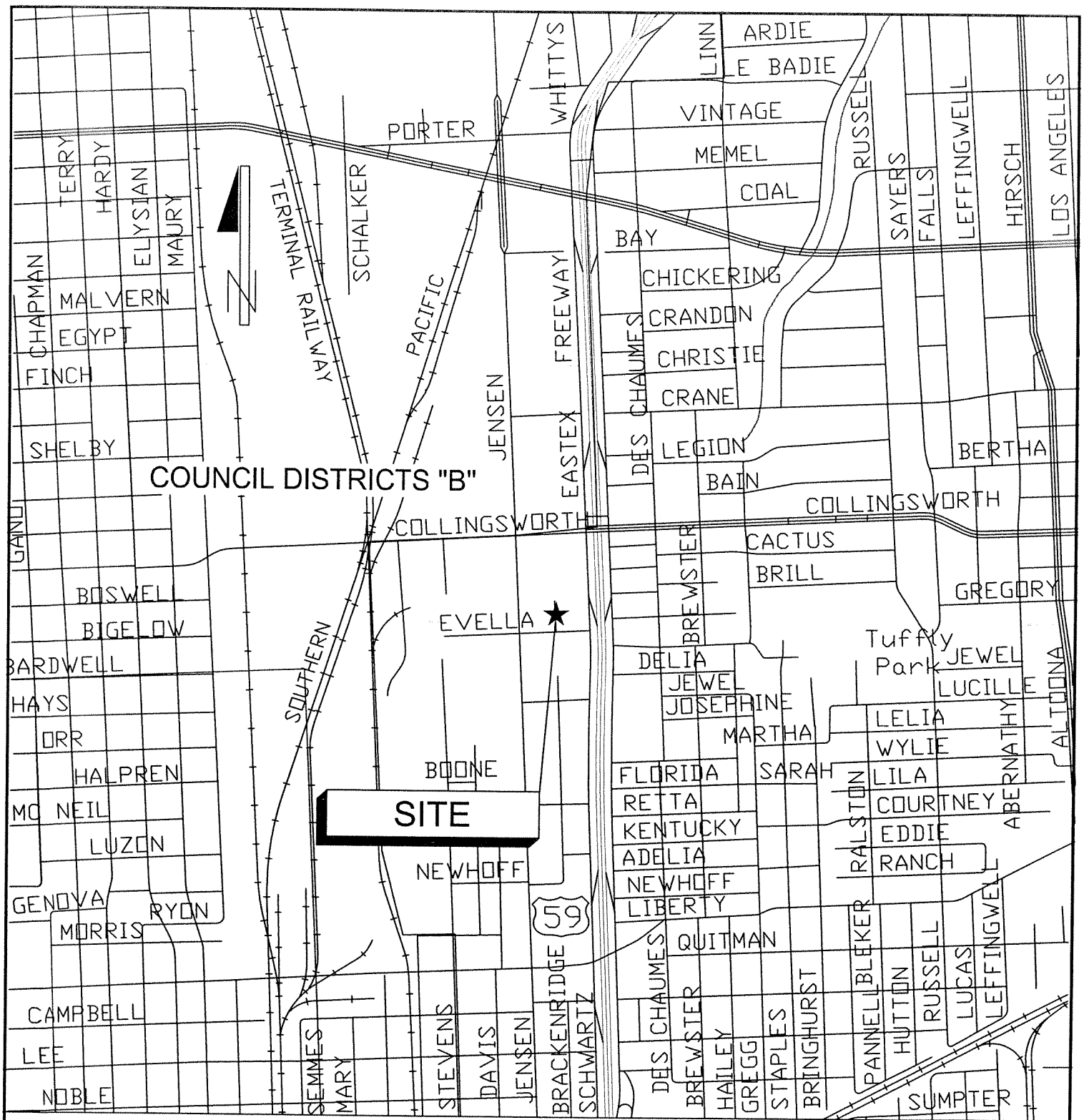
**WARD:** It is recommended that City Council award the construction contract to AIA General Contractors, Inc. and appropriate funds for the project, including an additional appropriation of \$14,000.00 for project management and construction oversight under the existing contract with Terracon Consultants, Inc. which includes, but is not limited to soil and groundwater sampling, analytical testing, sample evaluation in accordance with regulatory requirements and submitting the appropriate Release Determination Report, if required, to the Texas Commission on Environmental Quality (TCEQ).

**FUNDING SUMMARY:**

\$	24,800.00	Construction Contract Services
\$	2,480.00	10% Contingency
\$	<b>27,280.00</b>	<b>Total Contract Services</b>
\$	14,000.00	Project Management and Construction Oversight
\$	<b>41,280.00</b>	<b>Total Funding</b>

  
FRC:HB:JLN:GM:FK:fk

c: Marty Stein  
Jacquelyn L. Nisby  
Velma Laws  
Calvin Curtis  
Gabriel Mussio  
File



Underground Storage Tank Removal at:  
 Bureau of Animal Regulation and Care (B.A.R.C.)  
 2700 Evella  
 Houston, TX 77026

COUNCIL DISTRICT "B"

WBS No. D-000073-0089-4

KEY MAP NO. 454W

R

## REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA #

## SUBJECT:

Ordinance granting a Commercial Solid Waste Operator Franchise

Category #

Page 1 of 1

Agenda Item#

17

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

Alfred J. Moran, Director  
Administration & Regulatory Affairs

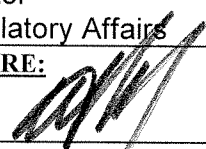
Origination Date

8/19/10

Agenda Date

AUG 25 2010

## DIRECTOR'S SIGNATURE:



Council Districts affected:

ALL

## For additional information contact:

Juan Olguin  
Nikki Cooper

Phone: (713) 837- 9623

Phone: (713) 837- 9889

## Date and identification of prior authorizing

Council Action: Ord. # 2002-526 – June 19, 2002;  
Ord. # 2002-1166-December 18, 2002.

## RECOMMENDATION: (Summary)

Approve an ordinance granting a Commercial Solid Waste Operator Franchise

## Amount of Funding:

REVENUE

## FIN Budget:

## SOURCE OF FUNDING:

☐ General Fund☐ Grant Fund☐ Enterprise Fund☐ Other (Specify)

## SPECIFIC EXPLANATION:

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

1. GI Environmental Vacuum Service, Inc.

The proposed ordinance grants the Franchisee the right to use the City's public ways for the purpose of collecting, hauling or transporting solid or industrial waste from commercial properties located within the City of Houston. In consideration for this grant, the Franchisee agrees to pay to the City an annual Franchise Fee equal to 4% of their annual gross revenue, payable quarterly. To verify Franchisee compliance with the franchise, the City has the right to inspect, and the company has the duty to maintain, required customer records during regular business hours. The franchise contains the City's standard release and indemnification, default and termination, liquidated damages and force majeure provisions. The proposed franchise terms expire on December 31, 2013.

The Pay or Play Program does not apply to the Commercial Solid Waste Operator Franchise.

## REQUIRED AUTHORIZATION

Finance Director:

16

**SUBJECT:** Inter-Local Agreement for Reporting Requirements under the American Recovery and Reinvestment Act of 2009 between the City of Houston and North Forest Independent School District

Page 18	Agenda Item 47
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**FROM (Department or other point of origin):**  
General Services Department

**Origination Date**  
7/29/10

**Agenda Date**  
~~AUG 2 2010~~  
AUG 25 2010

**DIRECTOR'S SIGNATURE**

Forest R. Christy, Jr., Interim Director

**Council District(s) affected:**  
B

**For additional information contact:**

Jacquelyn L. Nisby Phone: 832-393-8023

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

**RECOMMENDATION:** Approve an Inter-Local Agreement between the City of Houston and North Forest Independent School District and allocate funds for the project.

**Amount and Source Of Funding:**

\$1,500,000.00 - American Recovery and Reinvestment Act (ARRA) (5300)

**Finance Budget:**

**SPECIFIC EXPLANATION:** In September 2009, the City of Houston was awarded \$22,756,000.00 from the Department of Energy's Energy Efficiency Conservation Block Grant to implement energy efficiency projects in the City. This grant was awarded with an option to spend the funds for City facilities and projects, as well as to sub-grant the funds for other energy efficiency projects.

North Forest ISD has requested the City to sub-grant a portion of its ARRA funding to install a new energy efficient white roof on North Forest High School. Much of North Forest ISD's building infrastructure is in disrepair and funds are not available for repairs. The State of Texas has taken over the District and appointed Dr. Adrain Johnson as the Superintendent. Dr. Johnson has made significant improvements in the District and has begun to see progress. The City recognizes the importance of the North Forest ISD to Houston's children, and of providing safer, healthier and more comfortable learning environments. Therefore, the General Services Department recommends that City Council approve an Inter-Local Agreement between the City of Houston and North Forest ISD, and allocate \$1,500,000.00 of the City's Energy Efficiency and Conservation Block Grant to North Forest ISD to install a new energy efficient white roof on North Forest High School.

**PROJECT LOCATION:** 10725 Mesa Drive, Houston, Texas (415U)

**PROJECT DESCRIPTION:** The scope of work involves the installation of a 60 mm polyester reinforced fleece backed Elvaloy membrane energy efficient roof on North Forest High School. The existing roof leaks and is approximately 25 years old and has exceeded its useful life. The Geotechnology Research Institute (GTRI) and the Houston Advanced Research Center (HARC) have reviewed the project and verified that the roof to be installed meets the strict Department of Energy's efficiency standards. North Forest ISD will be responsible for managing the project.

FRC:JLN:GMD:gmd

c: Forest R. Christy, Jr., Marty Stein, Jacquelyn L. Nisby, Martha Leyva, File

**REQUIRED AUTHORIZATION**

CUIC ID # 25MSCLXX

**REQUEST FOR COUNCIL ACTION****TO:** Mayor via City Secretary**RCA #****SUBJECT:** Ordinance approving an infrastructure development agreement between the City of Houston, Texas ("City") and InTown Homes, Ltd. ("Developer") pursuant to Chapter 380, Texas Local Government Code.**Category #****Page 1 of 1****Agenda Item#****19** ~~20~~**FROM: (Department or other point of origin):**Andy Icken, Chief Development Officer  
Mayor's Office**Origination Date**

8/16/10

**Agenda Date**~~AUG 13 2010~~**SIGNATURE:**48 **Council Districts affected:**

AUG 25 2010

Council Member Stardig, District A

**For additional information contact:**Tim Douglass  
Keith R. Phillips**Phone:** 713-837-9857**Phone:** 713-837-0610**Date and identification of prior authorizing Council Action:**

Ordinance No. 99-674 dated 6/30/99.

**RECOMMENDATION: (Summary)** Ordinance approving an infrastructure development agreement between the City of Houston, Texas ("City") and InTown Homes, Ltd. ("Developer") pursuant to Chapter 380, Texas Local Government Code.**Amount of Funding:****Finance Budget:****SOURCE OF FUNDING:**☐ General Fund☐ Grant Fund☐ Enterprise Fund☐ Other (Specify)**SPECIFIC EXPLANATION:**

In 1989, the State legislature enacted Chapter 380 of the Local Government Code to create a mechanism that could be used by municipalities for granting or loaning local tax revenue for economic development purposes. Subsequently, by Ordinance 99-674, the City of Houston authorized a Chapter 380 loan/grant program to provide the City with an additional tool to encourage development in a targeted area that includes fulfilling a critical need for high-quality residential housing. This proposed 380 agreement is consistent with the presentation at the Development and Regulatory Affairs Committee meeting on June 17, 2010.

The Finance Department's Economic Development Division intends to offer performance-based financial incentives calculated based upon increases in the City's portions of its ad valorem taxes ("Incentives") to commercial and residential development projects. The performance-based Incentives will be determined solely upon post-project proven increases in taxes assessed and collected after the projects are operational and the taxes can be accurately measured. The Incentives will be equal to the incremental increases in taxes in the economic impact area from the base year (year prior to project commencement) and a pre-determined time period stipulated in each development agreement. The Incentives will only reimburse the recipient for public or public-type infrastructure. At no time will the City's Incentives exceed the recipients' actual costs.

The Developer intends to develop three separate developments primarily for single-family residential use. (1) The Cottage Grove Development totaling approximately 44 acres with an estimated value of \$120 million (2) The Upland Park Development totaling approximately 15 acres with an estimated value of \$60 million, and (3) The 100 Acres Development totaling approximately 40 acres with an estimated value of \$110 million.

The Developer intends to design and construct public streets and alleys, permanent access easements; construct public water, sewer, storm drainage systems, and public parks; and design and install landscaping in accordance with the design standards of the City of Houston. The total estimated costs of the infrastructure, which will also benefit other properties in the area, are not expected to exceed \$20 million. The City will reimburse the Developer for the infrastructure costs by paying to the Developer the Incentives calculated from the project's base year, not to exceed the actual costs and associated interest attributable to the infrastructure.

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

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



# **REQUEST FOR COUNCIL ACTION**

**TO:** Mayor via City Secretary

**RCA# 8555**

**Subject:** Approve an Ordinance Awarding a Contract for Conducted Energy Devices (Tasers), Accessories, Supplies and Repair Services for the Houston Police Department S30-L23515

**Category #**  
4

**Page 1 of 2**

**Agenda Item**

**20** **27**

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

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

**Origination Date**

August 13, 2010

**Agenda Date**

AUG 25 2010

~~AUG 18 2010~~

**DIRECTOR'S SIGNATURE**

*Calvin D. Wells*

**Council District(s) affected**  
All

**For additional information contact:**

Joseph Fenninger *JFF 8/13/10* Phone: (713) 308-1708  
Douglas Moore Phone: (832) 393-8724

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

**RECOMMENDATION: (Summary)**

Approve an ordinance awarding a contract to GT Distributors, Inc. in an amount not to exceed \$4,452,310.25 for conducted energy devices (Tasers), accessories, supplies and repair services for the Houston Police Department (HPD).

**Maximum Contract Amount:** \$4,452,310.25 (Five Years)

**Finance Budget**

\$4,452,310.25 - General Fund (1000)

**SPECIFIC EXPLANATION:**

The City Purchasing Agent recommends that City Council approve an ordinance awarding a five-year contract to GT Distributors, Inc. in an amount not to exceed \$4,452,310.25 for Conducted Energy Devices (CEDs) (commonly referred to as "tasers"), accessories, supplies, warranties and repair services for the Houston Police Department (HPD). The City Purchasing Agent may terminate this agreement at any time upon 30-days written notice to the contractor.

In November of 2004 City Council approved the initial purchase of 3,700 CEDs to equip patrol officers who most often respond to violent calls on a regular basis. CEDs are intermediate weapons for use against persons actively resisting an officer, or exhibiting aggressive behavior, and thereby enhance officer and citizen safety. The scope of work requires the contractor to provide all equipment, materials, supplies and tools necessary to repair the CEDs and associated equipment. Additionally, the contractor will furnish the CEDs, belt attachments, training darts, cartridges and required software to activate the devices. HPD has budgeted in FY11 to purchase 300 CEDs at a cost of approximately \$950.00 each to cover at least two cadet classes and two additional classes should funding become available. Further, the FY11 HPD budget allows for the purchase of new CEDs to replace those out of warranty or beyond repair. These devices would normally cost approximately \$950.00 each, but will be purchased at a discount price of approximately \$525.00 each, including a five-year warranty. This discount will enable HPD to replace up to 4,000 devices that are out of the warranty period or are reaching the end of their useful life. HPD plans to purchase only the number of devices required and is currently reissuing retiree's devices to other officers as needed.

The attached memo provides an update on HPD CED procedures and their use to date. A briefing will be scheduled at the September meeting of the Public Safety and Homeland Security Committee.

**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.

**REQUIRED AUTHORIZATION**

Finance Department:

Other Authorization:

Other Authorization:

*Calvin D. Wells* *8/13/10*

Date: 8/13/2010	Subject: Approve an Ordinance Awarding a Contract for Conducted Energy Devices (Tasers), Accessories, Supplies and Repair Services for the Houston Police Department S30-L23515	Originator's Initials RM	Page 2 of 2
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This recommendation is made pursuant to Chapter 252, Section 252.022 (a) (2) of the Texas Local Government Code for exempted procurements.

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

**Estimated Spending Authority**

<b>Department</b>	<b>FY 11</b>	<b>Out Years</b>	<b>Total</b>
Houston Police Department	\$1,246,084.29	\$3,206,225.96	\$4,452,310.25

Buyer: Richard Morris

# CITY OF HOUSTON

## INTER OFFICE CORRESPONDENCE

TO: Annise D. Parker  
Mayor

FROM: Charles A. McClelland, Jr.  
Chief of Police

DATE: August 12, 2010

SUBJECT: **Conducted Energy Device (CED) RCA**

The Houston Police Department is requesting City Council's approval to renew a contract with GT Distributors, Inc. for the purchase of Conducted Energy Devices (CED / also commonly referred to as "Taser"), to include related accessories, supplies, warranties, and repair services. CEDs provide an important intermediate level response for police officers against persons actively resisting and are invaluable as part of the Houston Police Department's (HPD) less-lethal force options.

The department closely monitors the use of this device, and has policy and training requirements in place. CEDs have been used safely and effectively, and have presently been distributed to over 4,400 HPD officers. Currently, CEDs have been deployed 2,571 times since being distributed throughout the department in December 2004. To date, only one suspect has been seriously injured as a result of a CED deployment and seven officers were injured attempting to subdue suspects while using the devices. The CED has been effective 76% of the time when deployed by a Houston police officer (1,955 of 2,570 total deployments).

The Houston Police Department mandates six hours of training prior to an officer being issued a CED, to which the purpose of the training is to provide officers with both the requisite knowledge and skills to safely handle, retain, and operate a CED. For your information, the training is a six-hour session ranging from basic electricity to care and proper operation of the device. Likewise, police officers are instructed on the parameters of when the CED can be deployed. For example, the CED is not to be deployed when a person has been exposed to a chemical, by persons passively resisting, or to protect property from destruction or damage. Instruction is also provided on the safe deployment of the CED and persons affected. Officers are trained to observe the individuals that have been "Tasered" for Neuro-Muscular Incapacitation (NMI), compliance with commands, secondary injuries due to falls, and for unusual reactions.

Additional items within the training course are devoted to loading and firing the CED, the effective target zones, probe placement, and care and treatment of the device. Moreover, instruction is given regarding the compatibility with other weapon systems, follow-up actions, and tactical considerations involving individuals that have been tased. Finally, officers must demonstrate proficiency of the CED through a live fire course.

Overall, the police department's policy on Conducted Energy Devices provides clear guidance to officers and is a model policy that has been adopted by law enforcement agencies across the

nation. The policy outlines the training requirements, proper usage, and documentation requirements when the CED is used. The policy also provides officers and supervisors with sufficient guidance to ensure that all members of the Houston Police Department understand the proper role of the CED as an intermediate weapon system.

A City Controller's audit report on officer injury showed that while officer injury and worker's compensation claims have decreased, the downward trend started prior to the introduction of the CED program. In fiscal year 2003, there were 907 workers compensation claims. The number of claims began dropping in fiscal year 2004 and have continued to decrease (see attachment). The decrease in claims and dollars spent on worker's compensation for police officers has continued, thereby saving the City of Houston millions of dollars and keeping officers safe and available to provide police protection to our community. While the department is not positively able to correlate the reduction in worker compensation claims to CEDs, they are almost assuredly a factor.

Ultimately, the Conducted Energy Device is a vitally important intermediate weapon system used by officers of the Houston Police Department. The CED has been used safely for over five years and has prevented injuries to officers and citizens alike. As such, it is imperative that the department continue to deploy CEDs to new officers, and supply and repair the existing devices; therefore, I am requesting the attached Request for Council Action be submitted for approval.



Charles A. McClelland, Jr.  
Chief of Police

cam:jgj:gam

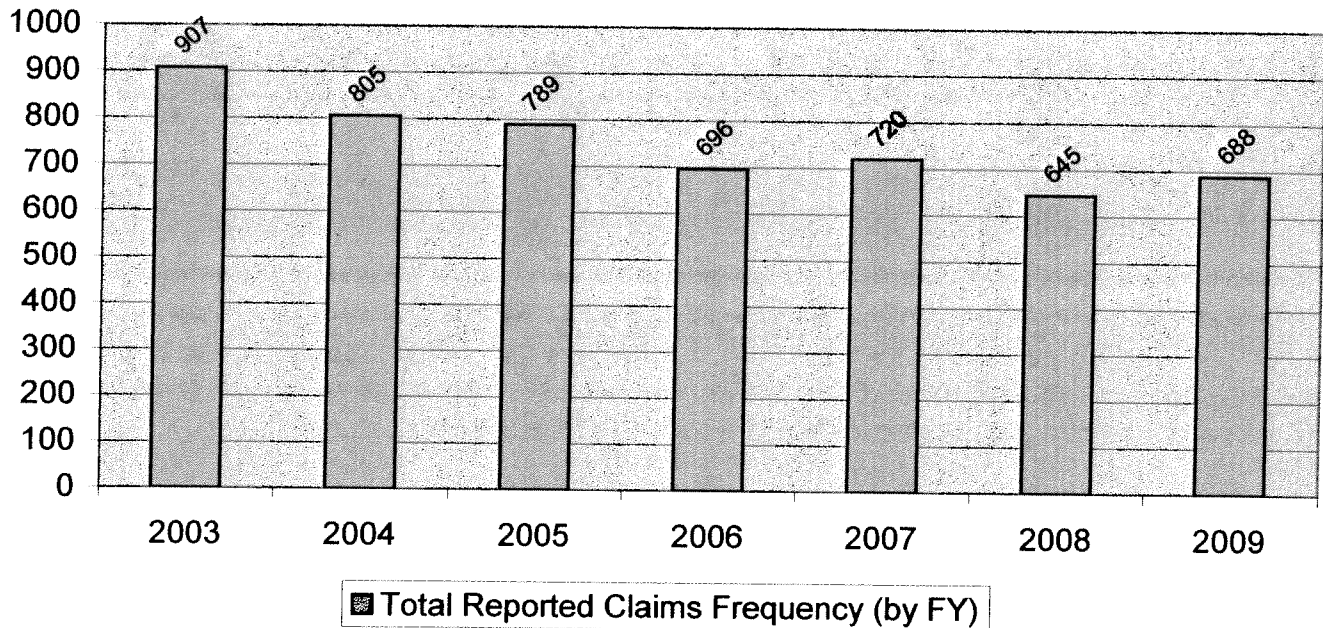
Attachment

cc: Marty Stein, Agenda Director  
Waynette Chan, Mayor's Chief of Staff

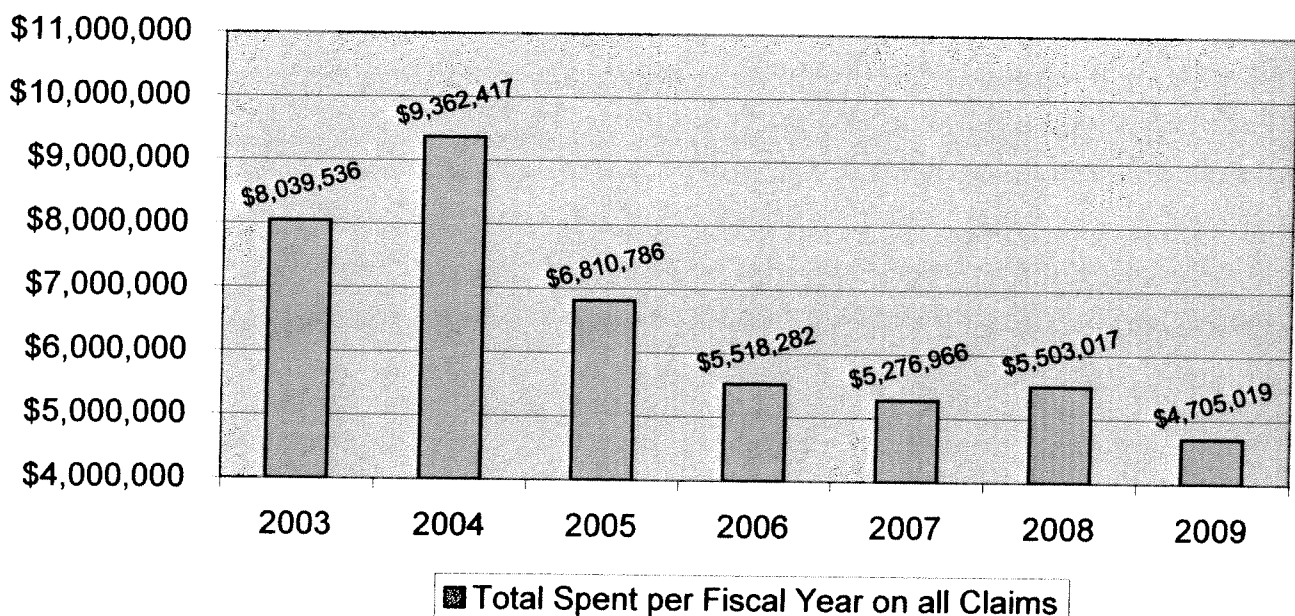
COP #

**Houston Police Department**  
**Workers Compensation Claims 2003-2009**  
**August 13, 2010**

**Total Reported Claims Frequency per Fiscal Year**



**Total Spent per Fiscal Year on all Claims**



# TASER CONTRACT - EQUIPMENT AND SUPPLIES FY11 + 4 OUTYEARS

FY11	FOUR CLASSES OF 75 CADETS - CED's and EQUIPMENT					Item #	HPD Cost	Sub-Total	Total
300	Taser X26E Black/Silver Grip Plates with XDPM & BlackHawk® Surpa holster					26082	774.20	232,260.00	
300	Taser X26 4 year Extended Warranty					26744	175.70	52,710.00	
300	Taser - XDPM Extended Digital Power Magazine					26701	36.05	10,815.00	
600	Taser 21' Single Shot Air Cartridge					44200	19.91	11,946.00	
600	21ft (6.4m) Non-Conductive Simulation *Blue/Blue Blast Door / Training Use					44205	18.98	11,388.00	
	EQUIPMENT and SUPPLIES FY-11								
2000	Taser - XDPM Extended Digital Power Magazine					26701	36.05	72,100.00	
12000	Taser 21' Single Shot Air Cartridge					44200	19.91	238,920.00	
4000	BlackHawk® Surpa® holster right-hand (replacements)					44952	47.46	189,840.00	
400	BlackHawk® Surpa® holster left-hand (replacements)					44953	47.46	18,984.00	
500	21ft (6.4m) Non-Conductive Simulation *Blue/Blue Blast Door / Training Use					44205	18.98	9,490.00	
4	Air Cartridge w/ alligator clips *Training Use					85000	42.75	171.00	
4	M26/X26 Maintenance and Cleaning Kit					85002	59.96	239.84	
20	X26E USB Dataport Download Kit *Windows® 98se, NT, 2000, XP compatible					26500	151.96	3,039.20	
	12 MONTHS No-Warranty Returns and Replacements 31 X 12+ 10%								
675	Taser X26E Black/Silver Grip Plates with XDPM & BlackHawk® Surpa holster					26082	350.00	236,250.00	
675	Taser X26 4 year Extended Warranty					26744	175.70	118,597.50	
675	Taser - XDPM Extended Digital Power Magazine					26701	36.05	24,333.75	
1	Freight						15000.00	15,000.00	1,246,084.29
	THREE CLASSES OF 75 CADETS - CED's and EQUIPMENT								
						Item #	HPD Cost	Sub-Total	Total
225	Taser X26E Black/Silver Grip Plates with XDPM & BlackHawk® Surpa holster					26082	774.20	174,195.00	
225	Taser X26 4 year Extended Warranty					26744	175.70	39,532.50	
225	Taser - XDPM Extended Digital Power Magazine					26701	36.05	8,111.25	
450	Taser 21' Single Shot Air Cartridge					44200	19.91	8,959.50	
450	21ft (6.4m) Non-Conductive Simulation *Blue/Blue Blast Door / Training Use					44205	18.98	8,541.00	
	EQUIPMENT and SUPPLIES FY-12								
1000	Taser - XDPM Extended Digital Power Magazine					26701	36.05	36,050.00	
8250	Taser 21' Single Shot Air Cartridge (5500x1) + (Stations 2000) = 7500+10%					44200	19.91	164,257.50	
2000	BlackHawk® Surpa® holster right-hand (replacements)					44952	47.46	94,920.00	
200	BlackHawk® Surpa® holster left-hand (replacements)					44953	47.46	9,492.00	
500	21ft (6.4m) Non-Conductive Simulation *Blue/Blue Blast Door / Training Use					44205	18.98	9,490.00	
4	Air Cartridge w/ alligator clips *Training Use					85000	42.75	171.00	
4	M26/X26 Maintenance and Cleaning Kit					85002	59.96	239.84	
15	X26E USB Dataport Download Kit *Windows® 98se, NT, 2000, XP compatible					26500	151.96	2,279.40	
	12 MONTHS No-Warranty Returns and Replacements 31 X 12+ 10%								
410	Taser X26E Black/Silver Grip Plates with XDPM & BlackHawk® Surpa holster					26082	350.00	143,500.00	
410	Taser X26 4 year Extended Warranty					26744	175.70	72,037.00	
410	Taser - XDPM Extended Digital Power Magazine					26701	36.05	14,780.50	
1	Freight						15000.00	15,000.00	801,556.49

# TASER CONTRACT - EQUIPMENT AND SUPPLIES FY11 + 4 OUTYEARS

FY13	THREE CLASSES OF 75 CADETS - CED's and EQUIPMENT					Item #	HPD Cost	Sub-Total	Total
225	Taser X26E Black/Silver Grip Plates with XDPM & BlackHawk® Surpa holster					26082	774.20	174,195.00	
225	Taser X26 4 year Extended Warranty					26744	175.70	39,532.50	
225	Taser - XDPM Extended Digital Power Magazine					26701	36.05	8,111.25	
450	Taser 21' Single Shot Air Cartridge					44200	19.91	8,959.50	
450	21ft (6.4m) Non-Conductive Simulation *Blue/Blue Blast Door / Training Use					44205	18.98	8,541.00	
EQUIPMENT and SUPPLIES FY-13									
1000	Taser - XDPM Extended Digital Power Magazine					26701	36.05	36,050.00	
8250	Taser 21' Single Shot Air Cartridge (5500x1) + (Stations 2000) = 7500+10%					44200	19.91	164,257.50	
2000	BlackHawk® Surpa® holster right-hand (replacements)					44952	47.46	94,920.00	
200	BlackHawk® Surpa® holster left-hand (replacements)					44953	47.46	9,492.00	
500	21ft (6.4m) Non-Conductive Simulation *Blue/Blue Blast Door / Training Use					44205	18.98	9,490.00	
4	Air Cartridge w/ alligator clips *Training Use					85000	42.75	171.00	
4	M26/X26 Maintenance and Cleaning Kit					85002	59.96	239.84	
15	X26E USB Dataport Download Kit *Windows® 98se, NT, 2000, XP compatible					26500	151.96	2,279.40	
12 MONTHS No-Warranty Returns and Replacements 31 X 12+ 10%									
410	Taser X26E Black/Silver Grip Plates with XDPM & BlackHawk® Surpa holster					26082	350.00	143,500.00	
410	Taser X26 4 year Extended Warranty					26744	175.70	72,037.00	
410	Taser - XDPM Extended Digital Power Magazine					26701	36.05	14,780.50	
1	Freight						15000.00	15,000.00	801,556.49
THREE CLASSES OF 75 CADETS - CED's and EQUIPMENT									
EQUIPMENT and SUPPLIES FY-14									
225	Taser X26E Black/Silver Grip Plates with XDPM & BlackHawk® Surpa holster					26082	774.20	174,195.00	
225	Taser X26 4 year Extended Warranty					26744	175.70	39,532.50	
225	Taser - XDPM Extended Digital Power Magazine					26701	36.05	8,111.25	
450	Taser 21' Single Shot Air Cartridge					44200	19.91	8,959.50	
450	21ft (6.4m) Non-Conductive Simulation *Blue/Blue Blast Door / Training Use					44205	18.98	8,541.00	
THREE CLASSES OF 75 CADETS - CED's and EQUIPMENT									
EQUIPMENT and SUPPLIES FY-14									
1000	Taser - XDPM Extended Digital Power Magazine					26701	36.05	36,050.00	
8250	Taser 21' Single Shot Air Cartridge (5500x1) + (Stations 2000) = 7500+10%					44200	19.91	164,257.50	
2000	BlackHawk® Surpa® holster right-hand (replacements)					44952	47.46	94,920.00	
200	BlackHawk® Surpa® holster left-hand (replacements)					44953	47.46	9,492.00	
500	21ft (6.4m) Non-Conductive Simulation *Blue/Blue Blast Door / Training Use					44205	18.98	9,490.00	
4	Air Cartridge w/ alligator clips *Training Use					85000	42.75	171.00	
4	M26/X26 Maintenance and Cleaning Kit					85002	59.96	239.84	
15	X26E USB Dataport Download Kit *Windows® 98se, NT, 2000, XP compatible					26500	151.96	2,279.40	
12 MONTHS No-Warranty Returns and Replacements 31 X 12+ 10%									
410	Taser X26E No-Warranty Diagnostic Return					No Cost		0.00	
410	Taser X26E Black/Silver Grip Plates with XDPM & BlackHawk® Surpa holster					26082	350.00	143,500.00	
410	Taser X26 4 year Extended Warranty					26744	175.70	72,037.00	

**TASER CONTRACT - EQUIPMENT AND SUPPLIES FY11 + 4 OUTYEARS**

410	Taser - XDPM Extended Digital Power Magazine	26701	36.05	14,780.50	
1	Freight		15000.00	15,000.00	801,556.49

FY15

**THREE CLASSES OF 75 CADETS - CED's and EQUIPMENT**

		Item #	HPD Cost	Sub-Total	Total
225	Taser X26E Black/Silver Grip Plates with XDPM & BlackHawk® Surpa holster	26082	774.20	174,195.00	
225	Taser X26 4 year Extended Warranty	26744	175.70	39,532.50	
225	Taser - XDPM Extended Digital Power Magazine	26701	36.05	8,111.25	
450	Taser 21' Single Shot Air Cartridge	44200	19.91	8,959.50	
450	21ft (6.4m) Non-Conductive Simulation *Blue/Blue Blast Door / Training Use	44205	18.98	8,541.00	

FY15

**EQUIPMENT and SUPPLIES FY-14**

1000	Taser - XDPM Extended Digital Power Magazine	26701	36.05	36,050.00	
8250	Taser 21' Single Shot Air Cartridge (5500x1) + (Stations 2000) = 7500+10%	44200	19.91	164,257.50	
2000	BlackHawk® Surpa® holster right-hand (replacements)	44952	47.46	94,920.00	
200	BlackHawk® Surpa® holster left-hand (replacements)	44953	47.46	9,492.00	
500	21ft (6.4m) Non-Conductive Simulation *Blue/Blue Blast Door / Training Use	44205	18.98	9,490.00	
4	Air Cartridge w/ alligator clips *Training Use	85000	42.75	171.00	
4	M26/X26 Maintenance and Cleaning Kit	85002	59.96	239.84	
15	X26E USB Dataport Download Kit *Windows® 98se, NT, 2000, XP compatible	26500	151.96	2,279.40	

FY15

**12 MONTHS No-Warranty Returns and Replacements 31 X 12+ 10%**

410	Taser X26E No-Warranty Diagnostic Return	No Cost	0.00		
410	Taser X26E Black/Silver Grip Plates with XDPM & BlackHawk® Surpa holster	26082	350.00	143,500.00	
410	Taser X26 4 year Extended Warranty	26744	175.70	72,037.00	
410	Taser - XDPM Extended Digital Power Magazine	26701	36.05	14,780.50	
1	Freight		15000.00	15,000.00	801,556.49

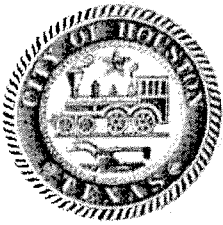
**CONTRACT TOTAL EQUIPMENT AND SUPPLIES**

FY11 plus 4 Outyears

**4,452,310.25**

Historically 34 Taser units are replaced each month (410 units per year).





# CITY OF HOUSTON

## Interoffice

Administration & Regulatory Affairs Department  
Strategic Purchasing Division

Correspondence

To: Calvin D. Wells, Deputy Director  
City Purchasing

**RECEIVED**

From: Richard Morris

Date: December 29, 2009

RE-SENT → MAR 16 2010

City of Houston  
Affirmative Action

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%

Yes ☒ No ☐

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: S30-L23515

Estimated Dollar Amount: \$8,390,141.90

Anticipated Advertisement  
Date:

Solicitation Due  
Date:

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:** Taser Devices and Associated Equipment for the Houston Police Department.  
The contract will be used for non-lethal electronic immobilization Taser stun guns used to subdue suspects by the Houston Police Department.

**Rationale for requesting a Waiver or Revision:** This equipment will be manufactured and drop shipped directly to Houston Police Department by the manufacturer. The buyer reviewed the current MWBE Directory published by the Affirmative Action Division and could not find any suppliers of the aforementioned equipment. Therefore, there is no MWBE subcontracting possibility on this procurement and the recommendation is for a zero MWBE goal on the procurement.

Concurrence:

*Richard Morris*  
Initiator

*S. P. DeLoe*  
Deputy Assistant Director

*Robert D. Gallegos*  
Robert Gallegos, Deputy Assistant Director  
\*Affirmative Action

*Calvin D. Wells*  
Calvin D. Wells, Deputy Director  
City Purchasing Agent 12/31

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